

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
FRANKLIN VILLAGE HALL - BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025
MONDAY, JUNE 9, 2003, 8:00 PM**

I. CALL TO ORDER

The meeting was called to order by President Pro-tem Florence Saltzman at 8:05 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Florence Saltzman, Fred Gallasch, Ralph Sosin, Brian Coyer, Randy McElroy, Alan Harnisch

Absent: James Pikulas (excused)

In Attendance: Eileen H. Pulker, Village Clerk
Jon E. Stoppels, Village Administrator
John Staran, Village Attorney, Beier Howlett
Edward Glomb, Police Chief
Tony Averbuch, Fire Chief

III. ADOPTION OF AGENDA

Stoppels presented the Council with an amendment to the agenda, creating an Item E under Section IX, of **PROCLAMATIONS/RESOLUTIONS /ORDINANCES**, a budget amendment for the fiscal year of 2002-2003.

Motion by Coyer, supported by Sosin, to approve the agenda as amended.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

IV. MINUTES

A. Regular Meeting of May 12, 2003

Motion by Coyer, supported by Sosin, to approve the minutes of the Regular Meeting of May 12, 2003 as presented.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy,

Nays: None

Abstain: Harnisch

Absent: Pikulas

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Chief Glomb referred to his written report, submitted to Council prior to the meeting and Chief Glomb also gave a report on a home theft, which occurred on Sunday, May 28th.

The homeowner was doing yard work when she noticed an individual described as a

heavy, black female, approximately forty-five years old, walking near her property. At the time the homeowner thought nothing of it, however around 4:30 pm, she went into her bedroom and discovered that jewelry and watches had been stolen, having left a door upon throughout the day for her own access.

Chief Glomb stated that there are probably two individuals working together, one drives, while the other investigates a house, probably by knocking on the front door to see if anyone is home, then tries various doors around the house to see if they can gain entry. Other surrounding communities have reported similar crimes. A woman matching the description above was seen in the area on Friday, June 3rd 2003.

McElroy pointed out that people should use their alarm systems, and to consider having separate zones installed.

Saltzman asked about the donation check promised to the Police Department by the promoters of the Music on the Green. Chief Glomb stated that the Police Department had not received such a check as of yet.

Chief Averbuch referred Council to his written report submitted to Council and reported on the success of the third annual extinguisher day, having sold quite a few extinguishers, and many more were inspected.

Chief Averbuch announced the installation of the new severe weather siren, which was installed a couple of weeks ago, and reported that it is working well.

Treasurer Schiano gave his first report, beginning by thanking the Council for the opportunity to serve the Village. Schiano reported that he had begun looking at the Village's accounts at Comerica Bank, to see if the funds were doing as well as they could. Schiano also reported that he had reviewed the debt accounts, and will consider any available refinancing options. Schiano also stated that he had reviewed the budgets for FY 2002-2003 and FY2003-2004, stating that everything looked like it was in order. Schiano concluded by saying he was looking forward to working with the Village.

Saltzman asked if there were any complaints by Villagers about the budget. Clerk Pulker replied that no complaints had come to her attention.

Stoppels asked John Prymack from Great Lakes Waste Hauling to report on the issues with Rubbish Collection during the last months. Mr. Prymack first apologized for the quality of service, stating that they were caught off guard by storms and the Memorial Day holiday created further scheduling problems. To deal with the situation Prymack has stopped sending trucks from the Wayne office, and instead has sent trucks from the closer Metro Detroit office, so the Village should notice an improvement in service.

Gallasch pointed out that the recyclables had not been picked up on Rosemond. Mr. Prymack said he look get those items picked up, and while not surprised that the new crew missed a couple of streets, stated that any of those forgotten will soon be fixed.

VI. SUBMISSION OF CURRENT BILLS

Coyer asked about a disbursement to the Village of Bingham Farms for \$21,000 for overpayment of police protection.

Stoppels stated that the sum is a culmination of three years' worth of overpayments, which were brought to the Village's attention at the most recent audit.

General Administration	\$	8,706.08
Building	\$	17,242.63
General Debt Service	\$	15,10
Insurance	\$	26,397.02
Legal	\$	1,915.67
Police	\$	31,662.24
Pressure Sewer	\$	244,281.20
Roads	\$	2,062.48
Cell Tower	\$	575.00
Rubbish	\$	13,060.38
Trust & Agency	\$	7,100.00
Water	\$	3,713.50
Village Hall & Grounds	\$	2,586.70
Waste Water	\$	75.50
ALL FUNDS	\$	359,393.50

Motion by Sosin, supported by Gallasch, to approve the bills list as presented.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

No comments at this time.

VIII. SPECIAL REPORTS

A. Verbal Report, Jon Stoppels, Village Administrator

B. Tree Ordinance Compliance, Bill Dinnan, Village Building Official

Stoppels reported on the third annual Hazardous Waste Collection day, held on Saturday June 7, 2003. Stoppels stated that the weather was good, but the turnout was down from the previous two years, as there were only seventy-one containers of waste, as opposed to the one hundred plus of the previous two years, which may suggest that people have caught up with their hazardous waste disposal.

Saltzman asked about the letter from the Franklin Baseball League regarding parking along Carol Street. Stoppels stated that he felt the letter merely showed that the baseball league echoes the Village's concerns about parking. Stoppels will meet with Historic District Commission to discuss ideas on improving the parking situation, and then getting approval for such action.

In Bill Dinnan's absence, Stoppels gave an update on the Tree Ordinance enforcement as it relates to the landscaping on the Cressbrook development. Stoppels reported that the loss of many trees to Ash Borer beetles, combined with weather damage, the front line of the property has lost a large number of trees. The developer has expressed a willingness

to improve the view along 14 Mile Road with changes in their landscaping plan, and Mike Barger, the Village Arborist, is keeping an eye on the project on a day-to-day basis.

Stoppels also reported on a study of the Franklin portion of the Rouge River to the Council's attention. Stoppels stated that when the study is complete, there would be a construction project to follow, and estimated at a cost of \$250,000, for possible cleanup and repair work due to pollution and erosion. The Village's portion will probably be around 10% of the match cost, which comes to roughly \$12,500. Stoppels stated that should this charge occur, the Council might have to make a budget amendment, in the next budget year.

Coyer made a brief statement about the Village's opportunity to comment on, and give support to, the FEMA environmental assessment for Bloomfield Township, the deadline for which is June 24th 2003. Coyer reported that although the study is for Bloomfield Township, any work completed to fix the problems with the Rouge River would benefit Franklin, which is downriver of Bloomfield Township.

IX. PROCLAMATIONS/RESOLUTIONS/ORDINANCES:

A. Consider Traffic Order #2003-01

Staran clarified the issue of the traffic order, making it clear that the traffic order is a short-term solution, meant to last ninety days. The Council could vote on the issue, and make it a permanent traffic order, and thus a permanent solution. Staran suggested the possibility that an annual traffic control order, issued by the Chief of Police, to occur only during the baseball season, which fits within the ninety-day window of the temporary order. The Council decided to hold off on a vote until the current traffic control order is close to its end.

B. Consider Ordinance to Amend Section 1042.13 of Chapter 1042, Sewer Use and User Charges, of Part Ten, Title Four of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Sewage Disposal System Rates and Charges, and Repeal Conflicting Ordinance (first reading).

McElroy reported on a reduction of charges by 15.4% on the charges from Oakland County for the Sewage Disposal system, which is normally an annual increase.

#2003-53 Motion by Sosin, supported by Gallasch, to approve the amendment to Section 1042.13 of Chapter 1042, Sewer Use and User Charges, of Part Ten, Title Four of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Sewage Disposal System Rates and Charges, Repeal Conflicting Ordinance, and to waive the second reading to make the new rates effective July 1, 2003.

05/29/2003

ORDINANCE NO. 2003-2

AN ORDINANCE TO AMEND SECTION 1042.13 OF CHAPTER 1042, SEWER USE AND USER CHARGES, OF PART TEN, TITLE FOUR OF THE CODIFIED ORDINANCES OF THE VILLAGE OF FRANKLIN, OAKLAND COUNTY, MICHIGAN, TO MODIFY SEWAGE DISPOSAL SYSTEM RATES AND CHARGES, AND REPEAL CONFLICTING ORDINANCES.

THE VILLAGE OF FRANKLIN ORDAINS:

Section 1. Section 1042.13 of Chapter 1042 of the Codified Ordinances of the Village of Franklin shall be amended, as follows:

1042.13 RATES AND CHARGES

The rates for use of the sewer system shall be as follows for all users of the system, whether inside or outside of the Village limits:

- (a) Sewage Disposal Charge. A quarterly charge for sewage disposal shall be made to each premises connected to the Village of Franklin Sewage Disposal System in the amount of one hundred thirty-seven dollars and eight cents (\$137.08) per unit quarterly or as may be established from time to time. Units are defined in accordance with the current Oakland County Drain Commissioner's Schedule of Unit Assignment factors, as set forth in Section 1042.14.

