

**Beverly Hills
Regular Village Council Meeting
Tuesday, August 3, 2010**

**Municipal Building
18500 W. 13 Mile Rd.
7:30 p.m.**

Subcommittee meeting to review applicants for ZBA alternate vacancy

7:15 p.m.

AGENDA

Roll Call/Call to order

Pledge of Allegiance

Additions to Agenda/Approve Agenda.

Community Announcements

Consent Agenda

- a. Review and consider approval of [minutes](#) of a regular Council meeting held July 20, 2010.
- b. Review and file [bills](#) recapped as of Monday, August 2, 2010.

Business Agenda

- a. Review and consider [adopting](#) second resolution to establish ballot language for November 2010 election requesting a charter amendment for a 10 year millage increase.
- b. Review and consider subcommittee's [recommendation](#) to fill an alternate position on the Zoning Board.
- c. Review and consider [amendment](#) to rules governing pavilion usage.
- d. Review and consider [awarding](#) contract for water main replacement.
- e. Review and consider [appointing](#) representative and alternate to the Michigan Municipal League Annual Business meeting.

Public comments

Reports

[Manager](#)
Council

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days notice to the Village.

Individuals with disabilities requiring auxiliary aids or services should contact the Village by writing or calling Ellen Marshall, 18500 W. Thirteen Mile, Beverly Hills, MI 48025 (248) 646-6404.

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

Absent: Mooney

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 7:30 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 Briggs, second by Mercer, to approve the agenda as published.

Motion passed (6 – 0).

COMMUNITY ANNOUNCEMENTS

Marcia Gershenson, County Commissioner, reminded residents about the Oakland Livingston Human Service Agency Weatherization Program. OLHSA will perform a free energy audit for eligible residents using local contractors and inspectors.

Gershenson commended Beverly Hills resident Matt Roman and his group on their efforts to set up a Community Garden in the Village. She commented on the economic impact of supporting local, independent small businesses in a community.

The Michigan Municipal League has picked up a program previously funded by Oakland County that will fund a feasibility study for communities that are looking to partner with other municipalities and share services. Oakland County Parks and Recreation is announcing the opening of a five-acre dog park at Red Oaks in Madison Heights.

Cindy Arvant of 18271 Devonshire, Parks and Recreation Board member, reminded everyone about the Picnic in the Park event tomorrow, Wednesday, July 21, from 5:30-10 p.m. in Beverly Park. The idea is for families to bring a picnic dinner to the park and socialize with their neighbors. Oakland County Parks and Recreation is providing and staffing its Mobile Recreation Unit at no cost to the Village. Wide Open West has offered to underwrite the cost of bringing an ice cream truck into the park. All activities and ice cream will be free.

Sharon Tischler, Southfield Township Clerk, stated that absentee ballots have been mailed for the August election. The Township has received phone calls from several people who did not receive their absent voter ballots. Tischler mentioned that people might have not checked all the appropriate boxes on their application and, therefore, did not receive the August ballot. Residents who did not receive a ballot can call the Township Hall at 248/540-3420 to request that an absent voter application be sent or stop by and pick up a ballot.

Tischler announced that the deadline to file a petition for Village Council candidate on the November 2, 2010 ballot is August 10, 2010. Petitions are available at the Beverly Hills municipal office or at the Township office.

In answer to an inquiry, Tischler stated that absentee ballots are available until 2 p.m. the Saturday before the election. Registered voters can come in on the Monday preceding the election and vote in the Township office until 4 p.m. Copies of a sample ballot are available at the Township office.

CONSENT AGENDA

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

- a. Review/consider approval of minutes of a regular Council meeting held July 6, 2010.
- b. Review and file bills recapped as of Monday, July 17, 2010.

Motion passed (6 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER MORATORIUM FOR MEDICAL MARIJUANA DISPENSARIES

Council is in receipt of a draft resolution prepared by Village Attorney Ryan that would declare a 180-day moratorium on the establishment of any medical marijuana dispensary within the Village of Beverly Hills. This is similar to action that has been taken in other communities throughout Oakland County. Wilson reviewed that voters in the State of Michigan approved the sale of medicinal marijuana throughout the state at the November election; how this would be applied to existing zoning codes has been left to local units of governments.

The Village Planning Board has been authorized to undertake a study of the zoning classification for medical marijuana dispensaries and possible ordinance amendments. This Resolution will establish a moratorium until the Village has explored how to regulate the dispensing of medical marijuana, and it will provide an appeal process for exceptions to the moratorium.

Attorney Ryan stated that the Village Planning Board will be addressing the establishment of medical marijuana dispensary areas within the Village. Until the matter is fully evaluated by the Planning Board and Council, this limited moratorium would protect the Village relative to any usage of this type. Ryan recommended Council approval of the Resolution.

Motion by Oen, second by Peddie, to recommend that the Village of Beverly Hills Council approve a Resolution Declaring a Moratorium Pertaining to Medical Marijuana Dispensaries and Providing an Appeal Process for Exceptions to the Moratorium. This Moratorium will be effective beginning on July 21, 2010 and will remain in effect until midnight on January 16, 2011.

Roll Call Vote:

Motion passed (6 – 0).

A copy of the Resolution is available for public review at the Village municipal building or on the Village website.

REVIEW AND CONSIDER INTER-LOCAL AGREEMENT CREATING THE OAKLAND COUNTY BUILDING OFFICIALS ASSOCIATION DAMAGE ASSESSMENT MUTUAL AID AGREEMENT

Wilson stated that the Oakland County Building Officials Association has developed an Interlocal Agreement for local agencies to provide mutual aid damage assessment services in the event of emergencies. Should the Village of Beverly Hills experience a catastrophic event in which immediate building damage assessment needs could not be handled with its own staff, other communities participating in the agreement would provide assistance to meet immediate needs. Likewise, the Village would be expected to assist any of its neighboring communities who found themselves in a similar situation.

Wilson assured Council that the County Building Officials Association is aware of the Village's limited resources in this capacity, and they still would like the Village to participate in the program. There are no fees associated with the Interlocal Agreement at this time. There is a 30-day out with written notice. Wilson thought it would be to the Village's advantage to participate in this Interlocal Agreement. Attorney Ryan has reviewed the agreement and bylaws and finds them to be appropriate.

Koss expressed concern about liability factors in light of the fact that the Village's building department consists primarily of subcontractors.

