

Draft: September 29, 2009

Village of Bingham Farms
Council Meeting
September 28, 2009

Approved: October 26, 2009

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

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

Absent: Ettenson

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

Administer Oath of Office - Trustees

President Leckie administered the Oath of Office to trustees elected in the September 15, 2009 elections: Rodger Kesley, Donald Ketai & Dorothy Warren.

Agenda

Treasurer Ludwick requested that the agenda be amended to add Item I 2008-09 Gas & Weight Budget under Discussion Topics and the following items under the Treasurer's Report: A. Accept 6-30-09 Financials, B. Accept 7-31-09 Financials & C. Accept 8-31-09 Financials.

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

Motion carried.

Elect President Pro-Tem

President Leckie indicated that Village Charter requires Council to elect a President Pro-Tem.

Ms. Warren nominated Delores Tripp. There being no further nominations, the President closed nominations and called for a vote.

Ms. Delores Tripp was elected President Pro-Tem 6-0.

Minutes

Motion by Kesley, second by Gollnitz to approve the meeting minutes of August 24, 2009 as submitted.

Motion carried.

Public Comments not listed on the agenda

Mr. Earl Wolfe (23565 Old Orchard Trail) stated that he and a few neighbors are disappointed in the latest attempt to restore the grass in the ditches. The ground is barren and hard as rock. The seed is not growing. President Leckie referred to the Clerk's memo stating that this project will not be closed until the restoration meets with Village approval.

Police Chief

Chief Browne summarized activity during the month with two incidents reported, both in Franklin.

Negotiation of a new police officers' contract is being finalized. Several officers are contemplating retirement within the next two years and this will dramatically change the seniority levels within the department.

Fire Chief

Chief Averbuch referred to his written report.

The Department has completed the required annual testing of equipment and is in compliance for another year.

There was an environmental spill that occurred over the Labor Day weekend whereby a contractor pumped heating oil into the open drainage ditch on Bristol Lane and impacted two properties to the south. President Leckie, Clerk Hagaman & the Police department were contacted immediately. The clean up undertaken by the Franklin-Bingham Farms Fire Department totaled approximately \$700.00 and it is unknown whether the Department can recoup the money. The DEQ is now in charge of the follow up investigation and clean up.

Appoint SOCWA Representative

President Leckie stated that Don Ketai has indicated he would replace Bill Freeman as the Village representative on the SOCWA Board. The Clerk is currently the alternate.

RESOLUTION 2009-21 OFFERED BY RODGER KESLEY, SUPPORTED BY DOROTHY WARREN to appoint Donald Ketai as Representative and Kathryn P. Hagaman as Alternate to the SOCWA Board for the remainder of the FY 2009/10 term.

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

NAYES: None

ABSENT: Ettenson

Resolution adopted 6-0.

Full resolution attached to original minutes.

Invisible fence – 32834 Bingham Lane

The property owner has requested approval to install an invisible fence in the front yard to contain their cats. The fence would sit approximately 80' back from the road and be at least 5' from the side property lines.

Motion by Tripp, second by Gollnitz to approve the application for an electronic fence in the front yard at 32834 Bingham Lane.

Motion carried.

Designation of SMART Credits and Approval of Contract

RESOLUTION 2009-22 OFFERED BY WILLIAM GOLLNITZ, SUPPORTED BY DELORES TRIPP that whereas the Village of Bingham Farms is the recipient of \$968 for the 2009/10 fiscal year from the Municipal Credit Program and \$1,414 from the Community Credit Program (both programs administered by SMART), be it resolved that the Village support BASCC as the designated program to receive the entire funding amount (\$2,382) and, further, that the Municipal Credit and Community Credit Contract for FY 2009-10 be executed with SMART in order for the funds to be released.

AYES: Leckie, Tripp, Kesley, Gollnitz, Ketai, Warren

NAYS: None

ABSENT: Ettenson

Resolution Adopted: 6-0

Funding Requests for FY 2009-10

Funding requests for the 2009-10 year were received by Council from Birmingham Area Seniors Coordinating Council and Center (BASCC) for \$1,500, from Birmingham Youth Assistance Committee (BYAC) for \$780, and from Birmingham Bloomfield Coalition for \$500.

RESOLUTION 2009-23 OFFERED BY RODGER KESLEY, SECOND BY WILLIAM GOLLNITZ, that the Village of Bingham Farms allocate \$1,500 to fund BASCC, \$780 to fund BYAC, and \$500 to fund the Birmingham Bloomfield Coalition.

AYES: Leckie, Tripp, Kesley, Gollnitz, Ketai, Warren

NAYS: None

ABSENT: Ettenson

Resolution Adopted: 6-0

Peddlers & Canvassers License Fee

The President referred to the Clerk's memo regarding amending fees for Peddlers & Canvassers Licenses. Mr. Gollnitz requested more information including a survey of charges in surrounding municipalities and questioned the relationship of fees charged to actual costs. Mrs. Warren indicated that Birmingham schools pay \$90 per person just for fingerprinting and background checks.

Motion by Gollnitz, second by Tripp to table discussion until the Clerk researches procedures and fees in neighboring communities.

Motion carried.

Amend Gas & Weight Budget for FY 2008-09

RESOLUTION 2009-24 OFFERED BY RODGER KESLEY, SUPPORTED BY WILLIAM GOLLNITZ that the 2008-2009 Gas & Weight Fund budget be amended as follows: in the "Major Roads-transfer to Local Roads" category from \$0 to \$18,000, an increase of \$18,000; in the category of "Local Roads-transfer from Major Roads" from \$0 to \$18,000, an increase of \$18,000. Net budgetary impact: \$0.

AYES: Leckie, Tripp, Kesley, Gollnitz, Ketai, Warren

NAYS: None

ABSENT: Ettenson

Resolution Adopted: 6-0

Treasurer's Report

The audited financial statements for fiscal year 2008-09 and subsequent monthly financials for July and August 2009 were presented by the Treasurer.

Accept June 30, 2009 Financials

The General Fund balance at June 30, 2009 was \$1,930,993.56, with income for the year of \$1,833,082.97 and expenses of \$1,996,427.81. Gas & Weight fund balance at 6/30/09 was \$686,864.84, with income of \$512,748.66 and expenses of \$432,622.46.

Motion by Gollnitz, second by Kesley to accept the June 30, 2009 Financial Statements as presented.

Motion carried.

Accept July 31, 2009 Financials

The General Fund balance at July 31, 2009 was \$2,041,402.29, with income for the month of \$208,717.63 and expenses of \$110,008.90. Gas & Weight fund balance at 7/31/09 was \$686,864.84, with income of \$0 and expenses of \$0 for the month.

Motion by Tripp, second by Gollnitz to accept the July 31, 2009 Financial Statements as presented.

Motion carried.

Accept August 31, 2009 Financials

The General Fund balance at August 31, 2009 was \$3,156,320.15, with income for the month of \$1,246,345.40 and expenses of \$131,427.54. Gas & Weight fund balance at 8/31/09 was \$592,886.73, with income of \$4,793.44 and expenses of \$98,771.55.

Motion by Tripp, second by Gollnitz to accept the August 31, 2009 Financial Statements as presented.

Motion carried.

Bills

The Bills to be paid for September 2009 were as follows: General Fund: \$159,681.70; and Gas & Weight: \$84,575.75.

Motion by Gollnitz, second by Kesley, to approve payment of the September 2009 bills as presented.

Motion carried.

Investments

Mr. Gollnitz questioned the low rate on a CD purchased through Multi-Bank during September. Mrs. Ludwick stated that the Village's Investment Policy limits investments to a one-year term or less. There is one exception where Council has the flexibility to approve one investment up to \$100,000 for a maximum three-year term. This severely limits the rate of return available to the Village, but provides flexibility in case additional monies are needed to carry Village operations.

Treasurer's Memo attached to original minutes.

Clerk's Report

Clerk's memo attached to original minutes.

Trustee Reports/Comments

Mr. Kesley informed Council of discussions underway in the Planning Commission regarding vacant/foreclosed homes. There is need to have attorney input on possible ordinance amendments to address upkeep of these homes.

Motion by Gollnitz, second by Tripp to request the Village attorney provide a cost estimate for legal input into developing possible new ordinances or amending existing ordinances to address concerns relating to vacant/foreclosed homes.

Motion carried.

Mr. Gollnitz reported that the agreement for Code Enforcement has been finalized with Beverly Hills. Mr. Gollnitz recommended that Council consider appointing a representative for the Design Review Board, similar to Rodger Kesley and the Planning Commission.

President Leckie congratulated Mr. Kesley, Mr. Ettenson, Mrs. Warren and Dr. Ketai on their election.

Old Business -None

New Business-None

There being no further business to conduct, President Leckie adjourned the meeting at 9:02 p.m.