

Draft: March 26, 2009

Village of Bingham Farms  
Council Meeting  
March 23, 2009

Approved: April 27, 2009

The regular meeting of the Village Council was called to order by President Pro-Tem Leckie at 8:03 p.m.

Present: Freeman, Gollnitz, Kesley, Leckie & Tripp

Absent: Ettenson

Also Present: Police Chief Browne, Fire Chief Averbuch, Hagaman, Ludwick & McDermott

### **Agenda**

Motion by Gollnitz, second by Tripp, to approve the agenda as submitted.

Motion carried.

### **Appoint Council President**

With the resignation of Mary Jane Bauer last month, the Village charter requires Council to appoint a replacement within 30 days. That individual will serve out Mrs. Bauer's term which will expire in September 2009.

Mr. Freeman indicated that in the past, the President ProTem stepped in to fill the seat. President Pro Tem Leckie has indicated he was interested in assuming this position.

Motion by Freeman, second by Gollnitz to appoint David Leckie to the position of President, said term to expire in September 2009.

Motion carried.

The Clerk administered the Oath of Office to David Leckie.

Motion by Gollnitz, second by Kesley to appoint Delores Tripp to the position of President ProTem.

Motion carried.

### **Appointment to Council**

Mr. Kesley indicated that Dorothy Warren, a member of the Planning Commission, would accept an appointment to Council to fill the vacant seat.

Motion by Kesley, second by Tripp to appoint Dorothy Warren to fill the vacant seat on Council.  
Motion carried.

According to state law, this seat will be on the ballot for the Annual Village Election in September. The ballot will include President (4-year term), 3 Trustees (4-year term), 1 Trustee (2-year term).

### **Minutes**

Motion by Gollnitz, second by Kesley, to approve the meeting minutes of February 23, 2009 as submitted.

Motion carried.

**Public Comments not listed on the agenda**

None

**Police Chief**

Chief Browne summarized activity during the month.

As a result of excellent police work and citizen assistance, police apprehended two suspects in a recent rash of burglaries in Franklin. During the interview process, the suspects detailed how they targeted a home. Homes that appeared unoccupied and having no outside lighting on were the first targets. Prior to entering, additional steps were taken, such as a walk around the home, knock on the door etc. The Chief commended Lt. Castro, Sgt. Hirschfeld and Officer Bastianelli for their good work. He emphasized the need to take precautions and don't forget to activate the home alarm system.

**SAD Budget Presentation**

Chief Browne presented the Special Assessment District Budget for the 2009-10 budget year. The net budget is projected to be \$271,319. Chief Browne detailed the reduction in crime in the Commercial District since the establishment of the SAD, and praised the outstanding work of the officers in the district.

In response to a question relative to the legacy costs for retirement, the Chief believes substantial changes may occur in the next few years. It is difficult to change retirement benefits for long-time officers, but changes may be instituted for new hires.

**RESOLUTION 2009-03 OFFERED BY FREEMAN, SUPPORTED BY KESLEY** that the Police Chief and Police Liaison be directed to prepare a final report on the advisability of a Special Assessment District to provide additional police service for all PS and C-1 zoned office district properties; that a Public Hearing on the necessity for the SAD be called for on April 27, 2009 at 7:55 p.m.; that the Assessor be directed to prepare the assessment roll; and that a Public Hearing to review the assessment roll be called to coincide with the Public Hearing on necessity.

AYES: Kesley, Freeman, Tripp, Leckie, Gollnitz

NAYES: None

ABSENT: Ettenson

ADOPTED: 5 -0

**Fire Chief**

Chief Averbuch updated the status of the Federal Grant recently awarded. He also discussed a concern relative to an official policy regarding the use of the fire department for routine calls, not emergency ones. A home care company has asked whether the fire department would make such runs (person falls and cannot get up). The company hires seniors to fill home care positions but many of these employees are not capable of certain functions, such as picking up a patient who falls. There also is not coverage at a home on a 24-hr. basis.