Wilson reiterated that the Association understands that the extent of the Village's reciprocity will be limited; the Village will be expected to respond the best it can. He added that the Village's needs will be limited because Beverly Hills does not have industrial buildings that would require a high level of expertise. It would place a real strain on the Village if this agreement were not in place in the event of a catastrophic situation. The Village may require an increased building department staff in future years; in the interim, this is a good safety net to put in place.

Stearn said that the Village would be agreeing that it will attempt to make a building official available upon request in the event of a catastrophic event if it is not financially consequential to Beverly Hills and if it does not take away from our own jurisdiction. If the Interlocal Agreement becomes onerous or fees are imposed, the Village has a 30-day wait to withdraw from the program.

Mercer commented on the liability of the Village, noting that Beverly Hills would have the right and obligation to address its needs first in the event of a catastrophic event. Oen thought that the Interlocal Agreement was a step towards sharing services and attempting to cut costs for communities.

Motion by Oen, second by Peddie, that the Village of Beverly Hills Council approve the Oakland County Building Officials Association Damage Assessment Mutual Aid Agreement as submitted.

Roll Call Vote:

Oen - yes
Peddie - yes
Stearn - yes
Briggs - yes
Koss - no
Mercer - yes
Motion passed (5 – 1).

The Interlocal Agreement will be available for public review on the Village website or at the Village municipal building.

SECOND ANNOUNCEMENT OF VACANCY FOR ALTERNATE POSITION ON THE ZONING BOARD OF APPEALS

Due to changes in the Zoning Enabling Act, the Village has the ability to appoint alternate members to its Zoning Board of Appeals in order to ensure a full contingent of nine members in the case of absence or conflict of interest of a regular member. Wilson made the second announcement of a vacancy for an alternate Zoning Board position with a term to expire on June 30, 2012.

The deadline for submitting applications is Wednesday, July 28 at 4:30 p.m. A Zoning Board Subcommittee consisting of Council members Mercer, Mooney and Oen will meet at 7:15 p.m. prior to the regular Council meeting of Tuesday, August 3, 2010 to review applications and make a recommendation to Council.

FIFTH ANNOUNCEMENT OF VACANCY ON THE FINANCE AD-HOC COMMITTEE

Wilson informed Council that an application for this position was received after the agenda was published. Brian Thomas LaFerriere is an interested and qualified candidate for the vacant position on the Ad-Hoc Finance Committee. Council has received a copy of his application.

Brian LaFerriere of 19501 Wilshire introduced himself and said that he views this position as a privilege to give back to the community.

Motion by Oen, second by Koss, to appoint Brian Thomas LaFerriere to the Finance Ad-Hoc Committee for a term to expire on June 30, 2012.

Motion passed (6 – 0).

PUBLIC COMMENTS

Arthur Siegal of 20081 Ronsdale was present on behalf of residents from Ronsdale Subdivision to discuss continued and significant problems with DTE in terms of power outages. DTE has indicated that there have been 15 outages in the Ronsdale area in the last 9½ years, which is significantly above their own average and above standards set by the Michigan Public Services Commission. A recent outage occurred on a portion of Ronsdale. During an outage between June 18-22, most of the subdivision was without power for about 100 hours before power was restored.

With the assistance of the Manager Wilson, residents of the Ronsdale Subdivision were able to attend a meeting at Village Hall on July 18 with representatives of DTE to discuss the extended power outage that occurred in June and other problems with electric service in the area. Siegal said that the information shared with DTE did not address the pattern of outages, length of outages, or how residents could get power restored more quickly when outages occur. Siegal believed that the problem was that heavier populated areas are addressed before a smaller circuit area like Ronsdale.

During the meeting, DTE expressed a significant concern with dead trees, specifically ash trees, that are present in the area. The problem was that many trees that pose a threat to power lines are outside of their easement, and DTE cannot do anything about them. The question was raised as to whether the Village could do more.

Siegal stated that there is a Village Ordinance (Section 17.08) that addresses diseased elm trees. He asked Council to direct its code enforcement staff to take action to identify trees that pose a significant threat, notify property owners to remove them, and ticket them if they do not take action. Siegal thought that the Village had the authority to take the tree down and charge the cost to the property owner.

Wilson remarked that there are a large number of rear yard utility easements on private property, some of which are not readily visible or accessible. The easements were established when the Village was developed. The concern was raised by DTE that these trees have the potential to cause damage to utility lines. Wilson has reviewed the tree ordinance and thought it was intended to address trees that block public access to roads. He suggested that Attorney Ryan assess what the Village can do when potentially harmful trees are on private property.

Stearn stated that the Village is financially constrained at this time and does not have the resources to send someone to identify dead trees. He suggested a compromise whereby DTE would contact the Village if it identifies a tree that may cause damage to power lines. The Village would take steps at that time. Attorney Ryan will be asked to review the ordinance to determine if there is anything the Village could do in terms of charging the homeowner for removal of a dead tree on private property.

Wilson said that there appears to be a problem with communication between DTE and Ronsdale residents. He has advised DTE staff that they could communicate with the Village; Village staff could provide assistance through Nixle or other means of communication with residents during future outages of significant duration.

Siegal said that all the Ronsdale residents are asking the Village to do whatever it can to help minimize the risk of power outages.

Kathleen Berwick stated that she has had numerous power outages in the 31 years she has lived on Kennoway Court. She asked that the Village code enforcement officer investigate a large, dead tree in her neighbor's yard that she views as a threat to her property.

REPORTS – MANAGER

Manager Wilson reported that two Ronsdale residents have filed claims with the Michigan Public Services Commission regarding the DTE power outage in June. Administration will be monitoring the findings of the MPSC.

Council is in receipt of a memo from Director Woodard on public safety department vehicles that were recently liquidated. Four vehicles were sold for a total of \$11,844.99. Prices ranged from \$500 to \$4,450.

On Wednesday, July 14, a site visit to the proposed location of a Detroit Country Day School baseball field was conducted with members of the Planning Board and area residents. The site plan and request for special use for the baseball field were agenda items for the regularly scheduled Planning Board meeting of July 28. Wilson learned this week that the July Planning Board meeting will be postponed because a number of Board members will be absent including the chair and vice-chair.

Detroit Country Day School was agreeable to postponing the site plan review until the August 25, 2010 meeting. A review letter from LSL Planning and a memo from Public Services Director Tom Meszler on the site plan and special land use review for the baseball field project will be forwarded to Council and Detroit Country Day School. Area residents have received notice of a public hearing on July 28; they will be re-notified that the hearing will be postponed to August 25, 2010.

