

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

Absent: Mooney

Also Present: Village Manager, Wilson
Assistant Manager, Marshall
Village Attorney, Ryan

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. Third grader Rachael Koss led the audience in reciting the Pledge of Allegiance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Briggs, second by Koss, to change the order of items ‘a’ and ‘b’ on the business agenda.

Motion passed (6 – 0).

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

Motion passed (6 – 0).

PUBLIC COMMENTS

Alda Marie McCook of 19370 Riverside Drive stated that area residents received a letter from the Village dated September 29, 2009 regarding the status of the Riverside Park dam. McCook expressed her views on what she understood to be a request for grant money to remove the Ery Dam, which would effect water flow. The letter indicated that submitting a pre-proposal for this project was being considered because the impoundment has allowed the Rouge River to accumulate deep deposits of sediment in this area that have left the water only inches deep and unsuitable for quality recreation.

The letter also stated that the Village of Beverly Hills would not engage in the repair, removal or restoration of the Ery Dam without full input and participation of all adjacent and impacted property owners. McCook maintained that it was only through the effort of concerned residents that the dam removal project was eliminated from the grant request. She did not think that area residents received adequate input on the proposed grant.

McCook provided some background on the design and replacement of the bridge over Riverside Park. She believed that the pond was important to everyone who enjoys it, and she would like it to remain into the future.

Kathleen Berwick of 30381 Kennoway Court remarked that she enjoyed living on the Rouge River. She cannot understand why anyone would want to change the status of the Riverside pond when there are people who probably bought their property because it abuts the pond. Home values have decreased by 30%; people would experience a further decrease in their property values if they lost the pond.

Manager Wilson referred to his letter of September 30 to residents and to the written account of the Eryty Dam matter in his Manager's report, which is public record. People with questions on this topic can contact him at the Village office.

David Bloom, Birmingham resident, understood that the Beverly Hills Council would like assurance that the Village is receiving value for its money during these tough economic times in terms of the Baldwin Public Library contract. He expressed the view that all library patrons should pay their fair share for using the same library service.

County Commissioner Marcia Gershenson reported that the County Commission passed a balanced budget by a unanimous vote last week. Difficult decisions were made including a 2.5% pay cut for all employees versus furlough days.

Gershenson announced that the U.S. Department of Labor, Oakland Community College, State and Local Women's Commissions are presenting a conference called "Rising to the Challenge" on October 23rd to prepare women for successfully dealing with the current economic climate. The focus will be on jobs, finances, child care and educational opportunities. Gershenson invited anyone interested to a fall forum in East Lansing on November 5 hosted by the Michigan Society of Gerontology. She reminded people that seasonal flu shots are still available at the Oakland County Health Department for \$10.

Robert Walsh of 20655 Smallwood Court questioned the nature of a bill from Hubbell Roth & Clark for professional services. Wilson responded that HRC is working on multiple projects for the Village. Mr. Walsh will receive an answer to his inquiry following tonight's meeting.

Walsh provided Council members with a handout to explain a point he presented in response to information communicated to the public at the August 11, 2009 Special Council meeting. Walsh did not think that general fund tax rate figures should be comingled with dedicated millages in the Village's presentation of general fund operations. Stearn remarked that Mr. Walsh made this point previously and that Council disagrees with his analysis.

CONSENT AGENDA

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

- a. Review/consider approval of minutes of regular Council meeting held Sept. 15, 2009.
- b. Review and file bills recapped as of Monday, September 28, 2009.
- c. Review and consider \$150 expense from park dedicated millage fund to purchase paint for dugout posts at Beverly Park.

Motion passed (6 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER 2009 HALLOWEEN HOOT FUNDING

The annual Halloween Hoot is scheduled for October 25 in Beverly Park this year. Wilson reviewed that Halloween Hoot funding was discussed at the September 15 Council meeting; there is \$2,500 allocated in this year's budget for the event. Concern was expressed that this amount would not be enough to conduct the Hoot. However, there has been private fund raising since the last meeting that was successful in generating enough money to pull off the event.

Motion by Koss, second by Oen, that the Village of Beverly Hills Council approve an expenditure not to exceed \$2,500 for the 14th Annual Halloween Hoot that will take place in Beverly Park on Sunday, October 25, 2009. Funds for this expenditure are available in account #101-747-896, Community Action: Halloween Hoot Expenses.

Patricia Greening, who founded the Halloween Hoot a number of years ago, would like to rekindle enthusiasm for the event. The Hoot was introduced as a daytime activity for the children of Beverly Hills by several people who knew how much children enjoy Halloween. Greening outlined the activities that will occur throughout the day on October 25. It was noted that a video of past Hoots would be added at the end of the rebroadcast of this Council meeting on the municipal cable channel. She encouraged community involvement.

