

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

Absent: None

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

President Stearn 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. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Mooney asked that consent agenda item a. be placed on the business agenda for consideration.

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

Motion passed (7 – 0).

COUNCIL PRESIDENT COMMENTS

Stearn referred to statements made at the June 2, 2009 Council meeting by former Council member Pamela Rijnovean regarding a proposal received from the City of Birmingham to provide building services for Beverly Hills. Stearn pointed out a number of misrepresentations conveyed by Rijnovean, which he refuted by presented factual information and statistics regarding the building department operation. The proposal from the City of Birmingham would cost the Village an additional \$135,000 to run the building department as it is currently configured.

Stearn remarked that Beverly Hills residents should not be concerned about the operation of the Village building department. Although the department will not offer the same level of service as it provided in the past, the Village will continue to employ plumbing, electrical, mechanical, building, and sewer contractors as well as additional outsourced contracting. The Village will be paying these contractors directly with 60% of fees going to the contractor and 40% going to the Village for administrative costs. The Village building department will continue to maintain a high level of service. Stearn said that he was sorry about the loss of the building official, but costs had to be reduced due to financial issues facing the Village.

PUBLIC COMMENTS

Bethany from Congressman Peters office asked for citizen support of a grass roots campaign to urge General Motors to build its next generation vehicle in Orion Township, Michigan. She asked people to go to the website, www.makeitinmichigan.org, and add their name and email address to a form that will tell GM when it comes to producing their newest car they need to Make it in Michigan!

Ralph Lohrengel of 18346 Beverly Road read comments suggesting that Village politics are playing hostage with the Baldwin Library partnership. He spoke against higher taxes to support the library. Lohrengel said that employee fringe benefits and mismanagement were the reasons for the Village's fiscal problems.

CONSENT AGENDA

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

a. Review and file bills recapped as of Monday, June 8, 2009.

b. Review and consider Oakland County Emergency Management agreement.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER APPROVAL OF MINUTES OF REGULAR COUNCIL MEETING HELD JUNE 2, 2009

Mooney made a correction to the minutes on page 7, second paragraph from the bottom, line three, to change the word 'less' to 'more'.

Motion by Mooney, second by Koss, that the minutes of a regular Council meeting held on June 2, 2009 be approved as amended.

Motion passed (7 – 0).

APPOINT VARIOUS MEMBERS TO BOARDS/COMMITTEES

Council subcommittees met starting at 6 p.m. tonight to review applications for Village boards and committees. A number of board members' terms will expire on June 30, 2009. Council agreed in November to make these vacancies open to the public as well as the currently seated member.

The Retirement Board subcommittee met at 6:00 p.m. and considered two highly qualified applicants to fill a position on the Board. The subcommittee recommended the appointment of Don O'Connell to fill the vacancy on the Retirement Board.

Motion by Stearn, second by Oen, to appoint Don O'Connell to fill a vacancy on the Retirement Board for a term to expire on June 30, 2012.

Motion passed (7 – 0).

The Cable Board subcommittee chaired by Briggs met at 6:15 p.m. and voted to recommend the reappointment of Alan Heyman and Mary Ann Verdi-Hus to the Cable Board. There were no additional applicants for these vacancies.

Motion by Briggs, second by Oen, to appoint Alan Heyman and Mary Ann Verdi-Hus to fill vacancies on the Cable Board for terms to expire on June 30, 2012.

Motion passed (7 – 0).

A subcommittee chaired by Mooney met at 6:30 p.m. to review five applications to fill two vacancies on the Finance Committee. Motions were made to recommend Pat Westerlund and Neil Hitz to fill the vacancies on the Finance Committee.

Motion by Mooney, second by Oen, to appoint Patrick Westerlund to the Finance Committee for a term to expire on June 30, 2012.

Motion passed (7 – 0).

Motion by Mooney, second by Oen, to appoint Neil Hitz to the Finance Committee for a term to expire on June 30, 2012.

Ayes - Berndt, Briggs, Koss, Mooney, Oen and Peddie
Nays - Stearn

Motion passed (6 – 1).

At 6:45 p.m. the Parks and Recreation subcommittee chaired by Briggs met to consider appointing three individuals to fill vacancies on the Parks and Recreation Board. The subcommittee recommended the appointment of Bill Kondak, Jim O'Reilly and Lisa Ross.