Wilson related that the Road Commission for Oakland County completed its work on the Thirteen Mile and Southfield Road intersection. The results were not as expected, and Village staff had some questions on the project. There are right turn arrows on northbound and southbound Southfield Road; it was assumed that there would be right turn arrows eastbound and westbound on 13 Mile Road. Wilson corresponded with staff at the Road Commission and was informed that the Road Commission does not install right turn arrows where there is not a dedicated right-turn lane. It was also the understanding of the Village that the “no right turn on red” designation would be eliminated at the intersection. Village administration is working with the Road Commission to get these issues resolved.

Koss referred to recent flooding of the intersection during a heavy rain last week. Wilson explained the State requires that a fabric cover be placed over the storm grates for erosion purposes during construction. This was the cause of the flooding. The covers will be removed when the project is finalized.

Wilson stated that the Village received grant funding for the Rouge Green Corridor Urban Habitat Implementation Plan Project. He thanked Erin Saur for her efforts to secure the grant in the amount of \$16,000 to do erosion control work along various portions of the Rouge River.

Wilson reported that there was a bid opening today for the upcoming water main project. There were a number of competitive bids, which will be reviewed and presented to Council with a recommendation for awarding the project at the next meeting.

REPORTS – COUNCIL

Briggs stated that the Birmingham Area Cable Board will meet tomorrow, July 21, at 7:45 a.m. in the council chamber. Briggs commented on the decrease in his tax bill over the last year and anticipated reductions for the next couple of years due to a continued decrease in property values.

Mercer stated that the Zoning Board of Appeals did not meet in July. The Board is scheduled to meet on August 9, 2010. Mercer reminded everyone to vote in the August 3 election.

Oen referred to a Village ordinance addressing false home alarms. He questioned whether an ordinance should be passed to address false 9-1-1 calls and require a fine after two hang up calls.

Woodard explained that the recent number of 9-1-1 hang up calls from Detroit Country Day School is similar to an issue experienced previously with the Birmingham School District. Their internal phone systems required a person to dial ‘9’ to dial out and dial ‘1’ for the ten-digit number they are calling. This can result in dialing 9-1-1 in error. The Birmingham School District changed its “dial out” number when they went to a new phone system. The Public Safety Department has communicated the issue to Detroit Country Day School and is looking into whether there is any flexibility in terms of changing their dialup sequence. Director Woodard will follow up on this matter.

Koss reminded everyone about the Picnic in the Park tomorrow night, Wednesday, July 21. She related that the August Parks and Recreation Board meeting has been canceled. The Parks and Recreation Board scheduled for September 16th will start at 6:30 p.m. rather than 7:30 p.m.

Motion by Oen, second by Peddie, to adjourn the meeting at 8:35 p.m.

Motion passed (6 – 0).

Todd Stearn
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

TO THE PRESIDENT & MEMBERS OF THE VILLAGE COUNCIL. FOLLOWING IS A LIST OF
 EXPENDITURES FOR APPROVAL. ACCOUNTS PAYABLE RUN FROM 07/19/10 THROUGH 08/02/10.

ACCOUNT TOTALS:

101	GENERAL FUND	\$56,188.46
202	MAJOR ROAD FUND	\$8,052.43
203	LOCAL STREET FUND	\$17,352.12
265	DRUG LAW ENFORCEMENT FUND	\$150.88
401	CAPITAL PROJECTS FUND	\$2,844.59
402	DEDICATED MILLAGE FUND	\$7,420.36
592	WATER/SEWER OPERATION FUND	\$30,754.01
701	TRUST & AGENCY FUND	\$11,909.07

TOTAL \$134,671.92

MANUAL CHECKS \$13,021.03

ACCOUNTS PAYABLE \$121,650.89

GRAND TOTAL \$134,671.92

VENDOR APPROVAL SUMMARY REPORT

Date: 07/29/2010

Time: 2:11pm

Page: 1

Village of Beverly Hills

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
46TH DISTRICT COURT	51444	APPEARANCE BOND 56397	595.00	0.00
52-3 DISTRICT COURT	49805	APPEARANCE BOND 56396	100.00	0.00
AMERICAN EXPRESS	51814	MISC. EXPENSE	428.67	0.00
AMERICAN FLAG & BANNER CO	38831	R&M PARK	83.60	0.00
APEX ROOFING	51742	BUILDING BOND BP100052	200.00	0.00
AT&T GLOBAL SERVICES, INC.	50999	TELEPHONE BILLING	673.75	0.00
AT&T LONG DISTANCE	49804	TELEPHONE BILLING	40.94	0.00
AT&T	50704	TELEPHONE BILLING	49.49	0.00
BARRETT PAVING MATERIALS	02200	ASPHALT & COLD PATCH	610.04	0.00
JOHN EDWARD BIRNEY	51923	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
BLUE CARE NETWORK	30861	HEALTH INSURANCE	8,948.25	0.00
BOB BORGON	50689	CABLE EXPENSE	2,500.00	0.00
LORI BROWN	51918	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
KATHLEEN CARDELLIO	51544	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
KEZZIAH CHUDLER	50948	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
LAVERNE CLEARY	50322	PAVILION DAMAGE DEPOSIT REFUND	100.00	0.00
COMCAST	50854	CABLE EXPENSE	97.87	0.00
COMEAU EQUIPMENT CO INC	04500	CONTRACTED SERVICES	23,642.09	0.00
CONSUMERS ENERGY	50826	UTILITY BILLING	277.36	0.00
D&H PROPERTIES	51927	WATER REIMBURSEMENT FOR	449.58	0.00
KELLY DEMONT	51924	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
DTE ENERGY	50919	MUNICIPAL LIGHTING	670.30	0.00
ERNIE FISCHER'S	50943	VEHICLE MAINT.	28.95	0.00
EXXONMOBIL	31228	VEHICLE MAINT.	0.00	867.39
FARHAT TEAM	51930	WATER REIMBURSEMENT FOR	230.33	0.00
FLEET SERVICES	50391	VEHICLE EXPENSE	0.00	296.12
GALLS, AN ARAMARK COMPANY	32034	UNIFORMS	256.09	0.00
MARILYNN GORDON	51931	WATER BILL REIMBURSEMENT FOR	0.00	517.13
GUNNERS METERS & PARTS INC.	49646	R&M SEWER	100.00	0.00
HASTING AIR-ENERGY CONTROL INC	49934	FIRE SUPPLIES	70.88	0.00
THE HOME DEPOT	31202	MISC. EXPENSE	74.60	0.00
HUBBELL ROTH & CLARK INC	08500	PROFESSIONAL SERVICES	25,307.43	0.00
IKON OFFICE SOLUTIONS	00500	RENTAL OFFICE EQUIPMENT	128.17	0.00
KELLER THOMA SCHWARZE	09300	PROFESSIONAL SERVICES	1,114.57	0.00
SONIA KOENIG	30686	FICA REFUND	113.07	0.00
L-3 COMMUNICATIONS MOBILE	38951	ENFORCEMENT SUPPLIES	340.70	0.00
YVONNE LARABELL	49940	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
LIFELOC TECHNOLOGIES, INC.	50143	ENFORCEMENT SUPPLIES	264.00	0.00
MAINS LANDSCAPE SUPPLY	49491	GRAVEL, SAND & SLAG	264.00	0.00

