

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, AUGUST 13, 2007, 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 8:00 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. Roll Call

Present: Mark Jahnke, Randy McElroy, Dominick Schiano, Fred Gallasch, Bill Lamott

Absent: Brian Coyer (excused), Alan Harnisch (excused)

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Patrick Browne, Police Chief
Tony Averbuch, Fire Chief
Tom Morrow, Treasurer
John Staran, Village Attorney

Motion by McElroy, supported by Gallasch to excuse Harnisch and Coyer in their absence from the meeting.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

III. Adoption of Agenda

Motion by Gallasch, supported by Schiano, to adopt the agenda as published.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

IV. Minutes

A. July 9, 2007 Regular Village Council Meeting

McElroy referred to a spelling correction.

Gallasch referred to page 10 under *Consider Appointments to Village Boards and Commissions* first paragraph and asked to change *a point of powers* to *appointive powers*.

Motion by Gallasch, supported by McElroy, to approve the minutes of the Regular Village Council Meeting of July 9, 2007 as amended.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer
Motion carried.

V. Reports of Village Officers and Agents

Police Chief Patrick Browne referred Council to his written report and provided details for a few items, including:

- Officer Crane observed a house on fire on Oakleaf during his normal patrol, at which time he notified dispatch and alerted the fire department. While awaiting their arrival, he entered the house to see if anybody was inside. While he was checking the interior a neighbor entered the house as well and they were both able to get the family pet, a German Shepard, safely out of the house. Finding no one inside the house, Crane stood by until the Fire Department arrived upon where he then assisted in putting out the fire. Afterwards he investigated the cause and the origin of the fire. By having observed and discovering the fire Crane considerably minimized the amount of damage that occurred to the residence. Browne asked that Crane receive the proper recognition for his actions.
- An employee who works at one of the businesses on Franklin Road had her cell phone taken from the business. There is some information as to who the responsible person was. The cell phone was returned minus the sims card. The information has been put together and sent to the Oakland County Prosecutors Office to make a determination what if any charges will be forthcoming.
- A serious injury accident occurred on Telegraph and Thirteen Mile Road. Several officers from Beverly Hills arrived at the scene to assist with traffic and with the investigation. Browne commented that the level of cooperation that exists between the officers here and the surrounding communities and the fire department is very commendable and appreciated.
- A wallet was stolen from a woman's purse in one of the commercial buildings in Bingham Farms.
- A house on Fourteen Mile was broken into and computer equipment and some jewelry were taken.

Browne stressed that homeowners need to activate their alarm systems any time they leave their property even if it's just for a moment. Browne pointed out that it acts as a deterrent to somebody looking for a potential target even if it is only an audible alarm.

Browne reported that he is starting to see more people breaking into cars that have the GPS systems in them. Browne advised that the motorists that have these units should hide them or remove them when they leave their vehicles.

Fire Chief Tony Averbuch referred Council to his written report and thanked those that helped with the construction of the ambulance chaise.

Treasurer Morrow referred to his written report and the bills list totaling \$636,119.60 pointing out that included in that total are bond interest payments for the pressure sewer bonds and also road and drain bonds which are consistent with the '07-08 budget. Morrow added that the Village has sufficient funds to meet its current and anticipated obligations.

VI. Submission of Current Bills

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|-------------------------------|--------------------|
| <u>TOTALS:</u> | |
| General Administration | \$15,236.33 |
| Building | 27,350.88 |

| | |
|-----------------------------------|----------------------------|
| Insurance | 36,825.14 |
| Legal | 4,153.75 |
| Police | 15,688.86 |
| Pressure Sewer | 299,415.63 |
| General Debt Service | 127,795.00 |
| Major Roads | 9,135.14 |
| Local Roads | 8,730.00 |
| Rubbish | 16,590.69 |
| Trust & Agency | 6,100.00 |
| Village Hall & Grounds | 0.00 |
| Tax Fund | 67,632.51 |
| Waste Water | <u>1,465.67</u> |
| ALL FUNDS | <u>\$636,119.60</u> |

Motion by Gallasch, supported by McElroy, to approve the bills list as submitted.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

When asked, Stoppels explained that Dinnan's monthly total was unusually high this month due to older permits requesting their rough and final inspections in July. Dinnan's last four totals average out to approximately \$11,000.

VII. Public Requests and Comments

Marsha Gershenson, Oakland County Commissioner, announced that she will be hosting a seminar on foreclosure in West Bloomfield on August 29, 2007. There will be housing counselors there to help people with their taxes and to provide budget counseling. Gershenson added that West Bloomfield will be taping the seminar and then distributing the tapes. Gershenson reported that there has been some new state legislation to eliminate townships and there was a meeting that took place last week that she attended. Gershenson contacted the legislatures that introduced the legislation and they indicated to her that a fiscal report is in the works and that it is not going anywhere until they see that it would make sense for communities. Gershenson explained that the idea of collaboration is really going to be getting a lot of traction in the 2008 budget for the state. They are going to be making a lot of proposals for schools, buses and transportation.

Discussion ensued regarding the impact any additional collaboration would have on Franklin and the question was raised if Franklin could choose to tax themselves to keep their own services without the state interfering.

Gershenson stated that she does not believe it would be forced on anyone however it is going to continue to be discussed heavily. Gershenson added that another area that they are having a difficult time with is jail overcrowding. The commissioners received a program on a jail diversion program for those with mental health issues. Police officers will be trained on how to handle people that have mental health issues in an effort to avoid putting them in jail so as to not have to be faced with building a new jail in 2009. Gershenson explained that grant money for the anti bullying program has finished and Oakland Intermediate Schools has taken up the program. Gershenson announced that there are two seminars taking place on Thursday, September 27, 2007

regarding a pre business planning workshop and one for those interested in opening up a franchise for another business.

McElroy thanked Gershenson for her time and her help when his home lost power.

VIII. Special Reports

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

1. Village Sweep Accounts

Jahnke referred to information he received from Comerica Bank and reported that the bank service charges have gone down considerably since the elimination of some of the unnecessary accounts as well as moving some of the accounts into the municipal j funds.

2. Oakland County Main Street

Jahnke strongly suggested to Gallasch to set up a small committee to look at Oakland County Main Street closely as the application will be due in June 2008.

B. Administrator Report

1. Huda School Project

Stoppels reported that he and Staran have been working on the questions and answers and the public should be able to see the final draft on the village website soon. Stopples added that he would like to have a community based meeting with the Huda School representatives as well as the building owner to talk about what some of the issues are and get some information out there about what their intentions are with the building now and in the future.

Schiano urged Stoppels to keep as much information flowing as possible for the public to access easily as it seems to be a topic of high interest for many villagers.

Lamott recommended that Council contact the board of directors at Huda School to initiate communication with them directly rather than only through their architect.

Jahnke stated that he is leery about setting up a council committee at this time as a council committee is not authorized to negotiate.

Staran pointed out that the Village Council is involved in the site planning process. By law and by ordinance it's going to go through the Planning Commission then it will come to Council where there will be a public hearing. Staran cautioned Council about doing anything that seems to divert from that state mandated process as to avoid any procedural legal issues down the road.

Jahnke responded that he would be opposed at this time to creating any kind of separate council committee because that committee can only advise council.

Staran advised that it may be more productive and prudent to have that type of liaison through staff so they can report to council rather than have council members directly involved at this point. Staran added that this could include the President but does not have to.

Schiano stated that he would be really uncomfortable with any private meetings among anyone on council and the board and/or representatives of the Huda School. Schiano added that he is in favor of Stoppels meeting with Huda School and reporting to council in a public meeting.

Schiano also strongly recommended to Jahnke that he should not meet with anyone privately regarding this item as he feels it would not be appropriate.

Jahnke explained that he simply wants to create a way to have more communication with Huda School without inviting talk of site plan issues etcetera until a public meeting.

Schiano urged that if Jahnke does choose to have private communications with Huda School and its representatives that it be as transparent as possible.

Jahnke updated the public stating that currently there is no site plan presented to the Village and all the work being done is internal and as such is inspected by State of Michigan officials .

2. Fire Department Contract

Staran reported that there are only a couple issues remaining to be addressed on the Fire Department contract and they still need to compare notes with Bingham Farms, but he is anticipating having this on the agenda as an action item next month.

#2007-63 Motion by Schiano, supported by Lamott, to extend the current Fire Department contract through to the next council meeting, on September 17, 2007 in order to give them time to resolve the agreement.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

IX. New Business

A. Consider Civic Event Application for the Franklin Public Library, wine and cheese party on August 20, 2007.

Pulker stated that they will not be charging for liquor so there is no need for a liquor license and they are currently under the Village's insurance so there is nothing unusual required for this event.

#2007-64 Motion by McElroy, supported by Gallasch, to approve the Civic Events permit for Franklin Public Library for their wine and cheese party wrap-up event to be held on August 20, 2007.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

B. Consider Recommendation of Personnel Committee for 2007-2008 Administrator and Police Chief Wages and Benefits.

Lamott reported that the Personnel Committee had met in July and had developed a draft for Stoppels' review. It was circulated to council members July 23, 2007 and since there was no feedback it was assumed that what was written is acceptable to everyone.

#2007-65 Motion by Lamott, supported by Schiano, to approve a 5% salary increase for both Stoppels and Browne effective July 1, 2007 and that council accept the personnel committee's draft as Stoppels' 2006-2007 fiscal year performance review.

Jahnke asked the following questions:

1. What are the standards are for each percentage increase (3%, 4%, 5%) and how can that be communicated to Stoppels and Browne and others?
2. How does the \$3,000 supplement bonus that Browne received in the spring work in with the review and the 5% recommendation?
3. If the bonus as a precedent has been set has the committee talked about how that is attainable by other members of the village staff?

Gallasch referred to Browne's bonus and explained that from observation and feedback from council members, Browne was someone that council was very pleased to have. Gallasch added that Browne in one year accomplished things that should have been accomplished prior to his employment with the Village. Because of his extra effort, the committee wanted to give Browne an extra bonus to recognize his work. Gallasch continued by saying that the moral in the police force has never been as good and the harmony with the citizens and mobile watch activity is great.

McElroy stated that the word they used to describe his performance was "outstanding".

Gallasch also pointed out that the bonus was given to avoid adjusting his salary.

Lamott opined that Stoppels and Browne are both great employees and 3% would be an average increase. Due to their above average performance a percent or two was given to say "thank you".

Schiano agreed that 3% would be an average increase and a below average performance should result in less than a 3% increase as well as an above average performance should result in a 4% or 5% increase.

Jahnke stated that he would like to get some parameters in place for future decisions as to avoid setting any precedents. Jahnke added that he does not disagree with the conclusion.

Gallasch argued that the salary survey that was updated gave a benchmark and what is expected for an average performer versus a better performer should be a legitimate basis upon which 5% could be determined.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

C. Consider Appointments to Village Boards and Commissions.

#2007-66 Motion by Lamott, supported by McElroy, to reappoint Judy Ernst for a three year term as a Historic District Commissioner through July 2010.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

D. Consider Scheduling Organizational Meeting, September 24, 2007 at 8:00 p.m.

Jahnke explained that by charter Council is required to have an organizational meeting the second Monday after the election.

#2007-67 Motion by Lamott, supported by McElroy, to schedule the Organizational Meeting for September 24, 2007 at 8:00 p.m.

Ayes: McElroy, Gallasch, Lamott, Jahnke

Nays: None

Abstain: Schiano

Absent: Harnisch, Coyer

Motion carried.

Schiano stated that he would not be able to attend the September 24th meeting.

E. Consider Civic Event Application for “Round Up” and the banner to hung over Franklin Road.

#2007-68 Motion by Schiano, supported by Lamott, to approve the civic events permit related to the Labor Day “Round Up” including the banner to be placed over Franklin Road.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

X. Bids/Contracts

A. Consider Firearms Firing Range Agreement with City of Farmington.

When asked, Staran answered that he has looked at the agreement and he is satisfied with it.

#2007-69 Motion by Schiano, supported by Lamott, to approve the indemnity agreement as presented between the Village of Franklin and the City of Farmington for Firearms Firing Range use.

Ayes: McElroy, Schiano, Gallasch, Lamott, Jahnke

Nays: None

Absent: Harnisch, Coyer

Motion carried.

B. Consider Agreement between SMART and the Village of Franklin.

Pulker verified that the agreement is the same wording as in the past and explained that Birmingham Area Seniors Citizens Center (BASCC) administrates this for the Village and what it does primarily is provides rides for seniors.

#2007-70 Motion by McElroy, supported by Lamott, to approve the SMART agreement as proposed called the Municipal Credit and Community Credit Contract for Fiscal Year 2008.

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

XI. Adjournment

Motion by Schiano, supported by Gallasch, to adjourn the meeting at 9:13 p.m.

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

Respectfully Submitted,

Angie Eby, Recording Secretary

Eileen H. Pulker, Clerk

Mark W. Jahnke, President