Motion by Briggs, second by Oen, to appoint Bill Kondak, Jim O'Reilly and Lisa Ross to the Parks and Recreation Board for terms to expire on June 30, 2012.

Motion passed (7 – 0).

The Planning Board subcommittee chaired by Oen met at 7:00 p.m. to consider five applicants to fill three vacancies on the Planning Board. The subcommittee recommended the appointment of Rock Abboud, George Ostrowski, and Doug Prew.

Motion by Oen, second by Mooney, to appoint Rock Abboud, George Ostrowski, and Doug Prew to the Planning Board for terms to expire on June 30, 2012.

Soter Art Liberty of 20850 W. Thirteen Mile Road stated that his absence at the subcommittee meeting was not due to his lack of interest in a position on the Planning Board.

Motion passed (7 – 0).

The Zoning Board subcommittee chaired by Berndt met at 7:15 p.m. to review five applications for three positions to fill vacancies on the Zoning Board of Appeals. The subcommittee recommended the appointment of Kathleen Berwick, Tim Mercer and Mary Ann Verdi-Hus to the Zoning Board.

Motion by Berndt, second by Oen, to appoint Kathleen Berwick, Tim Mercer and Mary Ann Verdi-Hus to the Zoning Board of Appeals for terms to expire on June 30, 2012.

Tim Mercer of 17400 Locherbie thanked Larry Needham for his service and valuable insight as a member of the Zoning Board of Appeals.

Ayes – Berndt, Briggs, Koss, Oen, Peddie and Stearn
Nays - Mooney

Motion passed (6 – 1).

REVIEW AND CONSIDER PROPOSED SITE PLAN REQUEST FROM SP DENTAL, 32900 PIERCE, FOR EXPANSION AND RENOVATION

Before Council for consideration was a site plan submitted by MGA Architects for the expansion of an existing dental office building at 32900 Pierce. The applicant Dr. Doskoris proposed a 1,050 square foot addition on the south side of the building to expand and renovate the existing building.

Two variances from the Zoning Ordinance were granted by the Zoning Board of Appeals on 12-8-2008: a parking deviation from 17 to 12 parking spaces and a variance to reduce the required 20 foot rear yard setback to 10 feet.

The Planning Board reviewed the site plan on May 27, 2009 and recommended Council approval subject to nine conditions. Council is in receipt of a review letter dated May 20, 2009 from LSL Planning and an engineering review of the site dated June 1, 2009. Manager Wilson stated that he and Building Official Byrwa have reviewed the proposal and recommend Council approval of the revised site plan dated May 18, 2009 conditioned upon the minor changes listed on the memo to Council dated June 11, 2009.

Motion by Oen, second by Briggs, to approve the revised site plan dated May 18, 2009 from SP Dental for expansion and renovation of an existing building at 32900 Pierce subject to the conditions set forth in the Planning Board motion on May 27, 2009, LSL Planning review letter dated May 20, 2009, and Village engineering review letter dated June 1, 2009.

Oen outlined and elaborated on the conditions listed in the Planning Board motion recommending approval of the site plan.

Robert Cliffe from MGA Architects was present with Dr. Doskoris. Cliffe stated that they have been working with the Village on the expansion of the existing dental office. He requested that Council approve their request for expansion and renovation of the building to create a state-of-the-art dental office along with the site work involved with this proposal.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER NOTIFICATION TO BALDWIN LIBRARY BOARD

Stearn stated that the Village has had an agreement for library services with the Baldwin Public Library in Birmingham since July 1, 1992. The agreement requires the Village of Beverly Hills to pay 1.077 mills as reduced by Headlee or .9183 mill this year, which is over \$500,000. The agreement has a provision that calls for an original term of three years to be self renewing to continue indefinitely. Either party has the right to terminate the agreement with 24 months notice made before the last day of the fiscal year. This Council has until June 30, 2009 to put the library on notice of termination or the Village will be committed to another three year period.

Council members Peddie and Stearn with Manager Wilson met with members of the Baldwin Library Board last week to discuss the financial difficulties facing Beverly Hills. The Board of Directors of the Baldwin Public Library met last night and unanimously approved the following resolution:

**BALDWIN PUBLIC LIBRARY
RESOLUTION**

Whereas, the Board of Directors of Baldwin Public Library (Baldwin) recognizes the financial difficulties facing the Village of Beverly Hills (Beverly Hills), and

Whereas, the Baldwin and Beverly Hills have enjoyed a mutual benefit over the years and each recognizes the importance of an ongoing relationship together, and

Whereas, Beverly Hills anticipates submitting a Notice of Termination pursuant to paragraph 6 of the Agreement for Library Services dated July 1, 1992 (Agreement) while it explores alternative funding sources, and

Whereas, Beverly Hills recognizes the financial impact a termination of the Agreement will cause to the Baldwin,

Now, Therefore Be It Resolved, that the Baldwin Public Library agrees that in the event Beverly Hills submits a Notice of Termination pursuant to the Agreement, the Baldwin will allow Beverly Hills to rescind said termination through December 31, 2010. In the event Beverly Hills rescinds said termination, the Agreement will continue as written and will not be affected in any way. In the event Beverly Hills does not rescind said termination, the Agreement will terminate on the last day of the fiscal year 2011.

Stearn informed those present that Council held a special meeting last night, June 15, to discuss the library contract. Approximately 150 residents attended to voice their support of the library and ask Council to retain library service.

Stearn said that it was his position that Beverly Hills could not continue to fund the library through the General Fund. By putting the library on notice of termination, the Village would have 18 months to find significant cost savings or approve a millage. Council and Administration have been working diligently to cut costs. Stearn related measures taken in the 2009/10 budget: two public safety officers were laid off; an additional \$120,000 was cut from the public safety department budget; the public services director position was reduced from full time to part time; an administrative position was eliminated in the Village office; the building official position was eliminated; the Village did not fully fund its legacy costs or contribute any money from the

General Fund to the Local Road Fund. A five-year projection shows that the Village will not have a balanced budget or any remaining fund balance within three years.

Residents proposed options for raising money at last night's meeting including the following: impose additional rubbish collection fees; impose a 1% administrative fee on Village services; create a Village foundation; increase recycling revenue; sell library cards. Stearn did not think that any of these items would save enough money to place the Village in a sound financial condition. Money raised annually through recycling amounts to about \$30,000. A 1% administrative fee would raise about \$60,000. Stearn questioned whether a foundation could raise \$500,000 annually for library costs.

Motion by Stearn, second by Berndt, that the Village of Beverly Hills Council notify the Baldwin Public Library Board before the end of June, 2009 that the Village is terminating its contract with the library, and that Council authorize the Village Attorney to draft the language necessary to consummate that termination.

Stearn said that he proposed this motion with difficulty and he would work hard over the next 18 months to find additional cuts or revenue sources to support the library.

Briggs voiced his support of the library. He thought that opting out of the contract was the prudent thing to do while Council was looking for additional revenue to keep the Village from becoming bankrupt.

Oen supported the library but questioned where the Village would find budget cuts that could produce \$522,000 per year. He commented on the Village's financial situation and projected budget shortfalls. Oen was encouraged by the opportunity for the community to come together in a positive way to find a way to fund the library.

Mooney voiced his view that the community is obligated to provide a library to its people. The negotiations conducted with the Library Board would allow the Village to cancel the contract with Baldwin Library on the chance that Council could rescind that cancellation if a millage passed. This action tells everyone who wants a library that they have to take action to provide money to maintain the library. Mooney reiterated that the Council is responsible for providing services to the community and for determining how to fund those services. He thought it was inappropriate for Council to cancel the contract.

Koss commented that the issue before the residents is the quality of life in Beverly Hills. Whether or not there is a dedicated millage for the library, the Village will have a \$600,000 deficit in the next three years not including retiree health care contributions. Koss asserted that there has to be a universal solution to the problems facing this Village. She believed that there was community support for the library, public safety, road maintenance and a number of things. Giving notice to the library means that Council is willing to gamble that the community will vote 'yes' on a dedicated millage. Koss thought it was incumbent upon Council as leaders of the Village to determine what services they believe the people want and to give them an opportunity to vote to provide them.