The Chief believes this is not the function of a fire department. When a 9-1-1 call comes in, every volunteer in the department receives the call. This is not a medical emergency. The cost of dispatching the equipment is substantial. It also removes needed personnel should a real emergency, like a fire, occur. He believes there should be costs assessed to the individual requesting the service, similar to the manner in which false alarms are handled. Council agreed to further deliberate on this issue.

The Chief provided a summary of the Fire Dept. Budget, which totals \$619,990, a 6.5% increase above last year. The Budget includes salary increases for the Chief (2.5%), full time firefighter (3%) and secretary(3%). The Budget also contains funding for the overnight shift that was recently established. Almost \$17,000 in other expense categories were cut to partially offset the increases.

### **Board Appointments**

Clerk Hagaman stated that there are only two volunteer applications on file to consider in filling Board vacancies. Those two applications are from a husband and wife.

There are three seats on the Planning Commission that expire at the end of the month. Mrs. Freedman has offered to continue serving on the PC. There are two other vacant seats on the Commission. The Council expressed concern about having a husband and wife serve on the same board.

Motion by Freeman, second by Tripp to reappoint Jan Freedman to the Planning Commission for a 3-year term to expire in March 2012 and to appoint Karl O Chadleus of Bristol Ct. to the Planning Commission for a 3 year term to expire in March 2012.

Motion carried.

The Council will continue to seek other candidates to fill the remaining seat on the PC.

There are three seats on the Design Review Board that expire at the end of the month. All three current members have indicated a desire to continue on the Board.

Motion by Freeman, second by Kesley to reappoint Jeffrey Modell, Donna Murray Charles and Fritz Hatt to the Design Review Board for a 3-year term to expire in March 2012.

Motion carried.

Mrs. Hagaman indicated that there may be additional openings in the near future on both the Planning Commission and Design Review Board.

### **Bank Designation**

**RESOLUTION 2009-04 OFFERED BY FREEMAN, SUPPORTED BY KESLEY**, that pursuant to Act No. 40 of the Legislature of Michigan Special Session of 1931-1932; and all amendments thereto; that the following banking institutions be, and are hereby, designated for the period ending on the 30th day of March 2010, as depositories in which the Treasurer of the Village of Bingham Farms shall deposit all public moneys, including tax moneys, coming into the hands of such Treasurer, to amounts not exceeding \$600,000:

Comerica Bank  
Bank of Bloomfield Hills (AKA Private Bank)  
Chase Bank  
Fidelity Bank  
Franklin Bank  
PNC Bank (AKA: National City Bank)  
Bank of America  
Huntington Bank  
Flagstar Bank

Nstar Bank  
Fifth Third Bank  
Charter One Bank  
Michigan Heritage Bank – Farmington Hills  
Key Bank

Be it further resolved that the Resolution 2005-03, authorizing the use of investment advisory services from Multi-Bank Securities adopted on February 28, 2005 be extended to March 30, 2010, and that the maximum amount to be invested through Multi-Bank Securities not exceed \$1,800,000, with the further stipulation that all Village funds be invested through Multi-Bank Securities in fully-FDIC insured bank investments and comply with Michigan Public Act 20.

AYES: Kesley, Freeman, Tripp, Leckie, Gollnitz

NAYES: None

ABSENT: Ettenson

ADOPTED: 5-0

### **Budget Presentation**

The Budget Committee met and is recommending a balanced 2009-10 General Fund budget in the amount of \$2,051,173 based on a 6.8 millage rate, the same rate as the current year. The Village will be using part of its Gas & Weight fund balance to continue its road reconstruction projects, and compensate for revenue sharing cuts from the state, and tax increase limitations from the Headlee amendment and Proposal A, along with continued increases in the cost of purchased services from other communities. The 2009-10 Gas & Weight budget projects revenues of \$396,647, plus a reappropriation from the fund balance of \$32,271, for a total of \$428,918, against expenditures of \$428,918.

**RESOLUTION 2009-05 OFFERED BY KESLEY, SUPPORTED BY TRIPP** that the Clerk and the Treasurer be authorized to prepare a notice calling for a Public Hearing on April 27, 2009 at 7:45 p.m. to discuss the levy for FY 2009 for operating purposes under Public Act 5 of 1982, and that a Public Hearing on the proposed 2009-10 Budget as called for in the Village Charter be scheduled for the same date and time.