Roll Call Vote:

Motion passed (6 – 0).

PRESENTATION BY BALDWIN PUBLIC LIBRARY

Ann Conigliaro, President of the Baldwin Library Board, introduced Doug Koschik and Matt Church, Associate Directors. She recognized Board member David Underdown in the audience.

Conigliaro outlined recent changes in the management of the Baldwin Library with the resignation of Director Marti Custer. It will be a challenge and an opportunity for the Board to find another qualified director, establish priorities, and focus efforts in those areas that add the most value to the communities of Beverly Hills and Birmingham. In the interim, there are individuals acting as assistant directors who have the skills that will allow the library to continue operating the way it has been while a replacement is being sought.

Conigliaro stated that there has been a long and good standing relationship between Beverly Hills and Birmingham that the Library Board looks forward to continuing into the future. Baldwin Library considers the residents of Beverly Hills to be partners in everything it does. The library has a daunting fiscal task early next year with an anticipated cash shortfall as a result of two millage reductions passed by the Birmingham City Commission. Its relationship with Beverly Hills as well as an understanding of fiscal issues is the reason why the Library Board agreed to the terms of reversing the notice of termination and why it is committed to work with the Village in continuing the relationship. Baldwin Library will be focusing on doing what it can to keep that contract in tact. This does not mean that the Library is in a position to reduce the amount that Beverly Hills pays for services. The Library has its own fiscal issues to resolve and critics who feel that the amount charged the Village is too low. The Board is focused on maintaining its relationship with the Village, not negotiating a new contract.

Conigliaro announced that the library will be launching an intensive communications campaign designed to reach out to its communities and generate interest in the library. Once people understand the tools and resources available within the library, they will be more supportive of the library's efforts. The Board's goal is not only to help the residents of Beverly Hills to understand and support the library, but to reverse controversial press and improve relationships with its Birmingham constituents.

Doug Koschik summarized a variety of services that Baldwin Library provides to the residents of Beverly Hills. He provided statistics on Beverly Hills' usage of the library, showing that circulation

at Baldwin Library has increased dramatically over the last several years. Beverly Hills residents account for 20% of the total circulation of the library. Koschik explained that the Baldwin Library purged its data base a year ago and eliminated residents who had not used their library cards since June of 2006. The number of Beverly Hills cardholders at Baldwin as of October 5, 2009 is 4,509; this represents 43% of the population of the Village. The Library has registered 809 Beverly Hills residents in the past 12 months.

The number of Beverly Hills households that use the library has been an ongoing issue. A new study was conducted to arrive at information requested by the Village. The number of Beverly Hills households with at least one person registered at Baldwin is 2,504; this represents 59% of the 4,210 households in the Village.

Matt Church talked about library services utilized by Beverly Hills residents, the Books & Beyond booklet detailing library programming mailed to Beverly Hills homes, and the Tough Times initiative resource provided by the library.

Conigliaro summarized that the presentation tonight has provided information on the types of programs offered by Baldwin Library. The statistics will provide a better understanding of the utilization within the community and recognition that most Beverly Hills residents value the library. The Baldwin Library Board will be back to report on new efforts in the future.

Stearn thanked the Library Board members for their presentation. He mentioned that the Library Board has cooperated with the Village in attempting to work through its financial issues. Stearn remarked that former members of council and administration who negotiated a contract with Baldwin Library worked hard to get a good and fair price. He would not attempt to renegotiate the contract with the library. Stearn hoped to maintain an open line of communication with the Library Board in future months.

REVIEW AND CONSIDER REQUEST FROM OUR LADY QUEEN OF MARTYRS TO PLACE A BANNER ACROSS SOUTHFIELD ROAD AT DUNBLAINE

Our Lady Queen of Martyrs has requested permission to install a banner for its haunted castle on the signal poles at Dunblaine and Southfield Roads. This would be done under the Village's annual permit with the Road Commission that allows placement of banners. As part of the permit, Council must pass a resolution approving the language of the banner; the resolution would take place after the banner is installed as a formality. The banner was erected on September 30.

Manager Wilson related that the Road Commission contacted the Village with some concerns about the banner, which were being addressed. Unfortunately, the banner had to be removed today due to high winds that led to a concern about the safety of the traffic signals. The cost of erecting the banner was borne by Our Lady Queen of Martyrs. Wilson has been communicating with representatives of OLQM about alternative placement of the banner. He suggested that Council pass a resolution allowing administration some flexibility in terms of the altering the size or location of this banner.

Motion by Oen, second by Peddie, that the Village Council of Beverly Hills approve the request of Our Lady Queen of Martyrs for installation of a banner at Dunblaine and Southfield Roads or some other location as approved by Administration from September 30, 2009 through October 26, 2009.

