

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

Absent: None

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

President Stearn called the regular Council meeting to order at 7:15 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Motion by Mooney, second by Oen, to adjourn to closed session to discuss pending litigation.

Roll Call Vote:
Motion passed (6 – 0).

Berndt entered the closed session at 7:17 p.m.

Motion by Mooney, second by Oen, to adjourn the closed session at 7:25 p.m.

Motion passed (7 – 0).

President Stearn reconvened the Council meeting 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 Oen, to amend the business agenda to add item ‘a.1.’, “Review and approve recommendation of Village legal counsel with regard to the case of David Hill Jr. vs. the Village of Beverly Hills”.

Motion passed (7 – 0).

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

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

Oakland County Commissioner Marcia Gershenson related that some children who received their first dose of the H1N1 virus vaccine have not received a second dose. The vaccine is available at the County Health Department. Parents were urged to consider taking their children, particularly age 10 and under, to receive the second dose.

Gershenson reminded people that there is money going unclaimed by residents who do not know they qualify for earned income tax credit. Qualifications can be confirmed on the IRS website or by calling the Accounting Aid Society.

Oakland County Treasurer Andy Meisner is using the Treasurer's Office as a platform to promote financial literacy by announcing the first annual "Treasurer Meisner Financial Literacy Multimedia Arts Contest" for Oakland County middle and high school students. Winners earn college scholarship money and the opportunity to have their work displayed in the County Treasurer Offices.

Oakland County will be holding its second Green Summit – Building Sustainable Communities on May 13, 2010. There will be a review of energy efficient Community Block Grant Programs. Local communities, planners, business owners, and interested citizens can learn about energy management options and alternatives.

Gershenson encouraged people to turn in their census forms. She warned that anyone who calls or emails them for their information is not legitimate; the form received in the mail is the only legitimate census form. If it is not filled out and returned, census workers with proper identification will come to your door in a couple of weeks. If anyone has questions, they should call their local census office located in Pontiac.

CONSENT AGENDA

- Motion by Mooney, second by Peddie, to approve the consent agenda as published.
- a. Review/consider approval of regular Council meeting minutes of March 16, 2010.
 - b. Review and file bills recapped as of Monday, March 29, 2010.

Motion passed (7 – 0).

REVIEW AND CONSIDER REQUEST FROM MARIAN HIGH SCHOOL TO USE VILLAGE STREETS FOR WALK-A-THON ON FRIDAY, MAY 14, 2010

The Village is in receipt of a request from Marian High School to hold a Walk-A-Thon using Village sidewalks and streets on Friday, May 14, 2010. Mary Clare Houlihan, senior and Co-President of the Marian All School Board, stated that the Annual Walk-A-Thon is an event that raises money for O.A.T.S. (Offering Alternative Therapy with Smiles) and Most Holy Trinity Elementary School in Detroit. O.A.T.S. is a nonprofit organization whose mission is to assist young people with mental and physical challenges. Marian High School has submitted a certificate of insurance naming the Village of Beverly Hills as an additional insured under its certificate of liability for the walk. Administration has reviewed a map of the route indicating which streets in the Village will be involved.

Motion by Mooney, second by Oen, that the Village Council approve the request of Marian High School to use Village streets and sidewalks for its Walk-A-Thon to be held on Friday, May 14, 2010 acknowledging that Marian High School has submitted a Certificate of Insurance naming the Village as an additional insured.

Motion passed (7 – 0).

REVIEW AND APPROVE RECOMMENDATION OF VILLAGE LEGAL COUNSEL WITH REGARD TO THE CASE OF DAVID HILL JR. VS. THE VILLAGE OF BEVERLY HILLS

Village Attorney Tom Ryan stated that the MMRMA (Michigan Municipal Risk Management Authority) attorney has advised the Village that there has been a settlement offer made in the case of David Hill versus the Village of Beverly Hills. The amount of the settlement will be made public when appropriate; it appears to be a reasonable figure. Ryan recommended that Council authorize the attorney to prepare the necessary documents to enter a dismissal with prejudice ending the Village's involvement in the matter.