Mooney added that the resolution passed by the Library Board may get people to vote for a library millage, but it might sabotage the greater good, which is a millage to support our public safety department and other services that have to be provided.

Tim Mercer of 17400 Locherbie urged Council to vote against the motion to cancel the contract with Baldwin Library. The library serving Beverly Hills is also serving kids in the Village that go to Birmingham public schools. What Council chooses to do could impact all of our schools. He understood that the Village will still need additional tax revenue to cover other shortfalls.

Art Liberty said that it was the people who vote whether or not they want something. People should tell Council what services they want.

Tom Straith of 18870 Riverside urged Council not to vote to cancel the library contract unless they had a comprehensive millage proposal that would solve all of the Village's financial problems.

Ken Eaton at 16017 Kinross thought that Council could market a better millage plan within the next 18 months. He suggested rounding up volunteers to go door to door to market a millage plan that would cover the necessary Village services including public safety officers. Stearn remarked that a list of names and phone numbers is being compiled if anyone has a desire to help with the library.

Bunker Kelly expressed the view that options other than raising taxes to cover the library cost should be discussed. He commented that the Baldwin Library has the same fiscal concerns as Beverly Hills, and that the Village has the greater bargaining position.

Dan O'Donnell of 16141 Marguerite said that it is probably time to spend a little bit more money on Beverly Hills. If it costs \$500 more a year to help out the Village, he and his neighbors are willing to spend that money.

John McGrath of 16210 Beverly Road observed that the millage proposal of November, 2008 failed during a time of financial crisis in the country. Budget cuts have been made, but McGrath suggested that there may be opportunities to look harder at legacy costs and employee benefits. He urged Council to communicate the Village's needs to the overall community and give the voters another opportunity to consider a millage proposal before sending the letter to Baldwin.

Peddie said that the Baldwin Library has tried to accommodate the situation in the Village. Negotiations have been made in good faith to give the Village another option.

Briggs commented that everyone benefits from having a library through its use and through property values. At the same time, Council has an obligation to look at serious financial challenges facing the Village in future years. Council has been given an opportunity to look carefully at all of the options and craft a solution that makes sense.

Mooney stated that it is Council's duty to propose a comprehensive millage, which is the reason to vote against cancelling the library contract. Council should not set policy based on a cafeteria style taxation process.

Koss was opposed to sending the letter to the Baldwin Library Board. Four council terms will be up next year, and it is not certain that the same seven people will be here in 18 months. She is not willing to gamble that this letter will be rescinded with four new Council members at the table. Koss said that people have to think about what is important to them and what they want this village to be. Council needs to work diligently to save money and come to the people with a realistic picture of the future.

Berndt said that the library is a fundamental component of what our homes are worth. Council and the community have to find a way to fund those things that it values. Berndt suggested that sending the letter to opt out of the library contract will provide the ability to maneuver without committing the Village to spend money that it may not have.

Stearn concluded that this is a difficult decision for Council. He would like to continue library services but cannot figure out how the Village would pay for it at this point. Stearn emphasized that the vote tonight is not a vote on how Council proceeds in the future with a millage proposal. There will be discussion about a dedicated millage, a comprehensive millage, additional budget cuts, and consolidation of services. Stearn said that he was committed to finding a solution within the next 18 months.

Roll Call Vote:

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

Motion passed (5 – 2).

REVIEW AND CONSIDER ROLE OF THE FINANCE COMMITTEE

Stearn asked that this item be placed on the agenda. He thought that the Finance Committee was struggling with its role partially because Council has not provided them with a clear definition of their duties. Stearn proposed changing the Finance Committee to an ad-hoc committee that meets only when it has a specific assignment from Council.

Council members commented on the proposal for an ad hoc finance committee. It was noted that Finance Committee members have questioned their role and requested specific tasks from Council. There was agreement that the individuals on the Finance Committee will be able to assist Council during these difficult financial times.

Briggs commented that, at its last meeting, the Finance Committee requested a joint meeting with Council to discuss financial issues facing the Village and receive guidance on how they might assist Council and Administration. They proposed a number of topics that could be investigated by the Finance Committee.