Motion passed (6 – 0).

SET PUBLIC HEARING DATE OF NOVEMBER 3, 2009 REGARDING PROGRAM YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Manager Wilson commented that a requirement for receiving Community Development Block Grant funding is to hold a public hearing to review next year's CDBG Proposal. Council set a public hearing date of November 3, 2009 for review of the 2010 Community Development Block Grant proposal.

PUBLIC COMMENTS

Richard Jeryan of 22129 Metamora thought that the Baldwin Library Board representatives underestimated the value of their staff in terms of understanding the benefits and costs of library service. His related a personal experience to demonstrate this fact.

REPORTS – MANAGER

Wilson stated that his written report outlined the Eryty Dam situation. The report also provides a brief update on his attendance at the recent ICMA (International City Managers Association) annual convention in Montreal. Handouts are available from the sessions he attended; some presentations are available electronically. Wilson has provided Council with updates on matters regarding the Evergreen Farmington Sewer Disposal District and contracts.

Stearn read from the Manger's report on the Eryty Dam: *“Recently, Village Administration was made aware of a grant funding opportunity through the National Fish and Wildlife Federation, a public-private partnership with multiple federal agencies. The grant was available for the eventual removal of dams and restoration of areas impacted by dam removal. The Village has no plans for removal of this dam. Only a pre-proposal was allowed by October 1st, which would determine if the Village was eligible for a federal grant. The grant agency was to decide in November who would be allowed to submit a full proposal. Village Administration, in coordination with the Rouge Green Corridor and the Six Rivers Land Group decided to submit a pre-proposal to simply keep all potential options in regard to the Eryty dam open.”*

Stearn commented that Village administration strives to look for state and federal grant money when it is available. The Village has a dam that is deteriorating to the point that it will need to be replaced within the next 5-10 years as per a dam safety inspection report from December of 2007.

The Manager's report says, *“Before any action on repair or rehabilitation of the Eryty Dam could occur, the Village would need to participate in significant discussions with adjacent and impacted property owners. Unfortunately, some residents in the Village have taken either partial knowledge or misinformation and mislead residents into believing that the Eryty Dam was in danger of removal in short order.”* Stearn stated that Mr. Wilson decided to pull this project off the table because of a small group of vocal residents.

REPORTS - COUNCIL

Briggs reported that the Parks and Recreation Board has mailed out letters to active neighborhood association presidents asking them for suggestions on events that could be held in the park next summer. The letter requests that the association representatives provide the Board not only with input on activities they would like to see in the park next summer but whether they would assist the Board in sponsoring an event. Briggs mentioned that he was the Village representative to the

Michigan Municipal League Annual Conference two weeks ago. The theme of the conference was how to create public spaces that would bring the community together.

Peddie thanked Ann Conigliaro and representatives from Baldwin Library for their presentation tonight. She appreciates their time and effort to provide the information requested by the Village, which will help us with fiscal issues in the future.

Oen reported that the Planning Board set a public hearing date of Wednesday, October 28, 2009 at the Beverly Elementary School to discuss proposed zoning changes on the west side of Southfield Road. Oen supported Manager Wilson and administration for the manner in which they handled the Ery Dam issue. It is unfortunate that misinformation was circulated.

Berndt provided some history on the Ery Mill Pond. While the naturalists argue that sediment is piling up and heating the water, it remains an attractive feature. However, after reading through the safety report, Berndt thought that the dam would have to be repaired or removed in the future.

Koss commented that she cannot view municipal meetings on the government channels provided through her AT&T television service. Briggs indicated that the target date for viewing government programming on the AT&T U-Verse product was September 28. He will look into why the signal is not available to Koss.

Koss resented the implication that members of Council and administration were not being forthcoming on the Ery Dam situation. Council would have been accused of being fiscally irresponsible if it had not considered a grant proposal for the eventual removal of dams and restoration of areas impacted by dam removal. Council is trying to look for funds to address projects that the Village cannot afford to do. Koss did not think that the Village should have passed up that grant opportunity because a group of people objected strenuously without knowing all the facts.

Stearn encouraged everyone to come to the Halloween Hoot with their families. Anyone who wants to donate to the Halloween Hoot should contact Ellen Marshall at the Village office.

Stearn suggested that Council set a special study session to discuss alternative revenue sources and the possibility of a millage issue. It was the sense of Council to schedule a study session on Tuesday, November 10 at 6:30 p.m. at a location to be determined. He encouraged residents to attend and provide their input.

Motion by Oen, second by Peddie, to adjourn the meeting at 9:03 p.m.

Motion passed (6 – 0).

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary