

Draft: June 24, 2009

Village of Bingham Farms
Council Meeting
June 22, 2009

Approved: July 27, 2009

The regular meeting of the Village Council was called to order by President Leckie at 8:00 p.m.

Present: Freeman, Gollnitz, Kesley, Leckie, Tripp & Warren

Absent: Ettenson

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

Agenda

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

Motion carried.

Minutes

Motion by Kesley, second by Gollnitz to approve the meeting minutes of May 26, 2009 as submitted.

Motion carried.

Public Comments not listed on the agenda

Bill Emerick, a property owner in Chanticleer Condominiums in Southfield, requested assistance from the Council as the association would like to install a split rail fence along the property line adjacent to a property in Bingham Farms. Pictures were distributed showing the concept for the fence and landscaping. Mr. Emerick expressed dissatisfaction with the lack of maintenance on the undeveloped property. It is full of weeds and many dead trees. They asked if Council could require the property owner to mow the grass and remove the dead trees.

Mr. Gollnitz responded that there are several undeveloped lots throughout the Village and they remain in a natural condition. The Village has no ordinance regarding upkeep of vacant parcels.

It was mentioned that the situation between Chanticleer and the other property owner is a private matter and the Village does not have the authority to become involved in this matter.

Discussion continued with Council concurring that there were no issues that involved the Village ordinances or allowed for Village intervention.

Mrs. Rhoda Katzman (Shagwood Dr.) requested that aluminum paint be applied to the sides and middle of Bingham Road as she has difficulty seeing the road at night. Mrs. Katzman further commented that it is difficult to exit from Shagwood onto Bingham Road because of the foliage at the corner.

Chief Browne was asked to research the request for striping. Mr. Gollnitz indicated that the landscape contractor will begin working on roadside trimming shortly.

Police Chief

Chief Browne discussed several larcenies from automobiles that occurred in Franklin over the past few weeks. There has been a rash of incidents in surrounding communities also. Bloomfield Twp. had 15 incidents; Farmington Hills 21 and Livonia almost 40. It turns out that there was a gang of five that committed the larcenies. Bloomfield Township arrested two

individuals and Livonia arrested two, all part of the same gang. The Chief recommended that people park their cars in the garage or as close to the house as possible.

Three teenagers broke into the Bingham Woods clubhouse. The teens, startled by a resident, jumped the wall into the commercial property and escaped. The resident was able to provide a description of the three males.

A fraudulent payroll check for \$9,000 was cashed at the Bank of America office on Telegraph Rd.

The Chief advised the Council that burglars are entering homes during the day. Right now it is occurring in the Square Lake Rd and Woodward area. They are in and out fast concentrating on small items such as jewelry, cash & small electronics.

In response to a question relative to providing emergency notifications, the Chief is testing a new service offered by Nixle. He has asked the Clerks of Franklin and Bingham to enroll in the program and also Franklin's administrator to test the service. Information is sent to Nixle, who then distributes that information to subscriber via email or text messaging. There is no charge for the service, except if a subscriber opts for text messaging, there may be a charge depending upon the type of plan the subscriber has.

Fire Chief

Chief Averbuch was at a training session out of town. Council has his written monthly report.

Electronic Fence Requests

23033 Bristol Ct.

Dr. Dodman explained that she was not aware of the requirement to obtain Council approval for an electronic dog fence installed in their front yard. She believed the installer had obtained all the necessary permits. The fence sits well back from the street as detailed in the map provided in Council packets. They are waiting for the installer to send them the required sign to be affixed to the mailbox post.

Motion by Gollnitz, second by Kesley to approve the application for an electronic dog fence located at 23033 Bristol Ct.

Motion carried.

30029 Bristol Lane

Mr. Lasser was not in attendance, however sent a letter dated 6/8/09 regarding the status of the installation of an electronic dog fence.

Motion by Warren, second by Freeman to table action on an application for an electronic fence until the July 27, 2009 meeting. Mr. Lasser is requested to provide the Village with a better sketch and verify the exact location of the underground fencing.

Motion carried.

Site Plan Amendment – 30800 Telegraph Rd.

Mr. Kesley stated that the Planning Commission has reviewed the change from a gas generator to a diesel generator and is recommending that Council approve the amendment.

Motion by Kesley, second by Gollnitz to approve the site plan amendment for a backup diesel generator at 30800 Telegraph Rd. conditioned upon the applicant, Verizon Wireless, obtaining the property owners approval and all necessary governmental permits. The approval is also conditioned upon the applicant installing the agreed to evergreen screening, 8 feet in height and placed 3-feet on center.

Motion carried.