VENDOR APPROVAL SUMMARY REPORT

Date: 07/29/2010
 Time: 2:11pm
 Page: 2

Village of Beverly Hills

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
ELIZABETH MEINERT	51926	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
RHONDA MONRO	51920	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
MOTOR CITY CREATIVE	32037	OFFICE SUPPLIES	19.00	0.00
NATIONAL ASSOC. OF TOWN WATCH	51928	CRIME PREVENTION	416.00	0.00
NEXTEL	38993	TELEPHONE BILLING	234.27	0.00
OAKLAND COUNTY TREASURER'S	50830	OAKLAND COUNTY COMPUTER	21,155.30	0.00
POWERSTREAM	51110	R&M COMPUTER	130.00	0.00
RAY HAVEN	51922	R&M PARK	0.00	167.00
S.O.C.R.R.A.	16500	RUBBISH COLLECTION & DISPOSAL	24,318.00	0.00
FATIN A. FATHALLAH SAHAR	51925	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
CLAUDINA ANNA SCALISE	51921	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
TRICIA SCHAFFER	50323	PARK OPENER	325.00	0.00
SECRETST, WARDLE, LYNCH,	51343	RIVER ROUGE MAINT.	1,613.77	0.00
BARBARA SIROSKY	31813	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
STATE OF MICHIGAN	31292	MI STATE WITHHOLDING TAX 06-10	0.00	11,173.39
STATE OF MICHIGAN	50923	OAKLAND COUNTY COMPUTER	760.00	0.00
TARGET BANK	50796	MISC. EXPENSE	66.12	0.00
THE LINCOLN NATIONAL LIFE	50988	HEALTH INSURANCE	15.68	0.00
SANDRA THOMAS	51917	PAVILION DAMAGE DEPOSIT REFUND	40.00	0.00
LARRY TOMASINO	50938	REIMBURSEMENT FOR CELL PHONE	15.00	0.00
TOTAL LAWN CARE	51498	SFLD RD. MAINT.	387.55	0.00
JOSEPH TROY	51929	PAVILION DAMAGE DEPOSIT REFUND	76.00	0.00
VERIZON WIRELESS MESSAGING	38205	ENFORCEMENT SUPPLIES	150.88	0.00
WAYTEK INC.	51363	VEHICLE MAINT.	213.59	0.00
CRAWFORD WEBB JR.	51919	PAVILION DAMAGE DEPOSIT REFUND	100.00	0.00
CHRISTOPHER YANOSY	30692	TUITION REIMBURSEMENT	3,415.00	0.00
Grand Total:			121,650.89	13,021.03

Village of Beverly Hills

ACHA Payments 07/10

Payee	Date	Description	Amount
Payroll	07/09/10	Payroll, Sick & Premium	\$168,586.30
MERS	07/16/10	Retirement	\$6,290.82
Payroll	07/23/10	Payroll	\$112,023.75
			\$286,900.87

VILLAGE OF BEVERLY HILLS

RESOLUTION

At a regular meeting of the Village Council of the Village of Beverly Hills, Oakland County, Michigan, held at the Village Office at 18500 West Thirteen Mile Road, Village of Beverly Hills, on Tuesday, August 3, 2010, at 7:30 p.m.

The following resolution was offered by _____ and supported by _____.

WHEREAS, the initial Resolution was offered on the 28th day of June, 2010;

WHEREAS, a Charter Amendment was proposed by the Village Council;

WHEREAS, in accordance with the statute such Resolution was published in the Observer-Eccentric, a newspaper circulated within the Village; and

WHEREAS, said Resolution has been duly laid on the table for at least thirty (30) days;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the following Charter Amendment be voted upon by the qualified electors of the Village of Beverly Hills at the State Primary Election to be held on Tuesday, August 3, 2010 to-wit:

1. Shall Section 9.1 of the Charter of the Village of Beverly Hills be amended to read as follows:

The Village shall have the power to levy and collect taxes for municipal purposes. The general ad valorem tax levy shall not exceed 12.9184 mills, times the assessed value of all real and personal property, subject to taxation in the Village, exclusive of any levies authorized by general statute to be made beyond Charter tax limitations, for a period of ten (10) years 2011 to 2021 inclusive. This 12.9184 millage authorization shall include the following components specifically dedicated to the operation of the Village:

- a) 9.9 mills for public safety operations;
- b) 2.1 mills for general administrative purposes;
- c) .9184 mills for library purposes.

It is estimated that if levied, the increase of 3.5383 mills in addition to the current Headlee reduced millage rate of 9.3801 will raise approximately \$1,683,263.00 when first levied in 2011. Upon expiration of this increased millage on June 30, 2021, the maximum allowed charter millage rate shall revert to 11.00 mills for municipal purposes.

Yes

No

That prior to its submission to a vote of the electors of the Village of such Charter Amendment shall be presented to the Governor of this State.

That before its submission to the electors of the Village, the Clerk shall give such notice thereof as is required by law.

AYES: _____

NAYES: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATE OF CLERK

I, ELLEN E. MARSHALL, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of a Resolution adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on August 3, 2010.

ELLEN E. MARSHALL
Village Clerk

MEMO

To: Council members Mercer, Mooney and Oen

From: Ellen E. Marshall, Assistant Manager/Clerk

Re: Zoning Board Alternate Position Vacancy

Date: July 28, 2010

This memo is to remind you that you have been appointed as the committee to make a recommendation to fill an alternate vacancy on the Zoning Board of Appeals. The expiration of this term is June 30, 2012.

Your committee will be meeting at the Village Office at 7:15 p.m. on Tuesday, August 3, 2010 prior to the Council meeting.

eem

attachment

M E M O

To: Chris Wilson, Village Manager
Members of Village Council

From: Ellen Marshall

Re: Amendment to Rules Governing the Pavilion

Date: July 27, 2010

At their regular meeting in July, the Parks & Recreation Board adopted the following motion:

Motion by Schmitt, second by O'Reilly, that the Parks and Recreation Board recommend that Beverly Hills business owners or their representatives receive resident status for park pavilion rental for business functions.

