

Draft: April 29, 2009

Village of Bingham Farms  
Council Meeting  
April 27, 2009

Approved: May 26, 2009

The regular meeting of the Village Council was called to order by President Leckie at 7:47 p.m.

Present: Gollnitz, Kesley, Leckie, Tripp (8:02 p.m.), Ettenson & Warren

Absent: Freeman

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

### **Agenda**

Motion by Gollnitz, second by Ettenson to approve the Agenda as submitted.

Motion carried.

### **FY 2009-2010 Budget Public Hearing**

President Leckie opened the Public Hearing on the proposed FY 2009-2010 Village Budget at 7:47 p.m.

The 2009-2010 General Fund budget totals \$2,051,173.00. The 2009-2010 Gas & Weight Fund Budget totals \$428,918. The millage rate will remain at 6.8 mills, the same as the 2008-2009 tax year.

There were no comments or questions from the public.

The Public Hearing was closed at 7:49 p.m.

### **Truth-In-Taxation Public Hearing**

Treasurer Ludwick stated that the Village did not exceed the maximum millage as limited by the Headlee Amendment calculation and therefore a public hearing is not required. The deadline for publication of the public hearing occurred before the information was available from the County. The hearing was set in case the Budget exceeded the calculation.

### **Police S.A.D. 2009-2010 Public Hearing**

President Leckie opened the public hearing at 7:50 p.m.

There were no comments or questions from the public.

The public hearing was closed at 7:51 p.m.

### **Meeting Minutes**

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

Motion carried.

### **Public Comments**

Marcia Gershenson (Oakland County Commissioner) stated the County is prepared for an outbreak of swine flu. She provided tips to protect yourself, which included the following:

1. If you are sick, stay home.
2. Wash hands often (both sides)
3. Cover your mouth when coughing
4. The drug, Tamiflu, appears to be effective in reducing the symptoms.

Mrs. Rhoda Katzman (Shagwood Dr.) requested that aluminum paint be applied to the sides and middle of Bingham Road as it is difficult to see at night.

Mr. Richard Holloway (Mobile Watch) invited Council to attend Mobile Watch's May 6<sup>th</sup> meeting at which Crimestoppers of Michigan will speak about their organization. The meeting is at 7:30 p.m. at the Bingham Woods Clubhouse.

### **Police Chief**

The Chief discussed a B&E in Franklin in mid April where the robber kicked in the front door. The house alarm went off which gave the robber only minimal time in the house.

A robbery occurred at the 31600 Telegraph Rd. building. The robber pried open a desk drawer that held petty cash.

### **Fire Chief**

The Chief reported that there were two fires in Franklin, one a kitchen fire, the other was a chimney fire.

### **Declare May Mental Health Month**

**RESOLUTION #2009-07** OFFERED BY DELORES TRIPP, SUPPORTED BY RODGER KESLEY to declare May Mental Health Month.

**AYES:** Kesley, Warren, Gollnitz, Ettenson, Tripp & Leckie

**NAYS:** None

**ABSENT:** Freeman

Resolution passed 6-0.

Full Resolution attached to original minutes.

### **Shagwood Dr.**

Bids were opened on Wednesday, April 1, 2009 for the Shagwood and Fromm Road Reconstructions. AEW had prepared both bids on the chance that the Village could undertake both reconstruction programs in FY 2009-2010. The budget was developed with funding for just the Shagwood project. The total cost of the Shagwood Project (including Engineering fees) is \$237,074.

AEW has recommended awarding the bid to Commerce Construction, the same company that has worked on the Bingham Lane and Old Orchard reconstruction projects.

Motion by Ettenson, second by Gollnitz to award the Shagwood Road Reconstruction project to Commerce Construction & Landscaping, Inc. in the amount of \$185,892.15.

Motion carried.

**Planning Commission Vacancy**

Mrs. Hagaman explained that the Planning Commission has one vacancy as a result of the appointment of Mrs. Warren to fill the vacant seat on Council. The Village has three applications on file.

One application is from the wife of a newly appointed Planning Commissioner. Council indicated that having two members from the same household on the same Board could raise objectivity issues and recommended that the application be held for an opening on another Board.

Council discussed the backgrounds of the remaining two applicants. Mr. Ettenson recommended that it would be beneficial to have a newer resident serve on the Planning Commission.

Motion by Ettenson, second by Tripp to appoint Carole Chiamp of Fromm Drive to the Planning Commission, said term to expire in March, 2012.

Motion carried.

Mrs. Hagaman indicated that she anticipates other vacancies to occur in the near future. It was helpful to have applications on file from residents willing to serve.

**Treasurer's Report**

The March 2009 General Fund balance was \$2,538,763.72 with income for the month of \$12,082.38 against expenditures of \$146,211.19. The Gas & Weight Fund balance was \$482,852.60 with income for the month of \$1,891.48 against expenditures of \$8,489.09.

Motion by Gollnitz, second by Ettenson, to accept the March 2009 Financial Statements as presented.

Motion carried.

The Bills to be Paid for April 2009 were in the following amounts: General Fund, \$113,592.22; Gas & Weight, \$7,925.10.

Motion by Ettenson, second by Tripp, to approve payment of the April 2009 bills as presented.

Motion carried.

Mrs. Ludwick reported that monies will be drawn from maturing CDs to meet April expenditures.

Treasurer's Memo attached to original minutes.

**Clerk's Report**

Clerk Hagaman briefed Council on the upcoming crack-sealing project which was bid as part of the Beverly Hills' program. The cost to the Village will be under \$3,000 and the work should be completed by the end of June.

MDOT has piggybacked on Bloomfield Township's lawn maintenance contract with Birmingham Lawn to mow the Telegraph Rd. medians that are in Bingham Farms. The cost is

substantially below what MDOT had been paying in the past. MDOT has contracted for 12 mowings during the season (April – September). If the Village wishes to increase the number of mowings, it is possible for the Village to also use Birmingham Lawn and pay them separately.

**Trustee Comments/Reports**

Mr. Ettenson commented on attorney fees paid to handle resident issues. One residential issue cost the Village more than \$13,000, which represents 44% of the Village's total attorney fees for that time period.

Mr. Ettenson also informed Council that there is a luncheon on May 13<sup>th</sup> with the Public Service Commission to discuss the complaint process for cable-related issues as defined in PA 480. The process is cumbersome and could be costly to the consumer in that the law could require a consumer to pay the cable company's legal fees should the consumer lose on the issue.

**Old Business**

There were several comments regarding the status of the landscape project at 30029 Bristol Ln. Concern was raised regarding the piles of dead landscaping on the south side of the front yard and other storage materials located in the front yard. Staff will follow up.

**New Business - None**

There being no further business before the Council, the President adjourned the meeting at 8:48 p.m.