- (b) Industrial Surcharge. An industrial surcharge shall be levied against industrial and commercial customers contributing sewage to the system with concentrations of pollutants exceeding the levels described as follows:

- 275 milligrams per liter (mg/l) of biochemical oxygen demand (BOD)
- 350 milligrams per liter (mg/l) of total suspended solids (TSS)
- 12 milligrams per liter (mg/l) of phosphorus (P)
- 100 milligrams per liter (mg/l) of fats, oils and grease (FOG)

<u>Amount of Industrial Surcharge</u>	<u>Total Charge Per Pound of Excess Pollutants</u>
Biochemical Oxygen Demand (BOD)	\$ 0.209
Total Suspended Solids (TSS)	0.292
Phosphorus (P)	3.296
Fats, Oils and Grease (FOG)	0.068

It is assumed that normal domestic customers do not contribute sewage with concentrations of pollutants exceeding the above levels. Therefore, the industrial surcharge will not apply to domestic customers. Further,

restaurants shall also be exempt from high-strength surcharge per Federal Court Order "Second Interim Order," dated July 10, 1981.

- (c) Industrial Waste Control (IWC). Each non-residential user will be billed for industrial waste control based on an assigned water meter size from the following size schedule and the following charge schedule.

SIZE SCHEDULE

<u>Units Assigned in Accordance with the Current Oakland County Drain Commissioner's Schedule of Unit Assignment Factors</u>	<u>Assigned Water Meter Size (inches)</u>
1 - 4	5/8 & 3/4
5 - 10	1
11 - 20	1-1/2
21 - 32	2
33 - 64	3
65 - 100	4
101 - 200	6

CHARGE SCHEDULE

<u>Meter Size (inches)</u>	<u>Quarterly Industrial Waste Control (IWC) Charge*</u>
5/8	\$ 17.88
3/4	26.85
1	44.73
1-1/2	98.40
2	143.10
3	259.38
4	357.75
6	536.64
8	894.42
10	1,252.17
12	1,431.06
14	1,788.81
16	2,146.56
18	2,504.34

(*Or as may be established from time to time.)

Non-residential users shall be defined as users other than single-family houses, apartment buildings, condominiums, townhouses, mobile homes, schools, churches and municipal buildings.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other Village ordinances which are consistent with the provisions of this ordinance are hereby repealed.

(2) Effective Date. This ordinance shall become effective on July 1, 2003, following publication as mandated by Charter and statute.

(3) Adoption. This ordinance was adopted by the Village Council of the Village of Franklin at a meeting thereof held on June 9, 2003.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

C. Consider Ordinance to Amend Chapter 1480, BOCA National Property Maintenance Code, of Title Eight, Part Fourteen of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Adopt the 2000 Edition of the International Property Maintenance Code, Repeal Conflicting Ordinances, and prescribe a Penalty for Violations (first reading).

#2003-54 Motion by Sosin, supported by Gallasch, to approve to Amend Chapter 1480, BOCA National Property Maintenance Code, of Title Eight, Part Fourteen of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Adopt the 2000 Edition of the International Property Maintenance Code, Repeal Conflicting Ordinances, and prescribe a Penalty for Violations, in the first reading.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

D. Consider Ordinance to Repeal Chapters 1420, 1422, 1424, and 1426 of Title Two, part Fourteen, of the codified ordinances of the Village of Franklin, Oakland County, Michigan, and to Adopt new Chapter 1420 in order to Replace the Current Building, Plumbing, Mechanical and Energy Conservation Codes with the State Construction Code; to Repeal Conflicting Ordinances; and to Prescribe a Penalty for Violations (first reading).

#2003-55 Motion by Sosin, supported by Coyer, to approve to Repeal Chapters 1420, 1422, 1424 and 1426 of Title Two, part Fourteen, of the codified ordinances of the Village of Franklin, Oakland County, Michigan, and to Adopt new Chapter

1420 in order to Replace the Current Building, Plumbing, Mechanical and Energy Conservation Codes with the State Construction Code; to Repeal Conflicting Ordinances; and to Prescribe a Penalty for Violations, in the first reading.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

E. Budget Amendment FY 2002-2003

#2003-56 Motion by Coyer, supported by Sosin, to Amend the Budget for the Fiscal Year 2002-2003 as follows:

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2002/2003 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2002/2003 General Fund budget with funds coming from the appropriation of other funds.

Accounts

305700 Police Salaries: Increase expenditure account to a total of \$561,100 (original \$541,100).

305705 Police Health Insurance: Increase expenditure account to a total of \$101,238 (original \$71,238)

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

X. ADJOURNMENT

Motion by Coyer, supported by Sosin, to adjourn the meeting.

Ayes: Gallasch, Saltzman, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: Pikulas

Motion carried.

There being no further business, the meeting adjourned at 8:58 p.m.

Respectfully submitted,

John C. Pulker
Recording Secretary

Eileen H. Pulker
Village Clerk

Florence Saltzman
Village Council Pro Tem