Motion by Mooney, second by Peddie, that the Village of Beverly Hills Council approve the settlement offer made in the case of David Hill vs. the Village of Beverly Hills with no admission of liability and authorize the attorney to prepare the necessary documents to enter a dismissal with prejudice in this matter.

Roll Call Vote:

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

Motion passed (6 – 1).

REVIEW AND CONSIDER PROPOSAL FROM PLANTE & MORAN FOR AUDITING SERVICES

The Village received a proposal from Plante & Moran dated February 11, 2010 to reduce its 2010 fee by \$2,000 in exchange for extending the current contract for an additional three years. The contract with Plante & Moran expires after the 2010 audit is completed. At its March 16, 2010 meeting, Council appointed a subcommittee of Walter Briggs, Chris Wilson, and Bob Wiszowaty to review the proposal, meet with Plante & Moran representatives, and recommend a course of action.

Briggs reported that the subcommittee addressed two major concerns in its consideration of extending the contract with Plante & Moran: 1) whether the Village receives enough value from the auditing firm to justify the premium paid for services, and 2) whether the company is sufficiently independent from Administration given the length of time Plante & Moran has audited the Village.

Briggs outlined the value provided by Plante & Moran in addition to its audit services. He mentioned that the firm provides clients with a tool to estimate liabilities for Post Retirement Benefits, which could save the Village significant money that would need to be spent on actuarial services. In addition to the fee savings, Plante & Moran has offered to provide Council and Administration with a working session with two of its municipal experts who could provide insights on shared services and consolidation from consulting work with governmental units

facing similar budget challenges. If the Village were to engage Plante & Moran to provide this service, the cost would be \$4,000. It was the conclusion of the subcommittee that the Village receives sufficient value to justify its cost based on the discussion with the client services team.

The issues of independence and internal controls was discussed. It was determined that Plante & Moran has routinely rotated the audit partner assigned to the Village while maintaining continuity of staff to ensure a quality audit.

Based on the practices of Plante & Moran, quality of personnel, and additional services offered, the subcommittee recommended the firm's offer be accepted and the Village extend the amended contract for an additional three years.

Motion by Briggs, second by Oen, that the Village Council accept the amended offer from Plante & Moran to extend its audit services contract with the Village of Beverly Hills for an additional three years in exchange for a reduction of current fees of \$2,000 and provision of a two-hour seminar to Council and Administration.

Sharon Tischler of 21415 Virmar Court asked for information on the contract price. She questioned the advisability of committing to a three year agreement based on current economic conditions and suggested that Council consider competitive bidding.

Council responded that the three-year renewal proposal will lower the 2009-2010 cost by \$2,000 and will additionally decrease the fees to provide a total savings of \$5,275 over the course of the proposed extension. This savings figure assumes a 3% inflation factor for the three year extension period. The Village will also save money in actuarial fees to estimate Post Retirement Benefits and will profit from a valuable seminar provided by the firm.

Vince Borowski of 31115 W. Chelton thought that the revised chart provided in the meeting materials was an improvement over the information distributed when this contract was last considered by Council. He was not satisfied with the 3% figure but thought that the rationale was better presented and that the overall contract was acceptable.

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

RECEIVE TENTATIVE BUDGET AND SET PUBLIC HEARING DATE FOR MAY 18, 2010

Council members are in receipt of a draft 2010/2011 Village budget prepared by Administration. It is required to hold a public hearing on the proposed budget. The budget document is available for public review at the Village offices.

Motion by Mooney, second by Oen, to schedule a public hearing date of May 18, 2010 at 7:30 p.m. to receive comments on the proposed 2010/2011 Village of Beverly Hills Budget.

Motion passed (7 – 0).

SET PUBLIC HEARING DATE OF MAY 18, 2010 TO REVIEW AND CONFIRM 2009 ASSESSMENTS ROLLS FOR DUST AND OTHER MISCELLANEOUS ASSESSMENTS

It is necessary for Council to set a public hearing date of Tuesday, May 18, 2010 to review and confirm the 2009 Assessment Rolls for dust and other miscellaneous assessments. Copies of these rolls are available for inspection in the office of the Village Clerk.

