

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, OCTOBER 9, 2006, 8:00 P.M.  
FRANKLIN VILLAGE HALL - BROUGHTON HOUSE  
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

**I. Call to Order**

The meeting was called to order by President Jahnke at 8:01 p.m. at the Franklin Village Hall, Franklin, Michigan.

**II. Roll Call**

Present: Mark Jahnke, Randy McElroy, Fred Gallasch, Bill Lamott, Alan Harnisch  
(arrived 8:02 p.m.)

Absent: Dominick Schiano (excused), Brian Coyer (excused)

Also Present: Eileen Pulker, Clerk  
Patrick Browne, Police Chief  
Tony Averbuch, Fire Chief  
Thomas Morrow, Treasurer  
John Staran, Hafeli Staran Hallahan Christ & Dudek, P.C., Village  
Attorney

**Motion by McElroy supported by Gallasch to excuse Trustees Coyer, Schiano and Harnisch in their absence at this meeting.**

**Ayes: McElroy, Gallasch, Lamott, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano, Harnisch**

**Motion carried.**

**III. Adoption of Agenda**

Jahnke asked to postpone item *IX D Consider Establishment of "Quorum" Committee* until November when the Village Administrator will be present. Jahnke added that the word Administrative should be changed to Administrator on item X B. Jahnke then suggested changing item VIII C 1 to read *Tree Committee and Naturescaping, Bill Lamott, Council Trustee.*

**Motion by Gallasch supported by McElroy to adopt the agenda as amended.**

**Ayes: McElroy, Gallasch, Lamott, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano, Harnisch**

**Motion carried.**

**IV. Minutes**

**A. Regular Meeting of August 14, 2006**

**Motion by Gallasch supported by McElroy to approve the minutes as presented for section IX A of the August 14, 2006 Regular Village Council Meeting minutes.**

**Ayes: McElroy, Gallasch, Lamott, Jahnke**

**Nays: None**  
**Absent: Coyer, Schiano, Harnisch**  
**Motion carried.**

**B. Regular Meeting of September 11, 2006**

**Motion by Gallasch supported by McElroy to approve the minutes of the Regular Village Council meeting of September 11, 2006 as presented.**

**Ayes: McElroy, Gallasch, Lamott, Jahnke**  
**Nays: None**  
**Absent: Coyer, Schiano, Harnisch**  
**Motion carried.**

Harnisch arrived at the meeting at 8:05 p.m.

**V. Reports of Village Officers and Agents**

Police Chief Patrick Browne referred Council to his written report and provided details for a few items to the Council's attention, including two instances that occurred in Bingham Farms on Telegraph Road in the office buildings. Browne explained one instance involved a purse being stolen and the other a wallet stolen from a purse adding that Detective Castro is following up on both instances and that the building property owners have been notified of their vulnerability and to take proper precautions to avoid another incident. Browne reported on a larceny of jewelry from a residence on Franklin Park Drive in September for which the home showed no sign of forced entry and that for which the victim indicated that she did have some outside workers that had been in the house doing some work. Detective Castro is in the process of following up on that and interviewing the workers to see if they can come up with any additional information.

Fire Chief Tony Averbuch referred Council to his written report and explained that the Fire Department is continuing to train and there have been no complaints so far on leaf burning.

Treasurer Thomas Morrow reviewed the Bills List with the Council and pointed out that there was a duplicate entry from last month, which once corrected as provided at the meeting, resulted in a Bills List of \$416,606.37. Morrow stated that the Village has sufficient funds to meet its current and anticipated obligations.

**VI. Submission of Current Bills**

<b><u>TOTALS:</u></b>	
<b>General Administration</b>	<b>\$269,195.32</b>
<b>Building</b>	<b>18,028.38</b>
<b>Insurance</b>	<b>28,946.32</b>
<b>Legal</b>	<b>13,244.75</b>
<b>Police</b>	<b>18,862.23</b>
<b>Pressure Sewer</b>	<b>100.00</b>
<b>General Debt Service</b>	<b>0.00</b>
<b>Major Roads</b>	<b>6,499.83</b>
<b>Local Roads</b>	<b>4,264.33</b>
<b>Rubbish</b>	<b>0.00</b>
<b>Trust &amp; Agency</b>	<b>15,667.07</b>
<b>Village Hall &amp; Grounds</b>	<b>37,200.00</b>

<b>Waste Water</b>	<u><b>4,598.14</b></u>
<b>ALL FUNDS</b>	<b>\$416,606.37</b>

Lamott pointed out that the check number 18663 payable to Bob Grese was cancelled and replaced with check number 18674 payable to University of Michigan for the Naturalscaping Symposium which brings the General Administration amount to \$268,895.32 and the all funds total to \$416,306.37.

