

Draft: September 5, 2007

Village of Bingham Farms
Council Meeting
August 27, 2007

Approved: September 24, 2007

The regular meeting of the Village Council was called to order by President Bauer at 8:15 p.m.

Present: Bauer, Ettenson, Kesley, Leckie, Gollnitz & Tripp

Absent: Freeman

Also Present: Police Chief Browne, Fire Chief Tony Averbuch, Kristin Kolb (Secret Wardle)
Hagaman, Ludwick & McDermott

Agenda

Mrs. Ludwick requested that the agenda be amended to add three items under the Treasurer's Report:

Approve Budget Amendments – June 2007,
Accept June 2007 Financial Report and
Accept July 2007 Financial Report

Motion by Leckie, second by Ettenson to approve the agenda as amended.
Motion carried.

Minutes

Motion by Gollnitz, second by Leckie to approve the meeting minutes of July 23, 2007 as submitted.
Motion carried.

Public Comments not on Published Agenda

None

Police Chief

Chief Browne updated Council on police activity for the month. Several larcenies from automobiles were reported between August 14-17th. An observant employee called dispatch on August 20th reporting a suspicious person checking out cars in the parking lot of the 30400 Telegraph Rd. building. Working with Troy police, the suspect was followed. He was arrested a few days later. Police found stolen property in the vehicle, including GPS systems reported stolen a few days earlier. The suspect is currently in jail awaiting trial.

There were two residential break-ins: one on Bristol Ln. and the other on Old Orchard Trail. The investigation continues. No suspects have been identified.

Two other thefts were reported. Gardening equipment was stolen from a garage on Coachlight. Tires and wheels were stolen off a Cadillac parked on Timberbrook Ln.

Michael Bastianelli has been hired as the new police officer for the Franklin Bingham Police Dept. He was previously with the Detroit Police Dept.

Fire Chief

Chief Averbuch advised Council that the production of the EMS vehicle is near completion. He also invited Council to attend an Oakland County Mutual Aid Presentation on September 25th in Waterford. The presentation will introduce a plan to create an organization that will assist with

mutual aid responses involving hazardous materials and technical rescue. What this boils down to is that by paying into the group, the Village is able to secure the needed resources for these types of incidents from other participating department and not incur the cost for wages, equipment, etc.

Fence Request (31114 Bingham Rd.)

Mr. Bret Russell explained that he is a new resident and was not aware that he needed approval to erect a fence and gate at the road. He indicated that he used old fence materials found on his property and used existing fence holes to erect the fence. He did this to prevent his small children from going out onto the road. His house sits very close to the road and with the speeds on Bingham Road, he was concerned for their safety.

In response to a question, Mr. Russell stated that it looks as if at one time the entire property had fencing, but he does not at this time have any intention of fencing the entire property.

Motion by Gollnitz, second by Ettenson to approve the fence and gate at 31114 Bingham Road.
Motion carried.

Ordinance Amendments

Noxious Weeds

Mr. Gollnitz questioned the reason for identifying certain weeds and not others. He also questioned how the proposed amendment impacts the Village in relation to its rights-of-way. Mrs. Kolb responded that those issues will be researched and a response will be forthcoming.

Motion by Gollnitz, second by Tripp to table action on the proposed Noxious Weeds ordinance amendment until certain issues are addressed.
Motion carried.

Sign Ordinance

President Bauer stated that the PC has been working with Mr. Birchler on this amendment for several months. It stems from a variance request from one of the back building owners who are having difficulty renting space due to the inability to have building signage. They only have numerals on a monument sign at the road. The owner of the front two buildings has claimed sole proprietorship for available tenant names at the bottom of the monument.

Motion by Ettenson, supported by Gollnitz to adopt Ordinance # 207 amending sign C-1 signage for buildings within a certain distance from Telegraph Rd.
Motion carried.

Zoning Ordinance Amendment

Mrs. Kolb stated that the State of Michigan passed legislation last year that impact local zoning ordinances. Specifically, the changes define and address requirements for Family Day Care, Group Day Care and State Licensed Residential Facilities. In addition, the conditions for a non-use variance were clarified to read "a practical difficulty must be established". Public Notice and Hearing Requirements are now specified.

Motion by Kesley, second by Tripp to adopt Ordinance # 208 to bring the Zoning Ordinance into compliance with the Michigan Zoning Enabling Act, Public Act 110 of the Public Acts of 2006.
Motion carried.

President Bauer thanked Mrs. Kolb for her assistance.

Review fee schedule DRB

Mrs. Hagaman recommended that a two-tier fee should be implemented for DRB review of plans. The fee to review a new home or addition is set at \$100 to cover administrative costs and potential consultant costs. Reviews of decks, pools and/or patios are less intense and therefore it is recommended that the DRB fee be lowered to \$60.00 for these reviews.

Discussion ensued relative to when DRB approval is required. It was noted that if a property owner is not enlarging or significantly changing an existing patio or pool, it is considered a maintenance item and therefore does not need DRB approval or permits.

Mr. Ettenson left the meeting at 9:02 p.m.

Motion by Tripp, second by Gollnitz to approve a \$60 fee for DRB review of plans for decks, pools and/or patios.

Motion carried.

Appoint Election Inspectors & Approve Pay

Mrs. Hagaman indicated that the following individuals have agreed to serve as election inspectors for the Village General Election to be held on September 11, 2007:

Lois Hlavaty-Chairperson

Joe Hlavaty

Earl Wolfe

Joanna Szjanar

Motion by Leckie, second by Tripp to approve the election inspectors noted and to authorize the pay to be as follows: \$125 for the Chairperson and \$100 for each election inspector.

Motion carried.

Driveway Bonds

Mrs. Hagaman informed Council that the expiration of the requirement for a driveway bond would be October, 2007. She indicated that the Village is no longer applying the chip seal coating on the roads. There were problems whereby contractors left a trail of tar on the road surface, thereby discoloring the chip seal.

Mr. Gollnitz detailed the change in road surfacing throughout the Village. Given this change in road coating, there may be no further need for the bond.

Mr. Ettenson rejoined the meeting at 9:10 p.m.

Motion by Gollnitz, second by Leckie to rescind the bond requirement for driveway work.

Motion carried.

Flu Vaccine Clinic

Mrs. Hagaman indicated that the Village had been approached by Maxim HealthCare to offer residents the ability to obtain flu vaccines at the Village office. For those with insurance, Maxim submits the charge directly to the insurance carrier. Others would be charged between \$35 and \$40.

Discussion ensued. Consensus was that this is a private enterprise and perhaps it would be best that the company work directly with the building owners to set up flu clinics.

Treasurer's Report

RESOLUTION 2007 – 20 OFFERED BY: ETTENSON, SUPPORTED BY: KESLEY

that the 2006-2007 budget be amended as follows: an increase of \$20,000 in the Gas & Weight Fund category "Capital Improvement-Local" from \$311,865 to \$331,865, an increase of \$20,000, in the Gas & Weight Fund category of "Capital Improvement-Major" from \$5,000 to \$9,000, a decrease of \$21,000 in the Gas & Weight Fund category "Maintenance-Local" from \$120,000 to \$100,000 and in the Gas & Weight Fund category "Maintenance-Major" a decrease of \$4,000 from \$30,000 to \$26,000.

EXPENDITURES (AND OTHER USES)

<u>Category</u>	<u>FY 07 Budget</u>	<u>Change</u>	<u>Amended FY 07 Budget</u>
Maint.-Local Rds.	\$120,000	-\$ 20,000	\$ 100,000
Maint. –Major	\$ 30,000	- \$ 4,000	\$ 26,000
Cap. Impr.-Local	\$ 311,865	+\$ 20,000	\$ 331,865
Cap. Impr.-Major	<u>\$ 5,000</u>	<u>+\$ 4,000</u>	<u>\$ 9,000</u>
Net change	\$466,865	-0-	\$466,865

AYES: Kesley, Gollnitz, Tripp, Ettenson, Leckie, Bauer

NAYES: None

ABSENT: Freeman

RESOLUTION ADOPTED: 6 - 0

The June 30, 2007 General Fund Balance was \$2,203,234.73 with June income of \$31,199.39 and expenses of \$349,936.01. The Gas & Weight Fund balance at June 30, 2007 was \$584,352.40 with June income of \$221,448.00 and expenses of \$182,130.51.

Motion by Ettenson, second by Gollnitz to accept the June 30, 2007 financial statements.
Motion carried.

The July 31, 2007 General Fund balance was \$2,293,845.99 with July income of \$203,462.70 against expenses of \$98,693.08. The Gas & Weight Fund balance was \$567,729.13, with July income of \$4,864.73 and expenses of \$20,240.00.

Motion by Ettenson, second by Gollnitz to accept the July 31, 2007 financial statements.
Motion carried.

The Bills to be Paid for June 2007, 2nd Addendum, were in the following amounts: General Fund, \$2,751.88; and Gas & Weight, \$170,509.25. The Bills to be Paid for August 2007 were in the following amounts: General Fund \$112,338.17, Gas & Weight, \$75,375.97

Motion by Gollnitz, second by Leckie, to approve payment of the June 2nd Addendum 2007 and August 2007 bills as presented.

Motion carried unanimously.

Mrs. Ludwick reported that tax receipts would be used to pay August expenses.

Treasurer's Memo attached to original minutes.

Clerks Report:

Mrs. Hagaman informed Council that the Volunteer Recognition Dinner is scheduled for October 11, 2007.

Clerk's Memo attached to original minutes.

President's Report

President Bauer invited Council to the Michigan Fallen Hero's reception at the County to be held on September 11, 2007 at 1 p.m.

Sewer & Water/Ordinances-Freeman

Absent

Fire/Police-Leckie

No report

PC/Legislative- Kesley

No report

Cable/Non-Residential-Ettenson

Mr. Ettenson summarized topics discussed at the August Cable Board Meeting and mentioned that the A T & T representative was in attendance.

Roads/Residential-Gollnitz

Mr. Gollnitz indicated he will meet with AEW to discuss ongoing problems with road projects. The Village may look for opportunities to use the services of Beverly Hills DPW.

Mrs. Hagaman commented that for the projects already performed by Beverly Hills DPW, the cost is far under what was budgeted. The first invoice received from Beverly Hills was under \$900 for projects budgeted at \$5,000.

Solid Waste/Insurance-Tripp

No report

Old Business

Mr. Ettenson wished the incumbents good luck with the September 11th elections.

New Business

None

There being no other business before the Council, the President adjourned the meeting at 9:36 p.m.