Attached is an amended version of the "Pavilion-Rules Governing Usage" page from our Organizational Policies and Procedures Manual. Any amendments to this document require Council action.

Recommended motion:

That the Organizational Policies and Procedures Manual, specifically the page entitled Pavilion – Rules Governing Usage be amended by adding the following paragraph: Village business owners or their representative(s) may begin making reservations the first Wednesday in March for business related functions. Proof of affiliation is required at the time of application.

PAVILION - RULES GOVERNING USAGE

All public laws including those relating to noise will be observed in the park including Chapter 6 of the Municipal Code. It is available for review at the Village offices.

Village residents can begin making reservations the first Wednesday in March. Non-residents can begin making reservations starting the first Wednesday in April. Reservations are taken at Village offices during business hours. Proof of residency must be provided. Applicants must be at least eighteen years old.

Village business owners or their representative(s) may begin making reservations the first Wednesday in March for business related functions. Proof of affiliation is required at the time of reservation.

Applicant must be present at time of reservation, as well as opening and closing of park, and retain copy of permit. Failure to do so will result in withholding the deposit. Pavilion use is restricted to hours of permit.

A refund of the damage deposit plus 80% of the other fees paid will be granted if a cancellation is made at least 2 weeks prior to the reservation date. If a cancellation is made within the 2 weeks prior to the reservation date, only the damage deposit will be refunded.

Permit holders are entitled to priority usage of the pavilion only. All other facilities can be used on a first come - first serve basis.

There will be no rain dates.

Applicant is responsible for all equipment, valuables and clothing left in park.

Applicant agrees to pay for any and all damages or losses that occur on the premises during reservation time. **No nails, staples, tape, or fasteners shall be used to affix signs, banners, etc. to pavilion.** Banners may be hung on brass hooks on the posts of the pavilion.

The Village will ensure restrooms are clean and equipped, and that pavilion area is clean at the time of opening. At time of closing the Park Opener will survey area. There will be an extra charge if it is necessary to clean pavilion and surrounding area. Also, there will be a charge if the Park Opener must return to the park for additional opening or closing. This amount will be subtracted from the deposit.

Any equipment to be brought in other than barbecue grills, card tables and other

items incidental to a picnic, must be listed and placed on a sketch which shows their location in relation to the pavilion. Tents should only be placed in the area south of the pavilion and porta-johns should only be located in the southwest corner of the parking lot. Parking plans for large groups must be discussed with the Village Office to ensure that there will be room for Village residents.

MEMO

To: Chris Wilson, Village Manager
From: Thomas Meszler, Director of Public Services
Date: July 28, 2010
Re: 2010 Watermain Replacement Program

Bids were received on July 20, 2010 at 11:00 am for the 2010 Watermain Replacement Program. There were 15 bidders for this project ranging in cost from \$299,147.32 to \$535,145.00.

Two options were allowed in the bids:

- 1) open cut replacement; and
- 2) in place pipe bursting replacement.

The work will be done in the following locations:

- 1) south of Beverly, west of Pierce;
- 2) Norchester from Riverside to Saxon;
- 3) Warwick between Norchester and Mayfair; and
- 4) Riverside between Drury and Bedford.

The low bid was for in place pipe bursting which will result in the least disruption and inconvenience to the affected residents. That bid was received from D&D Water Service of Canton, Michigan. I have researched their company and met with them prior to making this recommendation. I am confident that they are a qualified contractor and therefore I recommend that the Village Council accept the low bid of D&D Water Service in the amount of \$299,147.32.

The funds for this project are in account #402-451-811.85 which currently has a balance of \$2.1 million.

THM/ees

BID TABULATION
2010 WATERMAIN REPLACEMENT PROGRAM
VILLAGE OF BEVERLY HILLS
OAKLAND COUNTY, MICHIGAN

Bids Due: 07/20/2010
 HRC Job # 20090765

D & J Water & Sewer Inc.
 7371 Havenhill Lane
 Canton, MI 48187
 (734) 397-3386

Macomb Pipeline & Utilities Co.
 44444 Mound Rd, Ste 640
 Sterling Hts, MI 48314
 (586) 726-7552

Murphy Pipeline
 4700 N. Pearl St.
 Jacksonville, FL 32206
 (904) 764-6887

Item	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
BASE BID							
1. Mobilization	1	Lump Sum \$	5,000.00	Lump Sum \$	7,500.00	Lump Sum \$	5,000.00
2. Color Audio Visual	1	Lump Sum \$	1,475.00	Lump Sum \$	1,800.00	Lump Sum \$	1,000.00
3. Hydrant, Rem	5	\$	500.00	\$	1,250.00	\$	5.00
4. Gate Valve & Well, Rem	4	\$	400.00	\$	1,000.00	\$	4.00
5. Tree, Rem, 6 inch to 18 inch	1	\$	300.00	\$	400.00	\$	100.00
6. Structure, Adjust	2	\$	200.00	\$	200.00	\$	2.00
7. Structure, Reconstruct	1	\$	250.00	\$	150.00	\$	1.00
8. Additional Depth, Structure, Reconstruct	2	\$	50.00	\$	75.00	\$	100.00
9. Install Fire Hydrant Assembly	7	\$	4,103.28	\$	2,500.00	\$	3,500.00
10. Reconnect Water Service Lead, Short Side	26	\$	500.00	\$	350.00	\$	800.00
11. Reconnect Water Service Lead, Long Side	32	\$	500.00	\$	350.00	\$	800.00
12. Additional Length, Type "K" Copper Water Service, 3/4" to 1 1/4"	100	\$	600.00	\$	10.00	\$	50.00
13. Remove & Replace Concrete Sidewalk	40	\$	51.75	\$	30.00	\$	100.00
14. Allowance for Exploratory Services	1	\$	2,070.00	\$	1,200.00	\$	4,000.00
15. Trench Undercut & Backfill	20	\$	6,000.00	\$	6,000.00	\$	6,000.00
16. Base Repairs	35	\$	1.00	\$	20.00	\$	200.00
17. 4' High Property Protection Fence	200	\$	45.00	\$	1,575.00	\$	350.00
18. Soil Erosion & Sedimentation Control	1	\$	5.00	\$	3.00	\$	10.00
19. Traffic Control	1	\$	1,000.00	\$	1,000.00	\$	100.00
20. Site Restoration	1	\$	2,000.00	\$	2,500.00	\$	100.00
21. Inspection Crew Days	1	\$	10,000.00	\$	12,000.00	\$	100.00
Sub Total Base Bid Amount		\$	100,212.96	\$	93,095.00	\$	115,062.00