Ordinance Amendment – Accessory Buildings & Structures

Mr. Kesley stated that the Planning Commission has been working on an ordinance amendment to further clarify the issue of placement of accessory structures and buildings. The intent is to prohibit any accessory buildings or structures in the front yard, as determined by the front of the house.

Council expressed concern that the wording is confusing and would like the attorney to simplify the language so it can be easily understood. They also requested that any changes be highlighted to show the difference between the existing and revised wording.

Motion by Kesley, second by Gollnitz to table consideration of an amendment to the Zoning Ordinance until the July 27, 2009 meeting.

Code Enforcement

As requested last month, Clerk Hagaman researched options for obtaining a Code Enforcement Officer. The Village Planner, Birchler & Arroyo, and the Village of Beverly Hills were contacted. Beverly Hills has made the Building Dept. part time. Beverly Hills is interested in providing this service to Bingham Farms and estimated the cost at \$23/hour. It would be on an as-need basis.

Administrative items were discussed such as the process, oversight on invoices etc. Mr. Gollnitz volunteered to provide the oversight on invoices as this would fall into his residential responsibility.

Motion by Kesley, second by Gollnitz to authorize the Clerk to enter into an Agreement with Beverly Hills to provide Code Enforcement services to Bingham Farms. Said agreement may start July 1, 2009.

Budget Amendments FY 2008-09

RESOLUTION 2009 –18 OFFERED BY RODGER KESLEY, SUPPORTED BY BILL GOLLNITZ that the 2008-2009 General Fund budget be amended as follows: in the category of “Library” from \$140,010 to \$130,010, a decrease of \$10,000; in the category of “Public Safety” from \$973,760 to \$983,760, an increase of \$10,000.

<u>General Fund</u>	<u>FY 08/09 Budget</u>	<u>Amended FY 08/09 Budget</u>	<u>Change</u>
<u>General Fund</u>	<u>From</u>	<u>To</u>	<u>Incr/(Decr)</u>
Library	140,010	130,010	(10,000)
Public Safety	<u>973,760</u>	<u>983,760</u>	10,000
Total	\$1,113,770	\$1,113,770	\$0

AYES: Freeman, Gollnitz, Kesley, Tripp, Warren & Leckie

NAYS: None

ABSENT: Ettenson

Resolution passed 6-0

Treasurer's Report

The General Fund Balance for the month of May 2009 was \$2,207,978.72, with income for the month of \$28,942.15 against expenditures of \$249,964.23. The Gas & Weight Fund Balance was 571,221.85 with income for the month of \$104,440.12 against expenditures of \$14,019.61.

Motion by Gollnitz, second by Tripp to accept the May 2009 Financials as presented.

Motion carried.

The preliminary bills to be paid for June 2009 were in the following amounts: General Fund, \$278,251.62; Gas & Weight, \$52,500.63.

Motion by Tripp, supported by Gollnitz, to approve payment of the preliminary June bills as presented.

Motion carried.

In response to several questions from Mrs. Warren regarding the large transfer of funds between the Gas & Weight Account and the General Fund, Treasurer Ludwick explained that the funds were budgeted to be moved to pay for remaining work on the Old Orchard, Bingham Lane and Shagwood road projects through 6/30/09.

Mrs. Ludwick reported that funds from maturing CDs were used to pay this month's bills.

Treasurer's Memo attached to original minutes.

Clerk's Report

Clerk Hagaman updated Council on several road projects.

- Bingham Lane. - final punch list items are being worked
- Old Orchard - almost complete pending a third application of hydroseed
- Shagwood – contract books have been sent to Commerce Construction.

The grow zone planting on Telegraph Rd. medians went smoothly. The volunteers were great. Mr. Gollnitz suggested that Recognition Certificates be sent to the volunteers.

The planting of the trees purchased through a grant from DTE will be postponed to the fall.

In order to reduce the budget deficit, the State is closing offices on six Fridays this summer. This is an unpaid furlough for employees.

Clerk's Memo attached to original minutes.

Trustee Reports/Comments

Mr. Kesley reported that the Planning Commission is considering an ordinance which would require that the Village be notified when a home is in foreclosure as well as providing

mechanisms to ensure the property is maintained and safety measures are in place. The Commissioners will make sure any proposed changes do not have any negative impacts.

Clerk Hagaman informed Council that there is a new concern regarding PODS (portable storage units). Mr. Gollnitz asked that other municipalities be contacted as to how these units are handled. Birmingham handles this issue through their Building Dept. The property owner must obtain a permit and indicate the length of time the unit will be on the property. The maximum time allowed is 30 days. However, the department will work with a property owner if unique circumstances develop. The PODS are required to be placed at the end of the driveway and to the side of the house if possible, to minimize the view from neighboring properties and the street.

Old Business - None

New Business - None

There being no further business to conduct, President Leckie adjourned the meeting at 9:16 p.m.