

**PROCEEDINGS OF THE VILLAGE OF FRANKLIN
REGULAR VILLAGE COUNCIL MEETING
MONDAY, MARCH 13, 2006, 8:00 P.M.
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I. CALL TO ORDER

The meeting was called to order by President Jahnke at 8:00 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

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

Absent: None

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Bill Castro, Interim Police Chief
Tony Averbuch, Fire Chief

III. ADOPTION OF AGENDA

Motion by Schiano supported by Gallasch to approve the Agenda as presented and published.

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

Nays: None

Motion carried.

IV. MINUTES:

A. Special Meeting of January 30, 2006

Motion by Gallasch supported by McElroy to approve the minutes of the Special Village Council meeting held on January 30, 2006 as presented.

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

Nays: None

Motion carried.

B. Regular Meeting of February 13, 2006

Motion by Coyer supported by Schiano to approve the minutes of the Regular Village Council meeting held on February 13, 2006 as presented.

Ayes: Coyer, Gallasch, McElroy, Schiano, Jahnke

Abstain: Harnisch, Lamott

Nays: None

Motion carried.

C. Special Meeting of February 28, 2006

Motion by Gallasch supported by McElroy to approve the minutes of the Special Village Council meeting held on February 28, 2006 with minor edits as proposed.

McElroy corrected a few typographical errors and Harnisch also corrected a few spelling and grammar errors.

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

Nays: None

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Interim Police Chief Bill Castro reported that it had been a relatively quiet month, and brought Council up to date on an item mentioned previously, that being a cell phone larceny from a vehicle noting that there had been no activity on the phone in the intervening time between January and now, so it is no longer clear if the phone was stolen or not. Castro added that the only other report is a larceny in a home of an ATM card, with which the individual then used the card to withdraw money at several locations, and there is a suspect in that case and the investigation continues. Castro reported that the Officers continue to patrol especially at the borders of the two Villages and as a result citations for traffic violations are up from the same time last year. Castro also stated that he was in support of the National Incident Management System (NIMS) Resolution being considered, adding that he, Officer Crane, and Sergeant Girardot are all trained and certified already and the other officers will receive the training as well, and it is available on line.

Fire Chief Tony Averbuch reported that it had been a busy day having just completed a run, and referred Council to his written report noting that he had little to add to that. Jahnke asked if the new equipment recently acquired by the Fire Department would affect insurance rates in any way. Averbuch replied that many insurance companies use the rating system of the Insurance Services Office (ISO), who determines what the fire rates are for each community (ranging from 1 to 10, 1 being the best) the Village is currently rated 9, which is based on four major components: apparatus, personnel, training, and dispatch capabilities (and there are many other smaller considerations). Averbuch continued stating that the new pumper tanker affords benefits in that it not only carries water, but also has a pump, so it qualifies as a reserve engine even though it is not in reserve. Averbuch stated that the last evaluation of the department by the ISO in 1997 determined that the Fire Department would be required to have (to achieve the full number of points) two main engines (or pumpers), one reserve pumper, a ladder truck, and a reserve ladder. The Fire Department does not intend to get the reserve ladder truck, due to the exorbitant cost, but did obtain the additional pumper in this last truck acquired. Averbuch stated that the additional equipment capabilities required continue to be worked on, and improved upon, inspections, maintenance and testing. Averbuch does not include EMS capabilities in their rating system, no technical response, no hazmat, but does include staffing in their evaluation, using three volunteer or part time staff members to equal one full time employee, so even though there are 37 or 38 employees and volunteers the minimum requirements for staffing equipment are not being met (for the maximum points available).

Averbuch added that not just in Franklin, but across the country; training requirements are very vast for all areas including: fire response, EMS response, hazard materials response, and while training continues with new training segments being developed. Averbuch added that water is still a major aspect, but that the new pumper tanker will assist with that, it will not equal a municipal water system. Averbuch noted that the dispatch capabilities are also an aspect, and the Village remains one or two phone lines short for incoming 911 calls, for the maximum points available for dispatch capability. Averbuch stated that his goal is to insure that each piece of equipment is maintained annually, is inspected monthly, and tested on an annual basis according to the Underwriters Laboratory and NFPA standards. Averbuch stated that the next piece of equipment to be acquired will be a new ambulance. Averbuch noted that the proximity to a fire hydrant, that is within 600 or 1000 feet enables a homeowner to use that neighboring

community's fire rating which for Bingham Farms is 6. Averbuch added that the Village may achieve a rating of 8 during the next examination cycle, due to the many improvements and additional equipment and training, but municipal water would remain the most important aspect.

Averbuch reiterated his support of the NIMS resolution being considered.

Treasurer Morrow was unable to attend the meeting, but had submitted his written report to the Council prior to the meeting.

VI. SUBMISSION OF CURRENT BILLS

Motion by Coyer supported by Schiano to approve the Bills List as presented, except for the payment to Oakland County Drain Commission for \$225,000, to be paid upon the completion of those requirements set by Treasurer Morrow, nor to pay the payment for the Police Grievance fee of \$300.