ALTERNATE A - Replace Existing Water Mains by Open Cut Method

1. Abandon Existing W/M	3,700	lt	\$	\$	\$	\$
2. Water Main, Rem, Less than 12 inch Dia	52	lt	\$	\$	10.00	\$
3. HMA Surface, Rem	232	syd	\$	\$	5.00	\$
4. Remove HMA Drive	234	syd	\$	\$	5.00	\$
5. Remove Concrete Drive	279	syd	\$	\$	4.00	\$
6. Remove Concrete Sidewalk	43	syd	\$	\$	4.00	\$



MEMO

To: Chris Wilson, Village Manager
Members of Village Council

From: Ellen Marshall, Assistant Manager/Clerk

Re: Michigan Municipal League Annual Business Meeting

Date: July 29, 2010

Background

Each year the Michigan Municipal League (MML) holds a Convention for Michigan government officials. This year's convention will be held Tuesday, September 21 – Friday, September 24, 2010 at the Hyatt Regency in Dearborn.

The annual business meeting will be held on Wednesday, September 22 for the purpose of electing trustees, voting on policies and resolutions and other business. Pursuant to the provisions of the MML Bylaws, we are requested to designate, by action of our Village Council, one of our officials who will be in attendance at the Convention to act as our official representative to cast a vote on behalf of Beverly Hills. They also suggest naming an alternate.

Suggested Motion

The Beverly Hills Village Council appoints Chris Wilson as the official representative of the Village of Beverly Hills and Rosanne Koss as the alternate to attend the Michigan Municipal League Annual Business Meeting to be held September 22, 2010 at the Hyatt Regency in Dearborn, Michigan.

VILLAGE MANAGER'S REPORT
CHRIS D. WILSON
JULY 30, 2010

Dispatch Study – In response to a request from Council to put together a report on consolidation options for dispatch Village Administration has been able to procure a quote from Oakland County for full provision of dispatch services. While the bottom line costs from Oakland County are less than our current costs, elimination of our dispatch will have an operational (particularly records retention and lock-up services) and financial impact that should be taken into account in an analysis of the costs of contracting out. Plante Moran has agreed to assist the Village in analyzing these costs. Village Administration will be meeting with representatives of Plante Moran on Monday, August 2nd to discuss the parameters of such an analysis.

While there are other potential options available in the future, including possible participation in a Birmingham/Bloomfield dispatch operation and a possible consortium amongst Public Safety communities in Oakland County, the contracting out of dispatch services with Oakland County would be the most immediate option available to the Village should such an arrangement prove to be operationally and financially viable. Additionally, participation in a vertical integration would not preclude the Village from pursuing future horizontal mergers with neighboring communities should such options be available.

House Fire – There was a house fire in the Village during the evening of Tuesday, July 27th. Fortunately, neither the home owners nor Public Safety personnel were injured because of the fire. Unfortunately, the house was damaged beyond repair and a dog residing at the home died as a result of the fire. No suspicious activity is suspected. Public Safety Director Woodard is putting together a more thorough report that will be read at the Council meeting. Our thoughts are with the couple whose home was destroyed. Thanks and recognition is due to our Public Safety Officers who were on the scene and the Franklin/Bingham Fire Department for providing assistance. Additionally, a thank you is in order for personnel of Detroit Country Day for providing water and supplies to our Public Safety Personnel on scene.

Arbitration Update – The Village has received notice that an arbitrator has been appointed in the Village's arbitration case with our Public Safety Command Officers. Mr. Don R. Bershback of St. Clair Shores will be the arbitrator between the Village and our Command Officers. Arbitrators have now been assigned for both the PSO and Command units. Village Administration is working with the Village's legal counsel for labor matters to prepare exhibits and information for the arbitration process.

Acacia RTB Letter – Please find attached a copy of correspondence sent to the Water Resources Commissioner and the Acacia Drain Board regarding the position of the Village regarding agreements for operation of the Walnut Pump Station and the Acacia Basin.

ZBA Subcommittee – There will be a meeting of the ZBA Subcommittee at 7:15 to review applications for a ZBA Alternate position. Members of the ZBA Subcommittee are Mercer, Mooney, and Oen.

July 30, 2010

John McCulloch, Chair Acacia Drain Board
Building #95, West
One Public Works Drive
Waterford, MI 48328-1907

Chairman/Water Resource Commissioner McCulloch:

In 2008, the WRC changed the storm water surcharge methodology. This resulted in more than doubling the RTB communities' costs for storm water disposal in the EFSDS. At that time, the RTB communities objected to being the only communities charged for storm water while many of the communities which had wet separated sewer system paid nothing. It was decided by the WRC office that the RTB communities would be reimbursed for operations and management charges for the amount of sewage pumped into the EFSDS from Walnut #1 pump station.

It should be noted that prior to this, the RTB communities paid the total O&M costs for the material that Walnut #1 caused to be stored without any reimbursement for the cost. A look-back/true-up of costs for this time period needs to be developed. The original 1.6 million dollar payment made to RTB communities was to purchase capacity in the RTB facility for a period of 10 years. That payment was based on 2002 dollars for which no formal agreement exists.

The Village of Beverly Hills accepted this with the understanding that it was in the best interest of all the EFSDS system to delay tens of millions of dollars in construction expenses. As it turns out, the Village has been paying the expenses created by others for the use of this facility. Sometime after the utilization of the Acacia RTB by the Walnut #1 pump station began, the operational protocol for the RTB's was changed and the regulators are now closed in advance of beginning to pump from Walnut #1 in order to free up capacity in the EFSDS system, thus requiring additional storage of sewerage in the RTB that under normal circumstances would not occur.

This is an additional operational cost due solely to the existence of the Walnut #1 pumping station. There are also capital costs associated with the Acacia RTB that are necessary for continued operation of the facility. These costs need to be shared by all that use the facility.

The Acacia RTB is a Chapter 20 Drain and as such is represented by a Drain Board which is to act in the best interests of the Chapter 20 Drain. As a major interest holder in the Acacia RTB, the Village of Beverly Hills requests the Drain Board's support in the following positions as it relates to the Acacia RTB.