**Motion by Gallasch supported by McElroy to approve the bills list amended to a new total of \$416,306.37.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

## **VII. Public Requests and Comments**

Christa Murphy, Republican Nominee for Oakland County Commissioner, District 17, introduced herself to the Council and left her telephone number for those who may have questions for her. (248) 593-6266

Marsha Gershenson, County Commissioner, District 17, explained that the proposed discount dental plan has received preliminary approvals and will next be presented to the County Commission on October 19, 2006, after which if approved, will go out for Request for Proposals (RFP). Gershenson then stated that she was invited to testify at the Michigan Woman's Forum on preventing serious knee injuries in female athletes. Gershenson explained that women and young girls have a five times greater chance of an ACL injury than men and she is hopeful that Michigan will pass legislation that will mandate proper strength training for young girls in elementary schools increasing awareness of the problem. Gershenson also announced that she would be speaking at Groves High School the following week on the ballot initiatives, and added that the previous week she had represented Oakland County at the Birmingham Bloomfield Coalition Celebration of eating dinner with your family which was to promote communication between family members in our communities. Gershenson reminded voters about the Birmingham School Millage Renewal stating that it is not an increase; it is a chance to maintain the high quality of the schools in Birmingham.

## **VIII. Special Reports**

### **A. Millage Renewal Presentation, Deborah Roberts, Trustee, Birmingham Public School District**

(Attachment #1)

Deb Roberts, Trustee Birmingham Public Schools and Village Resident provided a presentation regarding the upcoming vote on the millage renewal for the schools. Roberts also responded to questions from the Council.

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

#### **1. Pedestrian Pathway on Fourteen Mile Road, footbridge and path east of Cressbrook.**

Jahnke stated that the connecting bridge over the Franklin River along Fourteen Mile Road, between the Cressbrook development and Franklin Road was placed in service last month and the Cressbrook development had an open house and dedication ceremony. Jahnke also mentioned that he has been approached by residents to continue that pathway and he has been talking about

the possibility of a pathway along Fourteen Mile Road with Jon Stoppels and Village Engineer Tom Biehl of Hubbell, Roth & Clark. Biehl will be providing a letter and a sketch to council for the November regular meeting. Jahnke suggested looking at connecting that pathway that exists now at Cressbrook on up to Dennison and perhaps even further than that. Jahnke pointed out that Biehl had mentioned that Bloomfield Township is also looking to install a path along Fourteen Mile Road between Wing Lake Road and down to Franklin Road.

Lamott attended an Oakland County Trail Summit and explained that there are a large number of sources for funds and expertise available. Lamott added that there is also an Oakland County Trail Advisory Council who has developed a master plan for trails in the county which includes a trail along Thirteen Mile Road from Woodward which crosses through Franklin. Lamott also informed the council that there will be another session on October 17, 2006 that he will be attending as well.

Ed Saenz, 32620 West Haverford Drive, stated that he and his wife are in support of extending the pathway along Fourteen Mile Road to the east and also mentioned he would like to see a pathway from Wing Lake to Chatham.

## **2. Master Plan**

Jahnke explained that the Planning Commission continues to work on the Master Plan and there was a Village-wide public meeting held on October 3, 2006 and the process is moving along. Jahnke encouraged residents to view the Village website and take a look at the draft of the master plan that is located there, and that copies are available for viewing at both the Clerk's office and the Franklin Public Library.

## **3. Oakland County Main Street Program**

Jahnke stated that there had been a conference on September 20, 2006 that was held at Oakland County's Glen Oaks park where the Village of Franklin was presented with a plaque that recognizes that the Village has joined the Main Street Mentoring program. Jahnke also mentioned that there had been a merchants meeting on October 4, 2006 where he met with the merchants to provide some background on the Main Street program.

## **4. Oakland County Drain Commission, Fourteen Mile Road Drainage**

Jahnke explained that the Oakland County Drain Commission (OCDC), while participating in the FEMA project up river in Bloomfield Township, there had been a lot of debris that washed into the Franklin River that is both in the culverts underneath Franklin Road in Bloomfield Township and also along Fourteen Mile Road coming into the Village right underneath the new walking bridge. In following up on this, Jahnke was informed by the OCDC that the Village needs to work with Oakland County Road Commission specifically on the plugged culverts. Jahnke asked that the Village staff provide a contact with Oakland County Road Commission to whom he could speak about the dredging of those culverts.

## **C. Council Report**

### **1. Tree Committee and Naturescaping, Bill Lamott, Council Trustee**

Lamott stated that the Franklin Landscaping Committee met on October 4, 2006 and had decided that they will be putting together a formal "to-do" list. Lamott updated the Council on the status of the tree planting reporting that approximately 240 trees have been planted since November 2005 and about 91% look to be doing very well. Lamott explained that they are going to wait until Spring 2007 to see if the other 9% show any signs of life, if not, they will be replaced as there is a two year warranty. The Committee also talked about removal of dead trees, canopy tree trimming, and small tree planting, roadside landscaping; stonewall restoration, public right-

of-way landscaping and landscape design. Lamott pointed out that the Committee intends to meet again before the end of the month to try to come up with more specifics for their “to do” list.

Lamott noted that the Naturescaping Symposium that had taken place on October 7, 2006 had been well attended at that a lot of good information had been provided, adding that Mary Wilson, who works for the MSU Extension service in Pontiac, has agreed to provide her expertise on native plants for the Village.

**IX. New Business**

**A. Consider Application to Display Signs throughout the Village for the Franklin Community Church Rummage Sale, October 13 and 14, 2006**

**#2006-68 Motion by Gallasch supported by Harnisch to approve the placement of the signs throughout the Village for the Franklin Community Church Rummage Sale to be held on October 13 and 14, 2006.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

**B. Consider Demolition Application for the Property Located at 32560 Scenic Lane**

Jahnke stated the he recommended that the bond be increased from \$5,000.00 to \$10,000.00 for this particular project due to the property being located on a private lane and asked for Mr. Staran to comment.

Staran explained that the bond is there to guarantee that the demolition is conducted pursuant to code and that any problems will be taken care of which would include any damage to neighboring properties or to the private road. Staran agreed that Jahnke’s recommendation is within his power and purview to use should he choose to do so.

**#2006-69 Motion by Harnisch supported by McElroy to approve the 32560 Scenic Lane demolition with a bond of \$10,000.00, and the usual requirements of the Village Building Official.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

**C. Consider Demolition Application for the Property Located at 25665 River Drive**

**#2006-70 Motion by Lamott supported by Harnisch to approve the demolition application at 25665 River Drive, with the usual bonds and requirements of the Village Building Official.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

**D. Consider Appointment to Historic District Commission**

Lamott nominated Mike Brassfield as a Historic District Commissioner and explained that Mr. Brassfield had been a resident of Franklin since 1985, he is a builder, he has also served on other boards in the Village and he is excited about getting involved in the Historic District Commission.

**#2006-71 Motion by Lamott supported by McElroy to approve the appointment of Mike Brassfield to the Historic District Commission for a three year term ending July 2009.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

Lamott pointed out that since Lisa Martin has moved out of the village there is now a new vacancy on the Historic District Commission.

**X. Proclamations/Resolutions/Ordinances**

**A. Consider Ordinance to Amend Section 1220.01 of Chapter 1220, Planning Commission, and to Add and Amend Various Sections under Title Four, Zoning, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Comply with the Michigan Zoning Enabling Act, 2006, PA 110, Effective July 1, 2006, and its Requirements Regarding Public Hearing and Notice Requirements for Amendments, Special Land Uses, Planned Developments and Variances, and Repeal Conflicting Ordinances (First Reading)**

Staran explained that Public Act 110 was passed by the State Legislature which created the Unified Zoning Act. This was in effort to bring all local governmental entities under a single comprehensive act. Staran referred to the review chart that was provided to Council indicating that it is for Council to identify the changes which mostly pertain to zoning procedural changes. Staran also pointed out that since the act is already in effect and prevails over Franklin's local ordinance, these changes are already in effect and Council's adoption of this ordinance will make the Village's ordinance conform to what is already the law.

**#2006-72 Motion by Gallasch, supported by McElroy to adopt the Ordinance to amend section 1220.01 of Chapter 20, Planning Commission and to add and amend various sections under Title Four, Zoning, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to comply with the Michigan Zoning Enabling Act 2006, PA 110, Effective July 1, 2006, and its Requirements Regarding Public Hearing and Notice Requirements for Amendments, Special Land Uses, Planned Developments and Variances, and Repeal Conflicting Ordinances in its first reading.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

**B. Resolution and Purchase Agreement from Comerica Bank for Administrator Vehicle**

Jahnke stated that he was not able to talk to the bank due to the bank being closed on Columbus Day, and that more specific information was required. Council agreed that they table this item until next month to allow for time to review the material.

**XI. Adjournment**

**Motion by McElroy supported by Gallasch to adjourn the meeting.**

**Ayes: McElroy, Gallasch, Lamott, Harnisch, Jahnke**

**Nays: None**

**Absent: Coyer, Schiano**

**Motion carried.**

There being no further business, the meeting adjourned at 9:08 p.m.

Respectfully Submitted,

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Angie Eby, Recording Secretary

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Eileen H. Pulker, Clerk

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Mark W. Jahnke, President

Attachment #1

**The Facts About  
Birmingham Public School  
Operating Millage Renewal**

On November 7th, residents of the Birmingham Public School District will be asked to renew the School Operating Millage Proposal.

**1) What Does The Ballot Say?**

This proposal, if approved by the electors, will continue a previously approved millage authorization on all property, which millage has been reduced to 11.3111 mills by operation of MCL 211.34d(16) and will otherwise expire with the 2006 tax levy.

Shall the currently authorized millage rate limitation of 11.311 mills (\$11.3111 on each \$1,000 of taxable valuation) on the amount of taxes which may be assessed against all property in the Birmingham Public Schools, exempting there from principal residences and qualified agricultural property, as defined by law, and in the amount of 11.3111 mills (\$11.3111 on each \$1,000 of taxable valuation) against all principal residences and qualified agricultural property, be renewed, both millages to be for a period of ten (10) years, 2007 to 2016, inclusive, which millage would provide estimated revenues to the Birmingham Public Schools during the 2007 calendar year of \$44,5000,000.00, if approved and levied, to be used for general operating purposes.

Yes:

No:

**2) What Does The Ballot Mean?**

A renewal of the existing, state required non-homestead tax

- Just a renewal
- It is not a new tax for personal or commercial property owners
- Extends the local school operating millage

**3) How Does This Impact Property Owners?**

If this is your primary home...

- Renewal = Zero Increase
- Voting "yes" to renew the school millage does not increase local school property taxes

**3) cont. How Does This Impact Property Owners?**

If this is Non-Homestead property...

- Commercial property
- Rental Property
- Second Homes

...the Renewal = Zero Increase

**4) What Happens If The Renewal Passes?**

BPS continues the highest quality education in the state

- BPS 12<sup>th</sup> graders earned the highest MEAP scores in the state last year, across ALL subjects
- In 2005, BPS students performed at the highest levels on SAT and ACT tests
  - ACT Composite Score

- Birmingham 24.0
- Michigan 21.4
- National 20.9

- Standard and Poor's School Evaluation Services named BPS an "academic outperforming district" –
  - the only district in Oakland County to receive this distinction
- Continued funding allows BPS to provide the same great education and great opportunities it has provided for generations

#### **4) cont. What Happens If The Renewal Passes?**

- BPS will STILL have to continue cost cutting to address increased costs and decreased revenue.
- Since 2003, BPS has averaged around \$2-3 million annually in cost cutting.
- The 2006 cut resulted in the middle school restructuring and further reduction in teaching and administrative staff at all levels.
- Seaholm Example:
  - 1999: Less Students, More Teachers
  - 2006: More Students, LESS TEACHERS

#### **4) cont. What Happens If The Renewal Passes?**

- Outstanding schools drive higher property values.
  - "Realtor data show that the presence of good schools can increase the value of a home by 10-20%"  
Tim Simmers, *San Mateo Times*
  - "Maintaining good schools is a key strategy to maintaining neighborhood property values...particularly true of the physical appearance of school facilities."  
Kenneth Edwards, *The Homeseller's Survival Guide*
  - "Education failures affect all businesses in the region and contribute to social and public safety issues..."  
*Oakland County Intercooperational Summit, August 2006*

#### **5) What If the Renewal Fails?**

- Birmingham Public School budget is reduced by \$12.4 million in the first year, on top of continued budget cuts. The impact could include:
  - Over 100 teacher and support staff layoffs
  - Larger class sizes
  - Cuts to essential academic programs and support services
  - Cuts to athletics, music, drama, and art
  - Reduced bus service

**6) Can we reallocate 'Bond' Money?**

There are no alternate sources of funding

- By law, bond construction funds cannot pay operating costs
- The bonds passed in 2003 for new construction can only be spent on the construction projects agreed upon.

**7) Is There Any Benefit to Not Renewing the Millage?**

There is NO Real Benefit to not passing the millage

- Homestead taxes would be only about 0.3 mills lower than if the millage is renewed in the first year
  
- 0.3 mills for every \$100,000 of market value is only \$15 per year in year 1
  - On a \$300,000 market value home that is only \$45 per year
  - On a \$1 Million market value home that is only \$150 per year
  
- Homeowners will lose money if property values begin to soften as a result of declining support for schools.
  - National statistics show that strong schools increase property values by at least 10 to 20 percent

**7) cont. Is There Any Benefit to Not Renewing the Millage?**

Assume a home value of \$300,000, Year 1: Based on 0.3 mills - \$45, Experts indicate 10-20% valuation tied to schools.

Voters need to know: make the smart investment.

**8) What Do the Experts Say...**

- *"The [Birmingham Bloomfield] Chamber supports the Birmingham Public School Millage Renewal... by supporting this renewal, your \$ stays here and ensures that the communities within our district continue to be vibrant places to live and work."*
  
- *"Supporting excellent schools provides profound dividends, not only in higher property values, but more so in the development of young minds which pay dividends for a lifetime."*
  - Rob Lawrence, BPS Board of Education - President
  
- *"Savvy investors recognize value in the marketplace. Vibrant, competitive, and fiscally-strong, Birmingham Public Schools are a smart investment in our future. Vote yes to renew."*
  - David Murray, co-author of Two for the Money  
Seen on The Today Show and CNBC

### 9) What Does the Press Say...

“School millage is vital”  
(October 5, 2006)

At the bottom of the vast ballot voters in the Birmingham School District area will face will be a proposal to renew the schools' operating millage. This is a simple renewal. It is not a new tax. But it is vital to the school district, and we urge residents to vote yes on the renewal.

The renewal is for 11.3 mills for the next 10 years. Without the renewal, the district faces an immediate loss of about \$12 million, nearly 8 percent of its annual budget. The impact would be devastating and would grow worse with each successive year.

To be sure, people are tired of taxes, but this is not a new tax. It needs to be stressed that it is a renewal. Further, voters must wade their way to the bottom of the daunting ballot they will face. But it's critical that they do so and vote to support their schools. Birmingham has one of the finest school districts in the nation. Let's keep it that way.

### **Birmingham Eccentric**

November 7

### **Renewing The Operating Millage**

#### **In Summary...**

Vote Yes To Renew

- ZERO Tax Increase.
- Primarily a renewal of the existing, state required non-homestead tax
- Failure = loss of \$12.4 million starting next school year
- By law, bond construction funds cannot be used for operations
- Great Schools = Great Communities

#### **Questions**

**For More Information Go To**  
***www.friendsofbps.com***