<u>Totals</u>	
General Administration	\$ 14,169.87
Building	\$ 20,967.10
Insurance	\$ 24,399.33
Legal	\$ 942.00
Police	\$ 18,289.52
Pressure Sewer	\$ 274,096.09
General Debt Service	\$ 91,290.00
Major Roads	\$ 4,387.50
Local Roads	\$ 4,495.16
Rubbish	\$ 13,671.90
Trust & Agency	\$ 5,200.00
Waste Water	\$ 99.00
ALL FUNDS	\$ 472,007.47

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

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

Two candidates for the Oakland County Commissioner for District 17 were present at the meeting: Christa Murphy of Bloomfield Twp. and Dave Taylor of Beverly Hills. Both candidates indicated that they were present at the meeting to learn more about the Village and to meet the Council members. Discussions ensued with each candidate regarding sewer rates and tax millages in the county.

VIII. SPECIAL REPORTS

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

1. Police Chief Appointment

Jahnke reported that at the Special Council meeting of February 28, 2006, the Council had ratified his appointment of Patrick Browne as the new Police Chief for the Village of Franklin. Jahnke stated that he and Stoppels had met with Browne the previous week and added that the employment agreement had been given to Browne and he was reviewing same. Jahnke added that Browne's start date will be Monday, April 3, 2006 (later designated as April 10, 2006).

B. Administrator Report, Jon Stoppels, Administrator

1. Preliminary Five Year Budget Plan – Additional Information

Stoppels briefly summarized his budget projections for the Library, Fire, Rubbish and Debt Service (Bond Payments) for the next five years, a copy of which can be obtained in the Clerk's office. Discussion ensued regarding fund balance for the Fire Department fund, the Hazardous Waste cost within the Rubbish fund budget, and the Pressure Sewer Fund balance and how that may be used to lower millage for the debt service portion of that account.

C. Council Report, Bill Lamott, Trustee

1. Naturescaping at the Franklin Historical Society Landscape

Lamott described the plan as proposed by the Woodland Garden Committee of the Franklin Village Historical Society, including professional landscaper, Master Gardener volunteers, and the SOCWA Healthy Lawns and Gardens Program, to benefit the entire Village, and beyond due to the many school groups that attend the museum on field trips. Lamott continued stating that the plantings used will be those indigenous to the area, and instrumental to Villagers on how to plant and maintain a Historical garden with those materials and plants originally available in this area, and that the removal of Garlic Mustard will also be a priority.

#2006-15 Motion by Lamott supported by Gallasch to approve the expenditure of \$1,200 to fund the Fall symposium on Naturescaping with Native Plants as presented.

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

Nays: None

Motion carried.

IX. NEW BUSINESS

A. Consider Scheduling Hazardous Waste Day, June 3, 2006.

Stoppels reported that the number of participants has not declined in the last few years that the Village has conducted this valuable service, for a cost of \$12,000 to \$13,000 each year. Stoppels added that the firm performing this does so professionally and residency is verified. Stoppels stated that the main concern is that of safety and the removal of these hazardous materials can make a difficult situation much less dangerous for the Fire Department.

#2006-16 Motion by Gallasch supported by Schiano to approve the Scheduled date of June 3, 2006 for the Franklin Household Hazardous Waste Day for Village Residents to be held from 9:00 am to 1:00 pm.

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

Nays: None

Motion carried.

B. Consider Sign Application for the Franklin Grill.

Motion by McElroy supported by Harnisch to approve the application for sign changes for the property located at 32760 Franklin Road, The Franklin Grill as submitted allowing for Michigan Department of Transportation standard signs.

Ingress and egress of the property was discussed and that the signage in the back of the property had not yet been installed. The applicant was requesting that historical signs not be used, but rather more easily read MDOT signs would be used.

Motion withdrawn by McElroy and Harnisch.

The application is to be tabled to the April Regular Village Council meeting, to clarify both the location and the type of signs being requested.

X. PROCLAMATIONS/RESOLUTIONS/ORDINANCES

A. Consider Resolution for National Incident Management System (NIMS)

#2006-17 Motion by Schiano supported by Gallasch that with the endorsement of both the Interim Police Chief and the Fire Chief , the Council approves the Resolution for National Incident Management System (NIMS) as follows:

WHEREAS the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS it is necessary and desirable that all Federal state, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structure, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the count's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS the Incident Command System components of NIMS are already an integral part of various county incident management activities, including current emergency management training programs; and

WHEREAS the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW THEREFORE BE IT RESOLVED that the Village of Franklin established the National Incident Management System (NIMS) as the Village standard for incident management.

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

Nays: None

Motion carried.