Motion by Mooney, second by Oen, to set a date of Tuesday, May 18, 2010 at 7:30 p.m. in the Village municipal building for a public hearing to confirm the 2009 Assessment Rolls for dust and other miscellaneous assessments.

Motion passed (7 – 0).

REVIEW AND CONSIDER PROPOSAL FROM MITCHELL RESEARCH & COMMUNICATIONS FOR CITIZEN INPUT SURVEY

Wilson reviewed that Council established three subcommittees at its February 16 meeting to communicate information to the electorate on the financial crisis facing the Village and the upcoming millage proposal. One of the recommendations that came from a meeting of the Input Committee was the need for the Village to conduct a citizen input survey to determine what types of services residents deem to be critical. Wilson suggested that the information gained from this survey would be invaluable whether or not the millage proposal passed.

Wilson procured a quote from the firm of Mitchell Research and Communications, Inc. for this survey. Council has received a copy of the proposal along with the firm's qualifications. Mitchell Research is proposing an in-depth, 15-minute telephone survey of 200 Village residents at a cost not to exceed \$11,000. Given the need for the information such a survey can produce and the qualifications of Mitchell Research and Communications, Wilson recommended Council approval of the proposal.

Motion by Mooney, second by Koss, to approve the proposal from Mitchell Research and Communications for the performance of a Citizen Input Survey comprised of a 15 minute random survey of a minimum of 200 Village of Beverly Hills residents at a cost not to exceed \$11,000.

In answer to an inquiry, Attorney Ryan stated that this is considered a professional service. The Village Charter does not require competitive bidding for specialized professional services.

Bob Walsh of 20655 Smallwood Court questioned why Council is not going out for bids on this expenditure. He indicated that Mitchell Research and Communications, Inc. conducted a recent survey of 300 residents for Bloomfield Township at a cost of \$8,900. Walsh said that the firm will act as an advocate of the cause it is involved with in terms of writing literature and assisting with a millage proposal campaign.

Vince Borowski of 31115 Chelton questioned whether Council and Administration are familiar with the credentials of this firm.

Wilson responded that he did a thorough background investigation of Mitchell Research and has reviewed the qualifications of other firms in order to find the best fit for the Village. The

experience and qualifications of this firm were almost unmatched in this area. He has met with the president of Mitchell Research on numerous occasions. The comment was made that Bloomfield Township paid less than the quoted price for conducting surveys in Beverly Hills. Wilson explained that Bloomfield Township was conducting a political poll; Beverly Hills is proposing to do a citizen input survey. Mitchell Research would conduct a 15 minute telephone survey and prepare an analysis for the Village's use.

Mooney related that he and Koss along with the Village Finance Director met with a small subcommittee of residents with financial backgrounds in either government and private industry. The members include Norm Rubin, Neal Hitz, Dick Maxwell and Jim Calder. The suggestion was made that Council needs to determine what the community wants and its vision for the future.

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

REVIEW AND CONSIDER PROCLAMATION DECLARING APRIL AS SEXUAL ASSAULT AWARENESS MONTH

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

Village of Beverly Hills
Proclamation

Whereas, sexual assault affects women, children and men of all racial, cultural and economic backgrounds; and

Whereas, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide, and

Whereas, sexual assault can be devastating for not only the survivor, but also for the family and friends of the survivor; and

Whereas, no one person, organization, agency or community can eliminate sexual assault on their own, but we can work together to educate our entire population about what can be done to prevent sexual assault, support victims/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

Whereas, Sexual Assault Awareness Month provides an excellent opportunity for citizens to learn more about preventing sexual violence;

Now, Therefore Be It Resolved, that the Beverly Hills Village Council does hereby proclaim the month of April 2010 as Sexual Assault Awareness Month in the Village of Beverly Hills.

Motion passed (7 – 0).