Ralph Lohrengel commented that Oakland County Deputy Executive Robert Daddow has said that there will be financial problems for all municipalities in the County through 2014. He suggested that the Finance Committee meet with Mr. Daddow to determine how to address these financial issues facing the Village. Mooney remarked that Finance Director Wiszowaty meets regularly with Mr. Daddow.

John McGrath proposed that the Finance Committee revisit efforts to look for areas where potential cuts can be identified and listed for Council consideration.

Motion by Stearn, second by Berndt, that Council redefine the role of the Finance Committee to change it from a sitting committee to an ad hoc committee that meets only at the direction of specific Council assignments.

Roll Call Vote:

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

Motion passed (4 – 3).

Stearn thanked the Finance Committee members for their hard work over the years. He expected that Council would have additional assignments for them and looked forward to the new relationship with Council.

REVIEW AND CONSIDER RETIREMENT PACKAGE FOR SERGEANT TED WINK

Wilson stated that Council has been discussing a voluntary retirement package for command officer Sergeant Ted Wink of the Public Safety Department. The terms of this package call for the Village to purchase six additional years of service time in exchange for Sgt. Wink's voluntary retirement. Labor Attorney Dennis DuBay has prepared a contract for Council consideration. Actuarial firm Gabriel, Roeder, Smith & Company provided the Village with a cost estimate based on the 30 year amortization of the Retirement Plan. Wilson believed this proposal to be in the best long-term financial interest of the Village. Mr. Wink has agreed in principal to sign this contract upon Council authorization that it be executed.

Motion by Mooney, second by Oen, that the Village of Beverly Hills approve the Voluntary Exit Incentive Severance/Separation Agreement and Release for Sgt. Ted Wink as presented.

Stearn stated that this early retirement package resulted from the Village's budget process and efforts to cut costs. Sgt. Ted Wink, a valuable employee of the Village, has agreed to accept a voluntary early retirement that would save the Village about \$144,000 per year. The Village will incur a cost to incentivize Sgt. Wink to retire early that will involved contributing money to his pension fund at a cost of \$179,000 amortized over 30 years.

Kathleen Berwick questioned why the Village was paying towards an early retirement in these difficult financial times.

Bob Walsh asked for more details about the retirement package. Stearn commented that Sgt. Wink will begin receiving the pension that he would be entitled to after six additional years of service with the Village. Walsh quoted figures and offered comments on the union contract and retirement package offered to Sgt. Wink. Stearn suggested that Mr. Walsh meet with Finance Director Wiszowaty to discuss the actuarial report and figures involved with this retirement package.

Pamela Rijnovean stated that the actuarial report was not available online as part of the supporting documents related to this agenda item. Stearn handed a copy of the Actuarial Report to Ms. Rijnovean and asserted that a copy of this report was available to the public at the Village office.

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

REVIEW AND CONSIDER RETIREMENT PACKAGE FOR DAVID BYRWA

Wilson stated that Council agreed to move the building inspector position from a full time to a part-time contractual position as part of the budget process. That full time position had been held by Dave Byrwa for 17 years. Due to provisions of the retirement program for administrative personnel, Byrwa is not age eligible to assume a pension at this time. Administration contacted MERS (Municipal Employees Retirement System) and was able to open a window that would expire at the end of this month to allow Mr. Byrwa to retire at age 55 as opposed to age 60. The cost to the Village would be \$5,584. Council is in receipt of the actuarial report from Gabriel Roeder Smith & Company.

Wilson provided Council with an updated copy of the contract for the early retirement of Dave Byrwa. The contract includes language stating that the retiree health care provision benefit is available for Mr. Byrwa and his spouse as currently allowed for administrative retirees. Byrwa has agreed to enroll in the Blue Care Network, which all non-union personnel will do as of July 15. In addition, he will agree to enroll in Medicare Part A, B, and D at age 65.

Wilson commented that there was previous discussion about the possibility of using Mr. Byrwa as a contractor. Language on the first page of the contract regarding his continued employment with the Village appeared to be contradicted in paragraph 12 of the contract. Wilson explained that the language as written was intended to clarify that, should Mr. Byrwa return to the Village, it would be as an independent contractor and not as an employee.

Stearn remarked that another casualty of the budget deliberations was the decision to eliminate the full-time building official position due to cost constraints. Dave Byrwa provided many years of good service to the Village, and he will be allowed to receive his retirement before age 60.

