

**PROCEEDINGS OF THE VILLAGE OF FRANKLIN
REGULAR VILLAGE COUNCIL MEETING
MONDAY, JANUARY 9, 2006, 8:00 P.M.
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I. CALL TO ORDER

The meeting was called to order by President Jahnke at 8:11 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Motion by Coyer supported by Schiano to excuse McElroy in his absence from the meeting.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

Present: Brian Coyer, Fred Gallasch, Alan Harnisch, Bill Lamott, Dominick Schiano, Mark W. Jahnke

Absent: Randy McElroy (excused)

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Bill Castro, Interim Police Chief
Tony Averbuch, Fire Chief
Tom Morrow, Treasurer
John Staran, Village Attorney, Hafeli Staran Hallahan Christ & Dudek, P.C.

III. ADOPTION OF AGENDA

Jahnke requested that item F. 3 be added for a Tree Committee Report.

Harnisch requested that item C 2. Police Contract Negotiating Committee be added.

Motion by Gallasch supported by Schiano to approve the agenda as amended, including item F.3 Tree Committee Report and item C.2. Police Negotiating Committee Report.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

IV. MINUTES

A. Regular Meeting of December 12, 2005

Jahnke asked for two corrections, the first on page 3 (under Les Pulver's comments) to change the word "privileges" to "principals"; and as the vote on the log cabin was not unanimous, changing the record to indicate that Jahnke had voted "nay".

Motion by Gallasch supported by Harnisch to approve the minutes as amended.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Interim Police Chief Bill Castro began his report by referring to his written report provided to the Council. Castro stated that it had been relatively quiet in the Village and that the officers had spent significant time patrolling near the banks located in both Franklin and Bingham Farms Villages, noting that banks in neighboring communities had had several burglaries in recent weeks. Castro added that there had been one embezzlement investigated in Bingham Farms in the past month. Castro reported on the 2005 crime statistics for both Villages that, while preliminary, appear to reveal a record-breaking year in crime activity. Castro reported that there had been the following reported incidences in the Villages: one armed robbery (at LaSalle Bank), two home invasions (one in Franklin, one in Bingham Farms), eight larcenies in Franklin, two stolen vehicles, and three commercial burglaries in Bingham Farms. Castro commended the officers for the fine job they have provided for the last year and also thanked the Reserve Officers and Mobile Watch organizations for both to the Villages. Castro added that recruitment continues to go well for the Mobile Watch groups and that the meetings are well attended. Castro reported that a grant for tazers had been received by the Village (\$800), and that he had also made application for a grant to help fund digital cameras for two police vehicles, adding that tazer use by the department was governed by their policy on their use which is based on the Michigan Municipal League policy and that the officers must be certified before using them.

Fire Chief Tony Averbuch began his report by referring the Council to his written report provided prior to the meeting. Averbuch stated that the building project was complete and the new apparatus had arrived, and as such, an Open House is planned for Wednesday January 11, 2006 from 6:00 p.m. to 9:00 p.m. and both the Council and the public are invited to attend.

Treasurer Tom Morrow reported that the bills list presented to the Council for this month totals \$133,311.08, and is consistent with the approved Fiscal Year 2005-2006 Budget. Morrow also stated that the five-year budget is under way, soon to be reviewed by the Finance Committee and subsequently provided to the Council for their review and comment.

VI. SUBMISSION OF CURRENT BILLS

Motion by Coyer supported by Schiano to approved the bills list as presented.

General Administration	\$	19,632.73
Building	\$	14,170.37
Insurance	\$	44,577.04
Legal	\$	1,440.00
Police	\$	11,850.88
Pressure Sewer	\$	404.44
General Debt Service	\$	-
Major Roads	\$	5,216.76
Local Roads	\$	5,073.96
Rubbish	\$	13,671.90
Trust & Agency	\$	16,105.00
Village Hall & Grounds	\$	-
Waste Water	\$	1,168.00
	\$	133,311.08

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

No comments were made at this time.