1. The initial payment of \$321,710, as calculated for 2002 dollars, to the Village of Beverly Hills was for the purchase of capacity and as set forth terminates effective July 1, 2012. This will require that a new written agreement be negotiated for any continued use of the Acacia RTB after this date.
2. The present O&M reimbursement does not represent the total costs associated with the transfer of sewerage from the Walnut #1 pump station. The O&M reimbursement needs to include actual volume required to be stored in the RTB whether due to pumping from Walnut #1 or due to operational protocol. It also must include a portion of the capital costs incurred to operate the facility. Present calculations done by Water Resource Commissioners Office for this are attached.
3. The costs incurred to date because of the use of Acacia RTB by the Walnut #1 pump station needs to have a look-back/true up reimbursement to the Village.

I also wish to express my disappointment with the outcome of the RTB Committee. After investing significant staff and consultant time to this effort, it appears that only the interests of a few non-CSO communities were being represented by WRC at the expense of the RTB communities who have born the costs of other communities for a significant amount of time.

Sincerely,

Chris Wilson
Village Manager

CW/ees

attachment

cc: Bill Bullard Jr., Member Acacia Drain Board
Thomas Middleton, Member Acacia Drain Board
Beverly Hills Village Council
Tom Ryan, Village Attorney
Thomas Meszler, Director of Public Services
Marcia Gershenson, Oakland County Commissioner
Tom Markus, City of Birmingham
Dave Payne, Bloomfield Township

**Village of Beverly Hills
Regular Council Meeting
Tuesday, August 3, 2010**

**Municipal Building
18500 W. 13 Mile Road
7:30 p.m.**

INFORMATION ITEMS

- a. Minutes from regular Parks & Recreation Board meeting held July 15, 2010 (unapproved).
- b. Update Parks & Recreation Board roster (Council only).

Present: Chairperson Kondak; Vice-Chairperson O'Reilly; Members: Arvant, Ross and Schmitt

Absent: Davis and Greening

Also: Alternate Council liaison, Koss

Chairperson Kondak called the meeting to order at 7:30 p.m. in Beverly Park.

ADDITIONS TO AGENDA/APPROVE AGENDA

There was agreement to add an item 10A to consider canceling the August Parks and Recreation Board meeting.

APPROVE MINUTES OF A JOINT COUNCIL/PARKS & RECREATION BOARD MEETING HELD JUNE 17, 2010

Motion by O'Reilly, second by Arvant, that the minutes of a joint meeting of Council and the Parks and Recreation Board held on June 17, 2010 be approved as submitted.

Motion passed (5 – 0).

PUBLIC COMMENTS

Gill Mandip from Huntley Square Apartments suggested that it would improve the appearance of Beverly Park if the Village removed fallen trees in the forested area. He also proposed locating a fountain in the park.

FOLLOW UP DISCUSSION REGARDING COMMUNITY GARDEN

Matt Roman of 32021 Weston Drive provided an update on his proposal for establishing a Beverly Hills Community Garden in the park. He informed the Board that his group has located and secured an alternate location for a community garden at the Beverly United Methodist Church at the corner of 13 Mile and Evergreen Roads.

Roman was present to clarify the position of the Parks and Recreation Board regarding Beverly Park deed restrictions and Village Master Plan considerations raised at a previous meeting. He thought it was important to establish whether or not a community garden was inconsistent with park deed restrictions in the event that a similar proposal was submitted. Roman and others organizing the community garden reviewed the deed restrictions and master plan and did not think that their proposal would conflict with those documents. Roman asked Board members to comment on this issue.

O'Reilly understood that there was no longer a proposal before the Board for a community garden. The Parks and Recreation Board was not in a position to render legal opinions on hypothetical situations. Schmitt added that the issue is moot, and he congratulated Roman on locating an alternate site.

REQUEST FROM BEVERLY ELEMENTARY SCHOOL TO HOLD THE LONGEST LEMONADE STAND AT BEVERLY PARK ON AUGUST 20, 2011

Monica Mercer of 17400 Locherbie was present on behalf of Beverly Elementary School to provide information on a request to use Beverly Park for an event scheduled for next summer. Beverly Elementary School has submitted a proposal to the Guinness Book of World Records outlining a new record attempt to build the “Longest Lemonade Stand” ever assembled. The record-setting attempt would occur on Saturday, August 20, 2011, which is National Lemonade Day. This idea was conceived by Beverly Hills resident Pat Liebler, who could not be present tonight.

Mercer presented an overview of the event proposed to take place in Beverly Park. The Lemonade Stand would have a modular design so that various groups or classes could create their own five foot section with overall design parameters. In addition to school groups and families, businesses will be invited to create their own section of lemonade stand. The scope of the project is broad at this time and may eventually be modified.

There is no existing Guinness Record for Longest Lemonade Stand, which guarantees success at some level. It is believed that the record attempt could draw financial support while providing a valuable learning tool for teachers and kids. Achieving the record would create a sense of pride and accomplishment for all those involved.

Mercer said the preference is to use the park rather than a school location. While this is a Beverly School event, it is a community event as well. Approvals have been received from the Beverly School PTA, the School principal, and from Marcia Wilkinson, Director of Community Relations for Birmingham Public Schools.

Questions from Board members were addressed by Mercer. This will be a one-day event on August 20, 2011. Beverly School will be requesting the use of the entire park in order to set up as many five foot lemonade stands as possible. Any cost to the Village would be covered by a percentage of the revenue received from the event. Mercer understood that the scope of the event needs to be narrowed with a definite plan submitted to the Village for approval. The intent of presenting the idea at this meeting was to attain a sense of the Board on the concept and to field their questions and concerns in order to prepare a comprehensive proposal.

Koss thought that the Longest Lemonade Stand was a great idea. She mentioned that Council approval is required to waive the prohibition on sales in the park.

Schmitt questioned whether advertising by corporate sponsors would be limited. Mercer anticipated limiting sponsors to advertising only in their lemonade stand area. She will provide additional information on this subject.

Board members suggested that the organizers of this event review the Village municipal code to determine restrictions on use of the park. Beverly School representatives should return with a more detailed plan to present to the Parks and Recreation Board.

The Parks and Recreation Board had no objections to this event occurring in Beverly Park subject to the organizers providing specific information on the event and assurance that the proposal complies with ordinance restrictions. The Parks and Recreation Board unanimously recommended that Council direct Village administration to reserve the date of August 20, 2011 for use by Beverly Elementary School pending further review and approval.