REVIEW AND CONSIDER RESOLUTION TO PROTECT STATE AND FEDERAL FUNDING FOR MICHIGAN ROADS AND BRIDGES

Motion by Stearn, second by Mooney, to adopt the following Resolution:

**VILLAGE OF BEVERLY HILLS
RESOLUTION CALLING ON REPRESENTATIVES IN LANSING AND WASHINGTON TO
TAKE ALL POSSIBLE ACTIONS TO PROTECT STATE AND FEDERAL FUNDING FOR
MICHIGAN ROADS AND BRIDGES**

WHEREAS, a safe and properly maintained transportation system, with adequate traffic capacity, is necessary to support the economy of our community, county and state, and

WHEREAS, an inferior, crumbling and congested transportation system will inevitably lead to disinvestment in our community, county and state, and

WHEREAS, revenues from the two primary sources of transportation system funding in Michigan, gasoline tax and vehicle registration fees, have fallen in recent years and are no longer adequate to cover the costs of maintaining Michigan's roads and bridges, and

WHEREAS, as a result of these declining revenues, the State of Michigan is unable to adequately fund road and bridge repairs and maintenance, resulting in a rapidly deteriorating transportation infrastructure, and

WHEREAS, as a further result of these declining revenues, the State of Michigan is in serious jeopardy of losing federal funds as a result of being unable to provide required matching funds, and

WHEREAS, delaying needed maintenance, repairs and safety enhancements to Michigan's roads and bridges results in higher future costs to the taxpayers of Michigan.

NOW THEREFORE BE IT RESOLVED, that the Beverly Hills Village Council calls on our representatives in Lansing and Washington to take all possible actions to protect state and federal funding for Michigan roads and bridges.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to forward a copy of this resolution to State Representative Chuck Moss, State Senator John Pappageorge, Representative Gary Peters, Senators Levin & Stabenow, the Oakland County Board of Commissioners, neighboring communities and the Michigan Municipal League.

Stearn pointed out that Beverly Hills is struggling with its infrastructure needs due to declining revenues. This is a state-wide and possibly a nation-wide problem due to declining property values.

Motion passed (7 – 0).

REVIEW AND CONSIDER SEMCOG DELEGATE AND ALTERNATE

Council President Pro-Tem Koss has indicated that she is no longer able to serve as the Village delegate to the Southeast Michigan Council of Governments (SEMCOG). Currently, there is no appointed alternate. It has been suggested that members of Village Administration be appointed to this position and represent the Village at SEMCOG meetings, which are generally held during business hours. Wilson stated that he is willing to serve as the Village delegate to SEMCOG and Assistant Manager/Clerk Ellen Marshall is willing to serve as the alternate.

Motion by Mooney, second by Koss, that Council approve Village Manager Chris Wilson as delegate and Assistant Village Manager/Clerk Ellen Marshall as alternate to represent the Village of Beverly Hills in the Southeast Michigan Council of Governments for a term to expire on December 31, 2010.

Roll Call Vote:

Stearn - yes

Berndt - yes

Briggs - yes

Koss - yes

Mooney - no

Oen - yes

Peddie - yes

Motion passed (6 – 1).

SET PUBLIC HEARING DATE OF MAY 4, 2010 FOR PROPOSED REZONING FOR THE AREA WEST OF SOUTHFIELD ROAD AND NORTH OF BEVERLY ROAD

Motion by Mooney, second by Peddie, to set a public hearing date of May 4, 2010 for proposed rezoning for the area west of Southfield Road and north of Beverly Road.

Motion passed (7 – 0).

REVIEW AND CONSIDER REQUEST FROM BEVERLY HILLS ATHLETIC CLUB TO UTILIZE TENNIS COURTS IN BEVERLY PARK

Wilson stated that the Village received a request from Brian Gijbers on behalf of Beverly Hills Athletic Club to reserve the two tennis courts in Beverly Park for their tennis program on specific days and times during the summer. The Club's tennis program has grown to the extent that the four courts located on their property are not sufficient at times to accommodate the need. The tennis courts in Beverly Park are geographically close to the Beverly Hills Athletic Club.

Administration has done some research and found that this use is allowed by Village Ordinance with approval of the Park Superintendent, who is the Village Manager. Council approval of an application form is required. Wilson related that he brought this proposal from the BHAC before the Parks and Recreation Board at its March meeting and received their unanimous consent. Wilson requested approval of the application form and the dates that BHAC is asking to use the two tennis courts in Beverly Park if Council is agreeable to this proposal.