AYES: Kesley, Freeman, Tripp, Leckie, Gollnitz

NAYES: None

ABSENT: Ettenson

ADOPTED: 5-0

### **Set Public Hearing Date for 2009-2010 Budget**

**RESOLUTION 2009-06 OFFERED BY GOLLNITZ, SUPPORTED BY TRIPP**, that the Clerk and Treasurer be authorized to prepare a notice calling for a Truth-in-Taxation Public Hearing on April 27, 2009 at 7:50 pm to discuss the increase in property taxes (due to rising property values) for FY 2009-10 for operating purposes.

AYES: Kesley, Freeman, Tripp, Leckie, Gollnitz

NAYES: None

ABSENT: Ettenson

ADOPTED: 5-0

**MDOT – Telegraph Road Medians**

Mrs. Hagaman summarized discussions with MDOT relative to summer maintenance of the Telegraph Road medians. MDOT has entered into a Letter of Understanding with Bloomfield Township where they will turn over summer maintenance to the municipality and reimburse them for up to 12 mowings per season. Bloomfield Township solicited bids for mowing and plant maintenance. The bid that was accepted was from Birmingham Lawn who bid \$30/acre for mowing and trimming. The Township will also have Birmingham Lawn handle plant maintenance and weed control. The City of Southfield is currently going out for bid.

This year MDOT would like to piggyback on the Bloomfield Township bid to maintain the medians in the Village's boundary. In the future, MDOT would like to work a similar relationship with Bingham Farms as they did with Bloomfield Township.

Council concurred that it would be beneficial to see how this works this season. MDOT will be notified that the Village would be amenable to the idea of a similar relationship. This could improve the condition of the medians.

**Treasurer's Report**

The February 2009 Financial Report showed a General Fund balance of \$2,672,892.53 with income for the month of \$48,531.65 against expenditures of \$118,634.79. The Gas & Weight Fund balance at 2/28/09 was \$488,519.24 with income for the month of \$5,090.84 against expenditures of \$15,814.18.

Motion by Gollnitz, second by Tripp, to accept the February 2009 Financial Statement as presented.

Motion carried.

The Bills to be Paid for March 2009 were in the following amounts: General Fund, \$142,080.07; Gas & Weight, \$11,012.09.

Motion by Gollnitz, second by Tripp, to approve payment of the March bills as presented.  
Motion carried.

Mrs. Ludwick reported that monies would to be drawn from the pool funds to meet March expenditures.

Treasurer's Memo attached to original minutes.

**Clerk's Report**

Mrs. Hagaman reported that the Village has been awarded two grants. One is from the ARC to create grow zones on the Telegraph Rd. medians. There would be four zones between 13 Mile and 14 Mile Roads. Each planting bed will be approximately 25' long and 14' wide and be filled with wildflowers and grasses. The Village is responsible for site prep and maintenance. MDOT Permit Applications are in process.

The DTE grant is in the amount of \$1500 for tree planting in the medians. The Village has to match the grant. Under this grant, the Village is responsible for planting and maintaining the trees.

The Clerk attended a Legislative Conference in Lansing and a Planning & Zoning Workshop that was given in Lathrup Village. Separate reports were prepared and distributed.

Clerk's Report attached to original minutes.

**Trustee Reports/Comments**

Mr. Kesley commented that he also attend the Planning & Zoning Workshop along with other Board members and found it very informative. One of the concepts discussed was a position for a Zoning Administrator. It's much of what the Clerk/Administrator already does, but as Zoning Administrator, there would be more authority to handle zoning issues administratively. He recommended that the Council consider this.

He also discussed the make up of the Zoning Board of Appeals. This is a quasi-judicial Board that can be made up of volunteers separate from Council. The Village has the Council sit as the Zoning Board due to the difficulty finding volunteers in our small community.

**Old Business** - None

**New Business**- None

There being no further business to conduct, President Leckie adjourned the meeting at 9:37 p.m.