PICNIC IN THE PARK UPDATE

Arvant stated that the Picnic in the Park is scheduled for next Wednesday, July 21 from 5:30-10:00 p.m. Oakland County Parks and Recreation will provide its Mobile Recreation Unit called “Old School Playground Program” and will have people available to run the games from 6 – 7:30 p.m. Wide Open West (new cable, Internet and phone service provider in the Village) will sponsor a staffed ice cream truck offering free ice cream to those who attend the picnic. The Board was in agreement to allow WOW to display a sign on the ice cream truck. The ice cream and all the activities are free.

Koss recalled that there is a Village ordinance that restricts ice cream trucks in the park. She will contact the Village Manager regarding this and get back with Arvant.

REVIEW PAVILION RENTAL FEES AND RESIDENCY REQUIREMENTS

Board members are in receipt of materials prepared by Clerk Ellen Marshall to assist with their review of pavilion rental fees. The information provided includes a calculation of 2009 park pavilion rentals and money raised, a comparison showing rates for pavilion/shelter rentals charged by neighboring communities, the Village’s 2010 Resident and Non-Resident Fee Schedule, and rules governing pavilion and large group usage.

The Parks and Recreation Board discussed the pavilion rental fee schedule and whether rates should be increased. Approval of revised rates must be approved by Council by October in order for the new fee schedule to be published in the 2011 Village Calendar.

An item of discussion was whether businesses in the community should be given resident status in terms of pavilion rental, which is a common practice in municipalities. It was the sense of the Board to consider business owners as residents when renting the pavilion for a business function; employees of local businesses would not receive resident status for pavilion rental other than for a business function. Businesses in Beverly Hills would pay the resident rate for pavilion rental for business functions and would be able to reserve the pavilion on the first Wednesday in March.

Kondak related that he spoke with Manager Chris Wilson, who indicated that administration did not review pavilion rental fees in terms of increasing rates to meet expenses. It was the sense of the Board to request a recommendation from administration on the fee schedule before submitting a proposal to Council on a rate increase for 2011.

Motion by Schmitt, second by O’Reilly, that the Parks and Recreation Board recommend that Beverly Hills business owners or their representatives receive resident status for park pavilion rental for business functions.

Motion passed (5 – 0).

UPDATE ON EAGLE SCOUT PROJECTS

Andrew Hausman, Scout from Troop 1024, presented a proposal at the last meeting to construct a sandbox in the playground area as his Eagle Scout project. At the conclusion of the June meeting, Board members walked over to the playground area with Hausman to discuss a potential location for the sandbox. A spot was recommended within the wood chip area. The Scout will submit a proposal for Board approval before proceeding with the project.

UPDATE ON LANDSCAPING AND IRRIGATION PROJECTS

Schmitt reported that Goldner Walsh Nursery provided the names of two irrigation companies. One firm did not respond; the other firm estimated a cost of \$4,500 to irrigate specified areas of Beverly Park. Board members agreed that the next step should be to request that administration prepare specifications and solicit bids for irrigating approximately .75 acres of the park for an amount not to exceed \$5,000. The scope of area to be irrigated is the front lawn: from the parking lot to the play area and from the fence to the pavilion. The area from the pavilion to the woods is a wet area.

Motion by Ross, second by Arvant, that the Parks and Recreation Board recommend that Council solicit bids to irrigate the front lawn portion of the park bounded by the pavilion, the fence along Beverly Road, the parking lot, and the playground area for an amount not to exceed \$5,000. Funding will come from the dedicated park millage money.

Motion passed (5 – 0).

Schmitt stated that the park ranger did a good job of removing invasive crown vetch from the garden area near the playground. The area requires landscape fabric and wood chips so the crown vetch does not return. Board member Davis obtained a cost estimate from Goldner Walsh Nursery to clean out the flower beds in the park, cultivate, and put down wood chips for \$350. Schmitt thought that this was a good rate for labor and material.

Kondak added that Goldner Walsh should be asked to come out and evaluate some of the material they planted last fall that is under guarantee.

Motion by Schmitt, second by Kondak, that, pending review by administration, the Parks and Recreation Board recommends that Goldner Walsh be contacted to weed, cultivate, and apply wood chips to the flower beds in Beverly Park by the playground and gazebo areas at a cost not to exceed \$350.00. Funds will come from the Park Maintenance Fund.

Motion passed (5 – 0).

Kondak observed that the two grills in the park are rusted and in poor condition. His research indicates that both grills can be replaced at a cost of \$700. Board members concurred that grills should be available in the park for use by residents and that the two grills should be replaced using park maintenance funds.

Motion by O'Reilly, second by Arvant, that the Parks and Recreation Board recommend that administration replace the two grills in the park in an amount not to exceed \$1,000 from the Park Maintenance Budget.

Motion passed (5 - 0).

REVIEW AND CONSIDER TWO LARGE GROUP SURVEYS

There were no objections to the large group event planning forms.

ELECTION OF OFFICERS

O'Reilly nominated Bill Kondak for the position of chairperson of the Parks and Recreation Board. Kondak accepted the nomination. There were no further nominations. Kondak was elected chairperson by acclamation.

Kondak nominated Cynthia Arvant as Vice-Chair of the Parks and Recreation Board. Arvant accepted the nomination. There were no further nominations. Arvant was elected Vice-Chairperson by acclamation.

CONSIDER CANCELATION OF AUGUST MEETING

It was the consensus of the Board to cancel the August Parks and Recreation Board meeting pending no urgent business.

Motion by Kondak, second by Schmitt, to cancel the August 2010 Parks and Recreation Board meeting.

Motion passed (5 – 0).

The September meeting will start at 6:30 p.m. to be followed by the Board's annual pot luck dinner. Irene Davis will be asked to organize the dinner.

LIAISON COMMENTS

Koss commented that she appreciated the work of the Parks and Recreation Board.

ADMINISTRATION COMMENTS

None

BOARD COMMENTS

Schmitt thanked Chris Wilson for securing a new flag for Beverly Park. Schmitt proposed that a new flag be purchased and installed prior to each Memorial Day. Schmitt congratulated Cynthia Arvant on her election as vice-chair of the Parks and Recreation Board and on her position as new magistrate of 46th District Court.

Ross thanked Arvant for all her work on organizing the Picnic in the Park. Arvant said that she was looking forward to the Picnic in the Park next Wednesday. She will attend the July 20 Council meeting to remind people of the event during community announcements.

O'Reilly congratulated Arvant for joining Parks and Recreation Board administration and on her magistrate position in 46th District Court. Kondak thanked the Board for its support and for his re-election as chairperson.

The meeting was adjourned at 8:45 p.m.