B. Consider Resolution for Compliance with requirements of Computerized Tax Roll (PA 505)

#2006-18 Motion by Gallasch supported by Harnisch to approve the Resolution for Compliance with Requirements of Computerized Tax Roll (PA 505) And Request for Oakland County to Apply for Use of A Computerized Tax Roll as follows:

WHEREAS The General Property Tax Act (Pa. 206 of 1893 as amended by P.A. 112 of 1990, P.A. 415 of 1994 and P.A. 505 of 2002), sets for the conditions that must be met for the State Tax Commission to authorize the use of a computerized database as the tax roll; and

WHEREAS the State Tax Commission shall authorize the use of a computerized data base system as the tax roll if the local tax collecting unit or the county treasurer demonstrates that the proposed system has the capacity of enable a local unit to comply and the local unit complies with all of the following requirements:

(a) An original precollection tax roll shall be printed from the computerized data base and warranted by the assessor. That printed precollection tax roll shall be maintained by the assessor until the expiration of the redemption period provided in section 78k following the entry of a judgment foreclosing property forfeited for delinquent taxes under section 78g, or the resolution of all pending appeals, whichever is later.

(b) A separate computer printout of a ll parcel splits and combinations, including sufficient information to document the accuracy of the splits or combinations, shall be prepared and maintained by the assessor until the expiration of the redemption period provided in section 78k following the entry of a judgment foreclosing property forfeited for delinquent taxes under section 78g, or the resolution of all pending appeals, whichever is later.

(c) A separate computer printout of all corrections an adjustments to the precollection tax roll authorized by action of the board of review, state tax commission, or tax tribunal, including sufficient information to document the accuracy of all corrections and adjustments, shall be prepared and maintained by the assessor until the expiration of the redemption period provided in section 78k following the entry of a judgment foreclosing property forfeited for delinquent taxes under section 78g, or the resolution of all pending appeals, whichever is later.

(d) The local tax collecting treasurer and the assessor shall produce a final computer printed settlement tax roll to certify taxes collected. The assessor shall certify that taxable values, state equalized valuations, adjusted valuations, and the spread of taxes and adjusted taxes are correctly recorded I the settlement tax roll. The local tax collecting treasurer shall certify delinquent taxes and certify that tall tax collections are posted on the settlement tax roll. Those certifications and the settlement tax roll shall be transmitted to the county treasurer as required by Section 55 of the General Property Tax Act. The affidavit attached to the settlement tax roll shall include documentation that authorizes and reports all changes it he precollection tax roll.

(e) The Treasurer of the local tax collecting unit shall prepare and maintain a journal of the collections totaled and reconciled to the amount of actual collections daily.

(f) A payment of the tax shall be posted to the computerized data base system using a transaction or receipt number with the date of payment. A posting on the computerized data base system is considered the entry of the fact and date of payment in an indelible manner on the tax roll as required by section 46(2).

(g) The computerized date base system has internal and external security procedures sufficient to assure the integrity of the system.

(h) The local tax collecting unit is capable of making available a posted computer printed tax roll at any time.

(i) The computerized data base system has a "Read Only" terminal or other procedure for public viewing of the posted tax roll.

NOW THEREFORE BE IT RESOLVED that the local tax collecting unit, Village of Franklin complies with all of the requirements of the State Tax Commission, including those listed above, for use of a computerized database as the tax roll.

BE IT FURTHER RESOLVED that the local tax collecting unit, Village of Franklin, authorizes the Oakland County Treasurer to request on our behalf, approval from the State Tax Commission to use a computerized database as the tax roll.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Oakland County Treasurer.

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

Nays: None

Motion carried.

C. Consider the Ordinance to Approve the Editing and Inclusion of Certain Ordinances and A Resolution as Parts of the Codified Ordinances (second reading).

#2006-19 Motion by Gallasch supported by McElroy to adopt the Ordinance to Approve the Editing and Inclusion of Certain Ordinances an A Resolution as Parts of the Codified Ordinances in its second reading, as follows:

An Ordinance to Approve the Editing and Inclusion of Certain Ordinances and A Resolution as Parts of the Codified Ordinances.

WHEREAS, American legal Publishing has completed its annual updating of the Codified Ordinances of the Village; and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating of the Codified Ordinances (June 14, 2004) and have been included in the Codified Ordinances of the Village NOW, THEREFORE:

THE VILLAGE OF FRANKLIN ORDAINS:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances are hereby approved as parts of the Codified Ordinances of the Village, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
Res. 2004-80	9-13-04	216.01
2004-04	12-13-04	1240.07, 1265.01 to 1265.06
2005-01	1-10-05	1248.01, 1250.01, 1250.02, 1250.05, Part 12, Title 4, Appx. B
2005-02	1-10-05	T.S.O. I
2005-03	1-10-05	T.S.O. I
2005-04	1-10-05	T.S.O. I
2005-05	1-10-05	1240.07, 1268.17, Part 12, Title 4, Appx. B
2005-06	1-10-05	T.S.O. I
2005-08	4-11-05	1042.20
2005-09	6-13-05	1042.13

Section 2. This ordinance is hereby declared to have been adopted by the Village of Franklin Council at a regular meeting duly called and held on the 13th day of March, 2006, and ordered to be given effect upon passage and publication as mandated by Charter and statute.

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

Nays: None

Motion carried.

XI. ADJOURNMENT

Motion by Lamott supported by Schiano to adjourn the meeting.

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

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 9:34 p.m.

Respectfully submitted,

Eileen H. Pulker, Clerk

Mark W. Jahnke, President