VIII. SPECIAL REPORTS

A. Report from the Mercer Group, Inc. on the Police Department Organizational Study – Stephen Egan, Jr.

Stephen Egan, Jr. of the Mercer Group, Inc. reviewed for the Council and those present the study that he had conducted over the previous months on the organization of the Franklin Police Department. David Leuke, Bingham Farms Council Trustee was also present to hear the comments. The report, which is available at the Clerk's office, was reviewed and discussed by Egan, who opined that villages could teach cities about community policing and connecting with residents. Egan outlined his results, noting that he was reporting on three questions: organization, level & effectiveness of service, and the process of and the characteristics necessary in a new police chief. Egan stated that he had consulted with Franklin Council members, Bingham Farms Council members, Mobile Watch participants in both communities, residents of both Villages and the police officers and reserve officers, adding that the Franklin Police Department was an excellent one and that the bond between the officers and the community was very good. Discussion ensued regarding specific recommendations for the department and various suggestions were reviewed as follows: public safety department (not advised), one more officer (to cover shifts for which there is only one officer currently), to reinvigorate the reserve force (more training), and that a more formal emergency management plan be in place for disaster response. Egan was thanked for his prompt, thorough, responsible approach and his accommodation of the varied schedules of the officers was appreciated in his efforts to meet with each of them at various times in the early morning or evening as situations warranted.

David Leckie, President Pro Tem of Village of Bingham Farms Council was in attendance for the presentation.

#2006-01 Motion by Coyer supported by Harnisch to accept the Police Department Organizational Study report as presented by Stephen Egan, Jr. of the Mercer Group, Inc. and to commend Egan for the prompt, professional report.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

B. President's Report, Mark Jahnke, Village President

Jahnke reported that the annual "Art on the Green", that takes place during "Round Up" on Labor Day, has recently been decided to be discontinued by the Franklin Village Council for the Visual and Performing Arts and as a result of several phone calls, he had learned that many villagers were concerned and that Mike Seltzer (President, Franklin Community Association) and Amy Parker (member of the Franklin Art Council) are working to continue this community art fair. Jahnke urged Villagers to contact Seltzer and Parker to help them. Jahnke also stated that the report from Gabriel, Roeder and Smith to be reported on at the next Council meeting addresses concerns regarding the cost of retiree health care for the police union and added that getting a handle on those costs as well as a five-year budget would also be addressed at the February meeting. Jahnke reported on the Oakland County Drain Commission (OCDC) sewer rates that had

been discussed earlier this evening at the Waster Water Board meeting, adding that a number of items, including those brought up by village resident George Haddad, were to be pursued by the OCDC representatives, and a number of details will be revisited, the results of which will be shared with Villagers.

C. Council Report

1. Log Cabin Status, Bill Lamott, Council Trustee

Lamott reported that the Log Cabin located on Lone Pine Road in Bloomfield Twp., currently has a six month hold on activity placed by the owner of the property; consequently any intervention by the Village in maintaining the historic landmark is also on hold until any further decisions are made.

2. Police Contract Negotiating Committee Report, Alan Harnisch, Council Trustee

Harnisch reported that the contract between the Police Officers Association of Michigan and the Village has been executed and is in place effective December 31, 2005 until December 31, 2009 signed by both the police officers' representatives and President Jahnke, now finalized and ends the consideration for next three years approximately.

D. Police and Public Safety Committee

1. Police Chief Search

Stoppels reported that Bob Hamilton of the Michigan Municipal League had been authorized to conduct a search for Police Chief, and having received resumés from 29 applicants, oral boards are to be conducted on January 17, 2006 from 9:00 a.m. to 1:00 p.m. at the Village Hall. Stoppels added that those conducting the oral board of review would be: himself, Jeffrey Werner (Police Chief, Bloomfield Twp), Dan Roberts (FBI, Detroit Office and former Villager), John Michrina, (Police Chief, City of Monroe), and Thomas Markus (Manager of Birmingham). Stoppels noted that the finalists for the position would be scheduled for interviews with the Council so that President Jahnke can make a recommendation with the support of the Council. Stoppels concluded stating that the Bingham Farms Council members would be invited to the interviews (date to be determined).

E. Planning Commission, Master Plan update

Stoppels reported that the Planning Commission continues their work on the update of the Village's Master Plan and in so doing are revamping the Master Plan to streamline the document to combine the subsections with the main document, and eliminate those goals that are no longer valid.

F. Administrator Report, Jon Stoppels, Administrator

1. Status of Finance Clerk

Stoppels reported that his review of this position, involves three factors, as follows: 1) the cost is equal currently through Account Temps, 2) the basic responsibilities are truly a full time job involving both finance department tasks as well as general office staff support, 3) a time study is currently being conducted to ascertain the individual time requirements of each position of the Village Hall staff, and other communities of similar size are being asked to provide staff requirements for their various positions in office staffing. Jahnke opined that resolution of this position is critical, given the audit report recently received from Plante Moran and the budget work that will soon begin for the upcoming fiscal year, so he urged the quick resolution of the staffing solution.

2. Snow Plowing Update

Stoppels reported that there have already been 19 events so far this winter for a total of 24.5 inches of snow, resulting in the use of 272 tons of salt, and with a 30 to 45 minute response time, already better than last year. Stoppels continued stating that the new contract with City Works is at a flat charge per month, not recumbent upon the number of

call outs, negating the need for budget restraints in the number of calls determined to be necessary and the complaints have been minimal (the only notable problem being that of response to ice problems, being more immediate in nature than snow concerns, but still being addressed adequately.)

3. Tree Meeting

Stoppels reported that a recap meeting of the Tree Committee is schedule for January 18, 2006, and that 180 trees are being planted throughout the Village. Stoppels stated that the aforementioned snow falls had prevented the schedule proceeding as planned for plantings but recent high temperatures have created the opportunity to continue the planting in December, still with a 2 year guarantee. Stoppels concluded with the types of trees to be planted and alternate locations are to be discussed in the upcoming meeting.

IX. NEW BUSINESS

A. Consider Draft Police Chief Contract

Stoppels and Village Attorney John Staran reported on the draft contract presented to the Council for their review. Stoppels stated that they were both looking for input from Council members and reviewing contracts in place with comparable communities. Staran advised looking to the Personnel Policy Manual developed by the Village in 1999, to address specific content to be addressed in the consideration of the contract for this at-will position. Council members were asked to provide suggestions in the next week. Jahnke asked if the new version of the contract could be available at the time interviews are conducted with the Police Chief Candidates and Council.

B. Consider Application for Landfill/Culvert Permits at 30333 LaBrea Ct., Franklin.

Stoppels noted that the culvert permit to be obtained does not require Council approval.

#2006-02 Motion by Coyer supported by Harnisch that the Landfill Permit Application for 30333 Labrea Court, Franklin be approved as recommended in the review letter of Village Engineers Hubbell, Roth and Clark dated December 16, 2005, and all pints therein, including but not limited to stating how much aggregate will be imported for the site of the driveways and a temporary mud mat, if proposed; a note added to indicate the existing driveway culvert to be removed and a highpoint established between the two driveways in order to properly drain storm water both ways down the cul-de-sac as proposed; and the permit number to be noted on the plan sheet. All said conditions are to be approved by the Village Administrator prior to the issuance of the Landfill Permit including any requirements of the Building official and the usual bond requirements.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

C. Consider Increasing "Opt Out" Payment for Employees.

Stoppels stated that the opt out payment for non participation in the Village Health Insurance Plan is a once yearly payment to those employees who have not participated in the Health Insurance plan for the year proceeding at the time of their anniversary date of their employment with the Village. Stoppels added that comparisons were made among nearby communities and the rate proposed is in the mid range of those found.

#2006-03 Motion by Coyer supported by Schiano to adopt the \$3500 payment for opting out of the Village Health Insurance plan for non participation in the entire year proceeding at the anniversary date of their employ with the Village as previously provided, to be included in the Personnel Policy Manual.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

X. PROCLAMATIONS/RESOLUTIONS/ORDINANCES

A. Consider Resolution to Adopt Budget Amendment to Purchase Police Vehicle.

Stoppels reported that due to recent availability of grants to purchase digital cameras, he and Castro are proposing that instead of purchasing four cameras at \$6,000 each, they would purchase four cameras (over two fiscal years) and order two new Ford Crown Victorias under the Macomb County bid, one to be delivered in June 2006 and one to be delivered in the new fiscal year in July 2006. No resolution is required, as no increase in the budget line item for capital purchases is required for the allocation of funds as the total amount to be used remains the same.

XI. ADJOURNMENT

Motion by Schiano supported by Coyer to adjourn.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

There being no further business, the meeting adjourned at 10:10 p.m.

Respectfully submitted,

Eileen H. Pulker, Clerk

Mark W. Jahnke, President