Motion by Mooney, second by Oen, that the Village of Beverly Hills approve the Voluntary Exit Incentive Severance/Separation Agreement and Release for Dave Byrwa as amended.

Council members thanked Dave Byrwa for his years of service to the Village.

Tom Straith of 18870 Riverside stated that it was a pleasure working with Dave Byrwa when he built a new house in the Village in 2004.

Rock Abboud stated that he also had a great experience working with Mr. Byrwa when building a new home in the Village.

Bunker Kelly complimented Dave Byrwa for his many years of helping people in the Village. Art Liberty thanked Dave Byrwa and commented that his presence and knowledge will be missed at Planning Board meetings.

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

REVIEW AND CONSIDER AUTHORIZING THE VILLAGE MANAGER TO EXPLORE CONSOLIDATION AND/OR RESTRUCTURING ARRANGEMENTS

Koss stated that the suggestion was made during budget sessions to examine all aspects of delivering police and fire services to the residents. Council agreed to defer a comprehensive discussion on this topic until after adoption of the budget.

Police and fire service is a serious concern and a major cost to the Village. Koss stated that she does not want the character of the Village to change, but there is need to investigate the options available and costs for providing police and fire service to the Village. This would include the cost of continuing with a public safety department, outsourcing fire service with another community and keeping police service only, or outsource to the Oakland County Sheriff's Department. Koss proposes scheduling a special Council meeting dedicated to a discussion of public safety once this information is available.

Motion by Koss, second by Oen, to authorize the Village Manager to explore consolidation and/or restructuring arrangements with respect to police and fire services for the Village of Beverly Hills.

Manager Wilson estimated that he could report back to Council on options in 30 days given the scope of this undertaking. Koss requested an update from the Manager at the second meeting in July so that Council could schedule a special meeting.

Council members commented on the necessity for this course of action and the financial reasons for looking at the way that services are delivered.

Pam Rijnovean thought that the proposed motion was prudent. She shared information researched several years ago regarding outsourcing dispatch services.

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

REVIEW AND CONSIDER 2008/09 FISCAL YEAR BUDGET AMENDMENTS

Before Council for consideration is a memorandum prepared by the Finance Director listing the operating transfers or reserves from the General Fund and Major Road Fund to other operating funds. The items are either budgeted or will be adjusted by budget amendments. The Village Council is required by the State Uniform Budgeting Act to approve a resolution to authorize administration to make these transfers or reserve funds. Wilson stated that he reviewed the budget amendments with Wiszowaty and recommends Council approval at this time.

Motion by Mooney, second by Briggs, that the Village of Beverly Hills Council adopt the budget amendments and transfers as outlined in the memorandum dated June 11, 2009 from the Finance Director addressed to the Village Council and Village Manager.

The 2008/09 Village Budget Amendment memo is on file at the Village office for public review.

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

REVIEW AND CONSIDER CONTRIBUTION TO CITY OF BIRMINGHAM FOR ANNUAL FIREWORKS DISPLAY ON JULY 3, 2009

Wilson stated that the City of Birmingham has requested a donation from the Village to offset the cost of the annual fireworks display on Friday, July 3, 2009 at Lincoln Hills Golf Course. The cost to the City of Birmingham is \$25,000. The Village budgeted \$1,800 to help support this event.

Motion by Mooney, second by Peddie, that the Village of Beverly Hills Council approve the contribution of \$1,800 to the City of Birmingham for the July 3, 2009 Fireworks Display at Lincoln Hills Golf Course as budgeted in the 2009/10 budget.

Kathleen Berwick was opposed to paying for fireworks considering the Village's current financial condition.

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

REVIEW AND CONSIDER AGREEMENT WITH THE VILLAGE OF FRANKLIN FOR LOCKUP SERVICES

Director Woodard reviewed that previous councils have asked the Public Safety Department to expand its opportunities for cooperative arrangements with other jurisdictions either for

providing or obtaining common services. One such contract was entered into approximately two years ago with the City of Lathrup Village to provide lockup services to that agency. This action has provided revenue close to \$10,000 this year.