Motion by Mooney, second by Oen, that the Village Council approve the "Application of Revocable Permit to Use or Occupy Park Property" and further resolve that Council authorize the Village Manager acting as Park Superintendent to approve the use of the tennis courts in Beverly Park by the Beverly Hills Athletic Club on June 18, 19, 24, 25 and July 1, 2, 8, 9, 15, 16, 22, 23, 27, 28, and 29 as requested. A Certificate of Insurance naming the Village of Beverly Hills as an additional named insured under its certificate of liability is required for use of the tennis courts.

Berndt took exception to reserving the use of the Village's scarce public recreational facilities for a subset of citizens. He was not in favor of reserving the two tennis courts in Beverly Park for an independent organization.

In answer to an inquiry, Wilson stated that the Parks and Recreation Board recommended that the Village request a donation from the Beverly Hills Athletic Club towards park maintenance in lieu of charging a fee for use of the tennis courts. Groups that use the ball fields provide funds towards maintenance of the park.

Mooney noted that 90% of the membership of the Beverly Hills Athletic Club must be residents of Beverly Hills according to their Charter. He added that almost every facility at Beverly Park can be reserved including the ball fields and the pavilion.

Bob Walsh of Smallwood Court stated that a Certificate of Insurance naming the Village as an additional named insured is included in this proposal.

Roll Call Vote:

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

Motion passed (6 – 1).

PUBLIC COMMENTS

Alda Marie McCook of 19370 Riverside read a statement to Council and Beverly Hills residents. The main focus of her statement was to clarify for the record that her husband Jim McCook, former Council President, was not responsible for changing the Beverly Hills zip code from 48009 to 48025 in 1991. He supported maintaining the original zip code. The Village's zip code was changed by a mandate from the Postal Department.

McCook urged Council to seek bids on auditing services for the Village. She expressed appreciation for the input from resident Bob Walsh at Council meetings.

Vince Borowski of 31115 Chelton referred to the portion of the Manager's Report that addressed ongoing negotiations with the Public Safety Officers and Command Officers unions. He has been reading newspaper reports regarding a number of communities that are dealing with employee benefit issues. Borowski recalled that the PSO Retirement System was amended in 1976 to make it a noncontributory plan by eliminating required employee contributions. He urged Council to change that practice on the basis that everyone who does not have a public job has to contribute towards their benefits.

REPORTS – MANAGER

Wilson stated that Council has received a draft copy of the FY 2010/11 budget. Council set a budget work session for Tuesday, April 13 at 7:00 p.m. He asked that members contact him or Finance Director Wiszowaty if they have any questions on the budget material.

Wilson provided an update on union negotiations in his written report. Administration met with the Public Safety Command Unit on March 24 and with PSO representatives on April 1. There were fruitful negotiations at those meetings; incremental progress was made while remaining far short of a settlement. The Village has contacted the state appointed mediator to assist in advancing the negotiations toward a voluntary settlement. Should mediation prove unsuccessful, the next step would be Act 312 binding arbitration.

The Annual Easter Egg Hunt hosted by Kensington Church in Beverly Park on March 27th was well attended. Wilson noted that there are a couple of matters that the Village will monitor next year. There was a misunderstanding that led to the event organizers selling items in the park without proper approval. The church was notified that any sales in the park must be approved by Council in advance. Additionally, administration will work closely with the church next year to determine the best location for activities to protect landscaping around the park.

The Village is encouraging people to mail back their census forms. If residents have lost or misplaced their census form, they can request another one by calling 1-866-872-6868 from 8 a.m. to 9 p.m. through July 31st. Koss added that people who have not yet received their census form must wait until after April 12 to call this number and ask for a census form to be sent to their home. People are encouraged to mail their census form due to the cost of sending someone to a residence to collect census information.

The Road Commission of Oakland County will be doing work on 12 Mile Road this summer between Lahser and Evergreen Roads. One lane of traffic will be open each way on 12 Mile during construction. The Road commission has contacted the Village about using 13 Mile as a temporary detour while this construction is ongoing. Currently, all construction is scheduled while schools are out for the summer.

Wilson and Public Services Director Meszler have concerns about the work expanding past Labor Day. Administration informed the Road Commission that utilizing 13 Mile Road as a detour during the school year would be ill advised due to the location of Detroit Country Day School and Birmingham Groves High School. Wilson will keep Council informed as administration receives more information on the project.

The Village will be participating with the South Oakland County Resource Recovery Authority (SOCRRA) on another Bin Blitz during the month of April. Residents can purchase a recycling bin from the Village for just \$6 in April; the regular cost is \$11.87.

In answer to questions from Council, Wilson reported that the sewer relining project is progressing well. It is anticipated that the project including restoration will be completed by the end of June. The water meter replacement project is 100% complete. The compost delivery date should be available in the next couple of weeks.

Stearn thanked administration for having the heavy equipment removed from Beverly Park.

REPORTS – COUNCIL

Berndt encouraged people to get every dollar back that they are entitled to when filing their tax returns.

Koss related that Operation Medicine Cabinet is a community service program sponsored by the Oakland County Sheriff's Office providing citizens with a venue to properly dispose of their expired and/or unused prescriptions at different locations around Oakland County. On April 22, in conjunction with Earth Day, ten additional drop off locations will be launched at various law enforcement agencies throughout Oakland County. A drop box will be provided at the Beverly Hills Public Safety Department building lobby beginning April 23.

Koss said that she appreciated the Code Enforcement Activity Report prepared by Dan Gosselin for the first quarter of 2010. She thanked Kensington Church for sponsoring the Easter Egg Hunt in the park. Oen reminded everyone that yard waste collection began in Beverly Hills yesterday.

Peddie related a recent criminal incident that emphasized the importance of adopting a resolution to reinforce sexual assault awareness and provide an opportunity for citizens to learn more about preventing sexual violence.

Briggs reported on the March meeting of the Birmingham Area Cable Board. There has been emphasis on changes going on in the telecommunications industry and the effect they will have on television viewing in the future. He encouraged residents to tune in to the meetings and see how the Cable Board is actively engaged in protecting PEG channels that air community information and public programming.

Briggs attended a recent SEMCOG regional seminar on opportunities for municipalities to reduce costs through shared services. He learned that Beverly Hills is doing most of what was recommended in terms of using buying power through the State of Michigan for bidding and purchasing and involvement in SOCRRA and SOCWA. It became clear that the next steps in terms of consolidation require trust between communities and heavy communication between elected officials and citizens. Briggs thanked the Parks and Recreation Board and the community for renovating the south baseball diamond and replacing the fencing.

Stearn stated that Council will hold a budget study session on Tuesday, April 13 at 7 p.m. in the council chamber. He welcomed everyone in the community to help Council review the budget.

Stearn quoted from a recent Detroit Free Press article about "rainy day" funds, which are the savings accounts of municipalities. It said that rainy day funds that protect municipalities during economic downturns are running dangerously low in dozens of metro Detroit cities and counties as the worst fiscal storm in 70 years bears down. After five years of dipping into emergency savings, many communities confront a grim reality. Without sufficient savings they must raise taxes or cut deeper into services to offset drops in property taxes and state funding. Of 25 communities analyzed in this article, 21 have drawn their savings below levels considered safe.

Stearn stated that Beverly Hills has managed to maintain its fund balance at 20% of expenditures. The Village has been doing a good job of providing services and budgeting without tapping into the savings account in excess. This will change rapidly if Council has no ability to pass a millage increase in November. Council will have to eliminate services and tap into the savings account at inappropriate and possibly dangerous levels.

There is a lot of misunderstanding in the community. Stearn asked everyone to get involved and get the facts before they make any decisions. He encouraged residents to find out what Council is doing to address the serious economic shortfalls.

Motion by Mooney, second by Oen, to adjourn to closed session at 8:56 p.m. after a five minute recess to review confidential attorney-client communication dated April 1, 2010.

Roll Call Vote:

Motion passed (7 – 0).

Motion by Mooney, second by Peddie, to return to open session and adjourn the meeting at 9:26 p.m.

Motion passed (7 - 0).

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary