

Draft: December 1, 2008

Village of Bingham Farms
Council Meeting
November 24, 2008

Approved: December 22, 2008

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

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

Absent: Bauer

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

Agenda

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

Motion carried.

Minutes

Motion by Gollnitz, second by Freeman to approve the meeting minutes of October 27, 2008 as submitted.

Motion carried.

Public Comments not listed on the agenda

Representative Chuck Moss provided an update on lame duck session issues in Lansing.

Police Chief

Police Chief Browne briefed Council on activity during the month:

- Catalytic converters were stolen from two vehicles parked in the C1 District.
- There was a fatal accident at 13 Mile & Telegraph. The Fire Department diligently handled this incident.
- A bank robbery at 13 Mile & Telegraph Rd. Two suspects have been arrested as a result of interjurisdictional cooperation.

Fire Chief

Chief Averbach commented further on the fatal accident. The Fire Department is researching the ability to upgrade their computer system so that reports can be uploaded directly to the state. He is looking into providing overnight staffing to improve response time in the early morning hours.

Approve 2009 Council Meeting Dates

Motion by Ettenson, second by Tripp to approve the 2009 Council Meeting Dates as follows:

| | |
|------------------|-------------|
| January 26 | February 23 |
| March 23 | April 27 |
| May 26 (Tuesday) | June 22 |
| July 27 | August 24 |
| September 28 | October 26 |
| November 23 | December 21 |

Motion carried.

Special Land Use C-1 District

Mr. Kesley stated that the Planning Commission has researched and discussed the concept of adding a special land use section in the Zoning Section of the Village Code Book. The special land use would be allowable only in the C-1 District as these developments have adequate space to accommodate such a use. Mr. Kesley indicated that the Village Planner and Attorney have been involved in the process. The Planning Commission has recommended that the Council adopt the amendment.

Motion by Tripp, second by Freeman to adopt Ordinance # 211 amending the Village of Bingham Farms Zoning Ordinance as codified to provide for special land uses in the C-1, Commercial District.

Motion carried.

Review Access Alternatives

Mr. Ettenson stated that several months ago he began an investigation into the possibility of televising Village Council meetings to further transparency in government. Since that time, it has been determined that the room configuration does not prohibit taping, but that one row of seating would be eliminated in order to accommodate the equipment.

Given these results, he solicited concerns of Council. Mr. Kesley reiterated his concerns addressed in an email to Mr. Ettenson (email attached to original meeting minutes). Mr. Freeman concurred with the concerns raised by Mr. Kesley and believes that the Village is transparent. Agendas and meeting minutes are posted on the web site, no one regularly attends the Council meetings and the office or trustees are rarely questioned by residents. The office has not had any requests from residents to have the meetings televised.

Treasurer's Report

The October 2008 Financial Report showed a General Fund balance of \$3,252,995.03 with income for the month of \$24,659.91 against expenditures of \$125,279.39. The Gas & Weight Fund balance was \$578,762.24 with income for the month of \$5,979.71 against expenditures of \$13,315.30.

Motion by Gollnitz, second by Ettenson to accept the October 2008 Financial Statements as presented.

Motion carried.

The Bills to be Paid for November 2008 were in the following amounts: General Fund, \$185,616.47 and Gas & Weight, \$59,292.01.

Motion by Ettenson, second by Gollnitz to approve payment of the November 2008 bills as presented.

Motion carried.

Mrs. Ludwick discussed the Finance Committee's review of the three audit recommendations made during the audit presentation last month.

The first recommendation was to consider outsourcing payroll. Two proposals were obtained; one from ADP and one from Paychex. Based upon the final proposals presented, Council approved the ADP proposal. This service will be operational before year-end.

Relative to the recommendation to acquire a different software accounting system, the Committee is recommending no change at this time. The major problem with QuickBooks was with payroll. As this feature is being outsourced, the Village has controls in place to provide separation of duties. A member of Council (either the Village President or the President Pro-Tem) already reviews, approves and physically signs each check the Village disperses every month. There is also separation of duties between the person who prepares the checks and the one who reconciles the bank account each month. Finally, there is no funding for any new accounting software in the 2008-09 Budget. It is recommended that the Village continue to use QuickBooks (without the payroll piece) for the next two years and then re-evaluate this recommendation.

The Finance Committee also discussed whether the Village should consider a full blown annual audit. Currently, the Village commissions a "mini-audit" on interim fiscal years. The cost of this option, up to 50% savings over the cost of a full annual audit, would continue to be a good compromise. This provides the Village with audit review of major expenditures, fund balances and financials while also saving the major expense in time and cost of a full annual audit. State law only requires that small municipalities conduct bi-annual audits.

Mrs. Ludwick reported that monies would be drawn from the pool funds to meet this month's expenditures.

Treasurer's Memo attached to the original minutes.

Clerk's Report

The Village has received documents from the Circuit Court relative to the variance the ZBA granted for a bridge constructed in the rear yard at 29975 Bristol Ln. The Village attorney has filed a motion for a hearing. Council requested that the Village itemize the costs for this lawsuit.

Clerk Hagaman provided an update on the Old Orchard Trail road project. Due to unforeseen delays of the contractor and inclement weather, the project will not be completed this year. Mr. Meszler, Beverly Hills Engineer, has provided additional oversight on this project.

DTE is offering grants up to \$3,000 for tree planting in public areas such as rights of way. The Village added trees to the medians several years ago through a state and federal grant. Additional trees could be added to the medians. Council concurred that an application should be submitted.

Mrs. Hagaman explained the new MDOT policy for winter maintenance of state highways. State roadways have been categorized as Orange and Blue. Orange roads (freeways and state highways such as Telegraph Rd.) will be cleared whether or not overtime is incurred. The Blue roads (Woodward Ave., Square Lake Rd.) will be cleared if the work is done during regular business hours. If overtime is incurred, the Blue roadways will have one drivable lane each direction. Additional clearing will be scheduled during regular work hours.

Village residents are using the HHW services provided by SOCRRA. In the first four months of the service, the Village has paid approximately \$420.00. Extrapolating this, the total cost for a year would be under \$2,000. The Village was paying over \$6,000 for its annual HHW Drop-off.

The MDEQ has notified municipalities of its intent to increase the annual fee for administration of the General Stormwater Permit. The proposed 50% increase is meeting resistance with all

municipalities. The Village currently pays a \$1,000.00 annual fee and will incur a \$1,500 annual fee should the increases be approved by the State.

Clerk's memo attached to the original meeting minutes.

Motion by Kesley, second by Gollnitz to enter into a closed session to discuss potential litigation/attorney client privileged communication.

Roll call vote: Kesley, Gollnitz, Freeman, Ettenson, Tripp & Leckie

The open meeting was adjourned at 9:12 p.m.

The regular Council meeting was re-convened at 9:23 p.m.

Trustee Reports/Comments - None

Old Business -None

New Business-None

There being no further business to conduct, the President Pro Tem adjourned the meeting at 9:23 p.m.