The Police Chief for the Village of Franklin has requested that the Beverly Hills Public Safety Department consider a proposal to provide prisoner lockup services to their department. It is normally necessary for their department to transport its prisoners to the Oakland County jail to await bond or court appearances, thus temporarily reducing the road patrol strength available in their community. Franklin already uses the Village's booking and fingerprinting equipment based on a prior arrangement. The lockup service would be provided at a cost of \$100 per prisoner lodged each 24 hours.

Questions from Council were addressed by Director Woodard. The attorneys for the two villages have reviewed and approved the language presented for Beverly Hills Council consideration. The Franklin Village Council considered and approved the agreement at its June 8, 2009 meeting.

Motion by Mooney, second by Berndt, that the Beverly Hills Village Council approve the agreement for the Department of Public Safety to provide prisoner lock up services to the Franklin Village Police Department and authorize the Village Manager and Village Clerk to sign the agreement on behalf of the Village.

A copy of the Intergovernmental Agreement to Provide Lock Up Services to the Village of Franklin is available for public review in the Village office.

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

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court thanked Sgt. Ted Wink for his outstanding service over the years. He has worked in the Detective Bureau and has gone out of his way to be of assistance to residents. Tischler also mentioned that it has been a pleasure to work with Dave Byrwa. She understands that the Village is making some difficult budget decisions. Both Ted Wink and Dave Byrwa will be missed, and she wished them well.

David Bloom from Birmingham, chair of the Citizens Committee to Save the Birmingham Eccentric, was present to ask Council and residents to join the governments of Birmingham, Bloomfield Hills, Bloomfield Township, Bingham Farms, the Oakland County Commissioner, and State Representative Chuck Moss in support of the Eccentric newspaper. It is the oldest business in Birmingham at 131 years. In April it was announced that the Eccentric would be closing. Due to lobbying efforts, a reprieve has been given to keep the paper open if enough subscriptions can be generated, which will require a community-wide effort.

Norman Rubin of 31020 Rivers Edge Court had a question on the budget amendments passed tonight. He was informed that budget amendments are required by government accounting standards.

Rock Abboud of 18207 Gould Court thanked Council for appointing him to the Village Planning Board and said that it was his honor to serve the community.

Mike Belware of 30673 Pebblestone Court heard that the Village needs a comprehensive solution to its budget problems. There was discussion of cutting major services or raising taxes as the primary options. Belware suggested that, if Council can prove that it has addressed escalating legacy costs, he and others will find it more palatable to discuss increased taxes.

Ralph Lohrengel of 18346 Beverly Road stated that the Oakland Press newspaper came out with a supplement listing services offered by each of the municipalities in Oakland County. The Village of Beverly Hills, Bingham Farms and Southfield Township were missing from the information in the supplement.

Ken Eaton of 16017 Kinross thanked Council for all their work.

Tim Mercer of 17400 Locherbie expressed disappointment with the decision to cancel the library contract. He said that there were outside forces last November that worked against the millage proposal in terms of people and events in the economy. Mercer looks forward to Council coming back to the residents with a plan before the next election.

REPORTS – MANAGER

Wilson thanked Dave Byrwa and Ted Wink for their years of service to the Village. He mentioned that the receptionist position at the Village office has been cut as well. Wilson thanked Geri Ayers for her service to the Village.

REPORTS – COUNCIL

Briggs reported on the regular Retirement Board meeting held on May 26, 2009.

Council members thanked Planning Board member Art Liberty, Zoning Board member Larry Needham, and Parks and Recreation Board member Cynthia Nagle for their years of service with the Village. Sergeant Ted Wink and Dave Byrwa were acknowledged for their outstanding service to the Village.

Stearn thanked Council for working hard in budget sessions and for meeting last night with residents to discuss the library contract. He thanked Mr. Wilson and Ms. Peddie for meeting with the Baldwin Library Board. Stearn invited all of the people who attended the special meeting last night to stay involved.

Motion by Mooney, second by Oen, to go into a closed session to discuss matters of attorney client privilege at 10:05 p.m.

Roll Call Vote:

Motion passed (7 – 0).

Koss left the meeting at 10:05 p.m.

Motion by Mooney, second by Briggs, to return to open session and adjourn the meeting at 10:36 p.m.

Motion passed (6 – 0).

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary