

Present: President Koss; President Pro-Tem Briggs; Members: Burry, LaFerriere, Mercer and Mooney

Absent: Oen

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

President Koss 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**

Motion by Mooney, second by Burry, to add business agenda item: “Consider recognition of The Pink Fund in Beverly Hills as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses”.

Motion passed (6 – 0).

Motion by Briggs, second by Mooney, to move Consent Agenda item “c. Review and consider 2012 Council meeting dates” to the Business Agenda.

Motion passed (6 – 0).

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

Motion passed (6 – 0).

### **COMMUNITY ANNOUNCEMENTS**

Heather Mourer, Neighborhood Audience Development Manager for the Detroit Symphony Orchestra, announced a new program for the 2011-12 season that will involve bringing the DSO into six Metro-Detroit neighborhoods. Beverly Hills is one of the neighborhoods that has been chosen as a venue for the first season. The DSO will be performing four concerts at the Seligman Performing Arts Center at Detroit Country Day School from December through April. Mourer distributed information on this program to Council and left flyers for interested audience members. She invited people to assist her with promoting this program in Beverly Hills.

#### Public Safety Officer of the Year

Director Karl Woodard announced that Officer Mike Miles has been chosen by his fellow officers to receive the 2010 Officer of the Year Award. This program initiated in 1997 is promoted by department members who nominate their fellow officers for this honor. There were five nominees this year: Lt. John Schultz, Sgt. Howard Shock, PSO Robert Fisher, PSO Tom Danielson, and PSO Mike Miles.

Mike Miles was present with his wife Jen, son Joseph, and their parents. Mike has been with the Department for 14 years; he worked as a department aide for one year before being hired as an officer. Officer Miles has continuously displayed a healthy work ethic and motivated attitude toward police and fire work. He was assigned as School Liaison Officer from 2004-2008. He is named in numerous congratulatory and thank you letters from citizens and other law enforcement agencies. On the Department level, he has been awarded two individual commendations, two unit citations, one certificate of merit, and two life-saving awards. Mike was a previous Officer of the Year recipient in 2002.

Over the past year, PSO Miles was part of an A&E television broadcast on life saving incidents following his role in assisting in the resuscitation of a Groves High School student who collapsed in the classroom. Mike was recently recognized with a life saving award by Taser International due to utilization of his taser against a knife wielding subject. Officer Miles was nominated by his partner PSO Paul Chickensky, who was also involved in the incident. He said that Mike has always used his training, street experience, leadership and people skills to do his job. The Department looks forward to many years of service from Mike Miles.

Director Woodard presented Officer Miles with an individual plaque in honor of his Officer of the Year award. PSO Miles thanked the citizens of Beverly Hills and said that it was a great community in which to work. He recognized his family members and thanked his co-workers.

#### **CONSENT AGENDA**

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

- a. Consider approval of minutes of a regular Council meeting held August 2, 2011.
- b. Review and file bills recapped as of Monday, August 15, 2011.

Motion passed (6 – 0).

#### **BUSINESS AGENDA**

##### **CONSIDER RECOMMENDATION FROM PARKS & RECREATION BOARD TO AUTHORIZE VILLAGE ADMINISTRATION TO SEEK BID PROPOSALS FOR INSTALLATION OF A NINE-HOLE DISC GOLF COURSE IN BEVERLY PARK**

Parks and Recreation Board member Jim O'Reilly related that there have been recent efforts to provide additional landscaping to improve the appearance of Beverly Park. In an attempt to increase the recreational opportunities, there has been ongoing discussion about installing a disc golf course in Beverly Park.

Disc golf is a popular recreational activity that involves throwing a Frisbee from a tee area to a target, which is an elevated metal basket. A player progresses through the course and throws the next shot from where the Frisbee landed. When the disc lands in the basket, the player moves to the next hole. The length of the holes extend from 150 ft. up to 325 ft. on the 9-hole course designed for Beverly Park.

Frisbee golf can be played in any season. The disc golf course is designed to use terrain that is unsuitable for other sports activities or development. The existing topography will not require any clear-cutting of trees, grading of land, use of fertilizers or additional mowing maintenance. O'Reilly stated that the course has been designed so that the targets are no closer than 60 ft. from any path. Council is in receipt of disc golf course proposal that includes the design of the course and a description of each hole. The idea is to open the park up for more recreational activities. The course in Beverly Park is intended to be a recreational course for family fun and not a competitive course.

Council commented on the disc golf course proposal presented by the Parks and Recreation Board. Mooney related that he visited a disc golf course at Starr Jaycee Park in Royal Oak. He reported that tee areas and the disc pole baskets are unobtrusive. A number of people of all ages were playing disc golf the evening of his visit. Mooney talked to people and learned that disc golf players do not get in the way of others enjoying the park.

Mooney agreed that disc golf may be a good activity for the underutilized areas of Beverly Park. He proposed tabling action on this proposal until the second meeting in the September so that the proposed disc golf course can be staked out and reviewed by Council members and others. It was suggested that Council members visit a disc golf course at a park of similar size. O'Reilly agreed to stake out the locations of the nine tees and metal baskets so that Council members can walk the course.

Burry commented that he has played disc golf and does not think that Beverly Park is suited for this type of activity. He views the park as a natural wooded area that people can enjoy. Burry displayed actual discs used for the game.

O'Reilly responded to questions and comments from Council. He indicated that part of the bid includes clearing overgrowth and removing buckthorn plants. There is no target closer than 100 ft. from the water. In answer to an inquiry, Ryan stated that the Village would not require a special rider on its liability insurance policy for an activity such as disc golf.

Motion by Mooney, second by Mercer, to table action on a proposal for a disc golf course in Beverly Park until the second meeting in September to allow Jim O'Reilly and the Parks and Recreation Board an opportunity to stake out the proposed course in the park for Council's review.

Motion passed (6 – 0).

#### **REVIEW AND CONSIDER PROPOSAL FOR PRINTING 2012 VILLAGE CALENDAR**

Bid specifications were mailed to eight vendors for printing the 2012 Village Calendar, and notice was published in the Eccentric Newspaper. Vendors were asked to quote based on the layout of the 2011 calendar on a quantity of 5,000. There was one bid received and opened publicly on August 9, 2011 from Dearborn Lithograph in the amount of \$6,790.00. It was noted that Dearborn Lithograph works with the same contractor, Sunny Design, that did the layout and design work for the Village's last three calendars. Staff was satisfied with their work.

Motion by Mooney, second by Briggs, that the Village Council award the contract for design and printing of the Village of Beverly Hills 2012 Calendar Project to Dearborn Lithograph in the amount of \$6,790.00. Funds for this project are available in account #101-747-881.

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

**REVIEW AND CONSIDER SUBCOMMITTEE’S RECOMMENDATION TO FILL VACANCY ON THE ZONING BOARD**

LaFerriere reported that a subcommittee consisting of Mooney, Briggs and himself met prior to tonight’s Council meeting to review applications and consider three candidates to fill a vacancy on the Zoning Board of Appeals. The subcommittee voted unanimously to recommend the appointment of Phillip Mueller to the Zoning Board of Appeals for a term to expire on June 30, 2013. It was also recommended to appoint Sharon Fox to fill the alternate position created by the appointment of Phillip Mueller to the Zoning Board.

Motion by LaFerriere, second by Mooney, to appoint Phillip Mueller to the Zoning Board of Appeals for a term to expire on June 30, 2013. It was further moved to appoint Sharon Fox as an alternate member of the Zoning Board to fill the vacant position created by the appointment of Phillip Mueller to the ZBA for a term to expire on June 30, 2012.

Mercer expressed the view that the proper procedure would be to make an announcement of a vacancy to fill the alternate Zoning Board position. Attorney Ryan stated that Council created alternate ZBA positions a couple of years ago. The appointment of an alternate position could be handled in a manner that is agreed upon by the majority of Council. Council members discussed how to proceed with the appointment of an alternate Zoning Board of Appeals member. It was pointed out that Sharon Fox is highly qualified for the position.

LaFerriere withdrew his motion and Mooney withdrew his support of the motion.

Motion by LaFerriere, second by Mooney, to appoint Phil Mueller to the Zoning Board of Appeals for a term to expire on June 30, 2013.

Motion passed (6 – 0).

Motion by Mooney, second by LaFerriere, to appoint Sharon Fox as an alternate member of the Zoning Board of Appeals for a term to expire on June 30, 2012 to fill the vacancy created by the appointment of alternate member Phil Mueller to the Zoning Board of Appeals.

Roll Call Vote:  
Burry - yes  
Koss - no  
LaFerriere - yes  
Mercer - no

Mooney - yes  
Briggs - yes

Motion passed (4 – 2).

**CONSIDER RECOGNITION OF THE PINK FUND IN BEVERLY HILLS AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE GAMING LICENSES**

Molly MacDonald of 22122 Metamora, Founder and President of The Pink Fund, was present requesting that Council adopt a resolution recognizing The Pink Fund as being incorporated in the Village of Beverly Hills as a nonprofit organization for the purpose of obtaining charitable gaming licenses.

Ms. MacDonald related that The Pink Fund was formed in 2006 for the purpose of providing financial aid to patients in treatment for breast cancer who had lost their stream of income. The organization was founded as a result of her own breast cancer experience. The Pink Fund makes bill payments for non-medically related expenses for women or men in active treatment throughout the State of Michigan who are unable to work during their time of treatment. The organization depends solely on public support. This year The Pink Fund has a national organization that will be headquartered in Beverly Hills.

The Pink Fund is holding a luncheon on October 1 at the Royal Park Hotel and would like to have a raffle as part of the event. A second event will be held on October 7 in East Lansing. In order to hold the raffle, the organization needs to apply for a gaming license through the State of Michigan. As part of the application process, they must show the state that Beverly Hills recognizes their organization as being incorporated in the Village.

Motion by Mooney, second by Briggs, that the Village of Beverly Hills recognize The Pink Fund of Beverly Hills, County of Oakland, as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.

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

**REVIEW AND CONSIDER 2012 COUNCIL MEETING DATES**

Administration has presented Council with a list of Council meeting dates for 2012. With the exception of the first meeting in November, all meetings will be held on the first and third Tuesdays of each month.

Briggs proposed changing one meeting date that conflicts with the Hebrew holiday of Rosh Hashanah, which is September 18. He asked that Council consider moving that Council meeting to Wednesday, September 19.

Motion by Briggs, second by Burry, that the Village Council approve the 2012 Council meeting dates as proposed with the exception of moving the second meeting in September from September 18 to September 19 due to the Jewish holiday of Rosh Hashanah.

Mooney stated that his position in the past and now is that the business of the public and the business of the government should not be subject to religious holidays. He will not vote in favor of the motion.

Roll Call Vote:

LaFerriere - no  
Mercer - no  
Mooney - no  
Briggs - yes  
Burry - yes  
Koss - no

Motion failed (4 – 2).

Motion by Mooney, second by Mercer, to approve the 2012 Council meeting dates as submitted by administration.

Roll Call Vote:

Mercer - yes  
Mooney - yes  
Briggs - no  
Burry - no  
Koss - yes  
LaFerriere - yes

Motion passed (4 – 2).

**PUBLIC COMMENTS**

Phil Mueller thanked Council for his appointment to the Zoning Board of Appeals and assured them that he would represent the Village well. Mueller remarked that he would like to continue to serve the Village in other areas such as strategy, communication, and community input.

**REPORTS – MANAGER**

Wilson referred to a recommendation made at the last Council meeting for a panel to be formed to meet with the business community. He is working on this and will be updating Council on his progress.

Four arbitration dates have been established with the Command Officers on December 12, 13, 19, and 20. Administration will be working on preparing the required documents during the interim.

Work has begun on the sidewalk repair project in terms on finalizing the process of marking and identification of sections of sidewalks where preliminary work will begin. Notices will be sent to impacted homeowners soon.

Wilson extended his congratulations to Officer Miles on the well deserved award he received this evening. He also thanked Molly MacDonald for organizing the Pink Fund and for the great work that they do.

Koss congratulated Chris Wilson and his wife on the birth of their son Simon Isaiah last week.

### **REPORTS – COUNCIL**

Council members congratulated Officer Mike Miles on being named Officer of the Year and congratulated Phil Mueller and Sharon Fox on their appointments to the Zoning Board of Appeals. Council was impressed with The Pink Fund and thanked Ms. MacDonald for bringing this organization to the Village's attention.

Mercer voiced his respect for the Parks and Recreation Board and other Village Boards for the great work that they do. The fact that he has questions on Board recommendations does not lessen the due diligence that a Board has done.

Mercer reminded everyone that Saturday, August 20 is the date of The Longest Lemonade Stand event in Beverly Park. A group including Beverly Elementary School families will attempt to enter the Guinness World Records by creating and operating the Longest Lemonade Stand ever assembled. It was noted that 350 4-ft. lemonade stands were purchased. There will be a lot of festivities in the park on that day.

Mooney said that he was convinced that Mr. Mercer's position on making announcements of vacancies on all Village Boards is correct. He believed that Council should proceed in that manner in the future.

Mooney reminded everyone that Wednesday, August 24 is free Movie in the Park night when "Surf's Up" will be shown at dusk. There will be a bounce house for the kids.

Briggs reported on topics of discussion at yesterday's Baldwin Library Board meeting including capital improvements being undertaken at the library over the next year. He mentioned that the library received a donation of a wheel chair from the Birmingham Area Seniors Coordinating Council (BASCC) and a walker from the Birmingham Fire Department. The Baldwin Library Board reminded people that residents with a handicapped sticker can park in metered spots without having to pay. Briggs suggested that bikes parked in front of the library should be locked.

Briggs related circulation numbers resulting from the Bloomfield Township Library's decision to rescind access to contract communities. As predicted, the impact for both the Bloomfield Township Library and Baldwin Library has been zero other than an inconvenience to all affected residents.

The steering committee of the Library Network will vote on recommended guidelines for its member libraries on November 4, 2011. They will be recommending that a contract community be considered as a community that has built its own library with full membership.

Briggs urged people to refrain from speeding in the community and to consider the safety of residents.

Koss stated that she looks forward to The Longest Lemonade Stand in Beverly Park on Saturday, August 20.

Motion by Mooney, second by Mercer, to adjourn the meeting at 8:58 p.m.

Motion passed (6 – 0).

**Rosanne Koss**  
**Council President**

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

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

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE VILLAGE COUNCIL