

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JUNE 9, 2008, 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 Gallasch at 8:04 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. Roll Call

Present: Alan Harnisch, Bill Lamott, Amie Saltzman, Dominick Schiano, Fred Gallasch, Brian Coyer (arrived at 8:05 p.m.)

Absent: Mark Jahnke (excused)

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

Motion by Schiano, supported by Lamott, to excuse Jahnke in his absence from the meeting.

Ayes: Schiano, Harnisch, Lamott, Saltzman, Gallasch

Nays: None

Absent: Jahnke, Coyer

Motion carried.

III. Adoption of Agenda

Motion by Lamott, supported by Saltzman, to adopt the agenda as submitted.

Coyer arrived at 8:05 p.m.

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

Nays: None

Absent: Jahnke

Motion carried.

IV. Minutes

A. May 12, 2008 Regular Village Council Meeting

Motion by Lamott, supported by Saltzman, to approve the May 12, 2008 Regular Village Council Meeting minutes as changed below.

Harnisch referred to number IV, A, April 14, 2008 Regular Village Council Meeting, second paragraph, second sentence and suggested the following replacement:

Trustee Harnisch suggested that the minutes of April were too long and should rather be a concise record of business transactions for historic reference. This suggestion had support.

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

B. May 19, 2008 Budget Public Hearing

Motion by Lamott, supported by Harnisch, to approve the May 19, 2008 Regular Village Council Meeting minutes as revised below.

Harnisch referred to number III; Administrator's Budget Presentation, last paragraph, first sentence and suggested the following replacement:

Stoppels explained the village taxes for a typical home in the Village, as for example a \$500,000 home, which would have a taxable value of around \$250,000, would have village taxes of about \$1,533.73, which is a similar amount to what a homeowner would pay for electric service for a year.

Gallasch pointed out a typographical error.

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

V. Reports of Village Officers and Agents

Police Chief Patrick Browne referred Council to his written report and spoke about an incident of an attempted breaking and entering of a garage on Franklin Park Drive. He stated that he had spoken to a representative at DTE regarding the power outages in Franklin. Browne announced that the PGA championship golf tournament will be taking place at the Oakland Hills Country Club beginning August 4, 2008 through August 10, 2008 and he will provide the traffic control procedures to Council at the July meeting.

Fire Chief Tony Averbuch referred Council to his written report and explained that he too lost contact with DTE and his fire department has been dealing the downed wires in Franklin with dispatch until they could be reported. He added that he has been focusing on keeping the budget numbers down while continuing to maintain the provisions of the contract for fire service without spending too much money, however the cost for fuel and utilities are challenging.

Coyer recommended that Stoppels continue to investigate whether the fire department can use the Village's tax exemption for fuel purchases.

Gallasch announced that Treasurer Morrow was not present at the meeting and referred Council to his written report.

VI. Submission of Current Bills

TOTALS:	
General Administration	\$27,428.08
Building	5,634.43

Insurance	52,590.31
Legal	4,610.82
Police	11,773.89
Pressure Sewer	575.07
General Debt Service	0.00
Major Roads	4,381.77
Local Roads	4,498.33
Rubbish	20,673.73
Trust & Agency	2,100.00
Village Hall & Grounds	0.00
Tax Fund	0.00
Waste Water	2,066.14
ALL FUNDS	\$136,332.57

Motion by Coyer, supported by Schiano, to approve the bills list.

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

Nays: None

Absent: Jahnke

Motion carried.

VII. Public Requests and Comments

Beverly Neumann, 25850 Romany Way, explained that the parking situation was altered on her property when Romany Way was redone about 5 – 6 years ago where the road was torn up and extra road was dumped on the shoulder where her guests used to park their cars, and it is now raised which makes it uncomfortable to park there. She read a letter dated June 6, 2008 from her current contractor, Pete Peterson of Signature Carpentry in support of her statement. Neumann added that she had asked the Village years ago if they could re-contour the land to make it flat again and was denied. She asked again for Council to either cover the cost of having her builder do the work or asked if the Village could send their own crew out to re-contour the land to its original state.

Stoppels reported that there are no records indicating that the Village ever went on her property and changed anything. He added that the Village does not have the authority to go on or do work on private property. Stoppels explained that what Neumann was requesting was not a simple task as it would require a retaining wall and would be quite expensive. He opined that since it is not a task that the Village is responsible for it could create a liability or precedent that others would want the Village to follow.

Neumann asked for someone to come quickly and re-contour her property as she does not think it's fair that she absorb the cost of doing it herself.

Schiano explained that Stoppels will investigate further and get back to her with an answer however, unless there is something very specific there, it is doubtful that the Village will work on private property.

David Goldberg, 32850 Romsey Road, asked what the responsibilities of the Village are when there are fallen trees and branches due to a storm.

Stoppels answered that any tree that falls into the roadway gets cleared away by the Village forces as an emergency. He added that if it is a village owned tree, then the Village cleans up all

of the material and hauls it away. If the tree is owned by the private property owner then the Village provides notice to the owner that they need to clean it up.

VIII. New Business

A. Consider Birmingham Area Cable Board Proposed FY 2008-2009 Budget

#2008-30 Motion by Coyer, supported by Lamott, to resolve that the Village of Franklin approve the budget to the extent that they are required to do so.

David Goldberg, 32850 Romsey Road, and Liaison Representative for the Cable Board, reported they there was an amendment of the budget and the new budget is more reflective of the amended budget with the exception of a \$600,000 overrun due to the purchase of a long overdue production truck for the use of taping events such as the annual parade in the Village.

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

Nays: None

Absent: Jahnke

Motion carried.

Coyer asked if the Cable Board was aware that Comcast is charging for cable service that it is not under contract with customers to use. He added that there are high speed internet users who are paying an imbedded cable charge because Comcast is claiming that they cannot unbundle their services.

Goldberg answered that he was not aware of such an issue and he will discuss it at the next Cable Board meeting. He added that the best way to get a suggestion or concern heard is to file a complaint on their website at www.birminghamareacableboard.com.

B. Consider Recommendation of Personnel Committee for FY2008-2009 Non Union Employee Wages, Benefits and Summer Work Schedules

Stoppels referred to his memo from the Personnel Committee based on their meeting and spoke about the two recommendations. The first being that Staff is recommending and the Personnel Committee concurs that the non-union personnel should receive a 3% increase in wages for fiscal year 2008 - 2009. The second recommendation from Staff and the Personnel Committee was that the Village would implement a four, ten hour days (in lieu of five, 8 hour days) work week for the summer months for certain Village Hall and Police Administrative staff members.

#2008-31 Motion by Lamott, supported by Coyer, to approve the Personnel Committee proposal for non-union salaries for 2008 – 2009, at a 3% increase in present salaries effective July 1, 2008.

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

Nays: None

Absent: Jahnke

Motion carried.

#2008-32 Motion by Lamott, supported by Saltzman, to approve the summer work schedule as described in Stoppels' June 4, 2008 letter which will accommodate a 10 hour day, 4 days a week for full time employees including Chief Browne, Det Lt. Castro, Stoppels, Pulker, London and Wicke.

In the interest of saving money on fuel and utilities, Lamott suggested that Stoppels obtain someone to perform an energy efficient assessment study on the Village Hall building that would also be used for a long range plan on how to keep the building historic while improving efficiency.

Coyer suggested that staff document savings or unintended consequences and effects of this temporary schedule.

Harnisch encouraged a report or an analysis of cost savings, productivity and comments from the public available for the Council's review in September.

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

Nays: None

Absent: Jahnke

Motion carried.

C. Consider Revisions to Agreement with Oakland County for Pay Local Taxes.com.

Pulker referred to her memo dated June 6, 2008 and explained that due to the additional cost per month and lack of usage by the Village residents, the Legal Committee and staff agreed that the "Pay Local Taxes" system is not a cost feasible program for the Village to provide in as much as the cost would now be \$90.00 per month for the entire year. Pulker added that the current account will remain to allow residents to pay their Village tax bills on line as stated on their tax bills.

#2008-33 Motion by Harnisch, supported by Coyer, to not enter into the new agreement, to take effect in December 2008, with Oakland County for the "Pay Local Taxes.com" service previously provided for Village residents.

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

Nays: None

Absent: Jahnke

Motion carried.

D. Consider Proposed Budget Amendments FY2007-2008

Stoppels commented that the budget amendments are presented for two reasons. One, because the audit annually suggests that it is done as a housekeeping item at the end of the year. He added that the second reason is that there were a number of unforeseen expenditures for this current fiscal year. Stoppels suggested that if Council is not completely satisfied with the comments that are provided, that they possibly adopt the budget amendments with the condition that a staff report be submitted to the Finance Committee for their review before July 1, 2008.

#2008-34 Motion by Schiano, supported by Harnisch, to approve the amendments subject to a more detailed provision of information be provided to the Finance Committee and Council by June 18, 2008 that would allow enough time for revisions, if necessary, prior to the close of fiscal year, as follows:

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget

amendments be made to the 2007/2008 General Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenue)

- 000452 – cable tv royalties: Increase revenue account to a new total of \$85,000 (original \$65,000)
- 000659 – Drug Forfeiture funds: Decrease revenue account to a new total of \$1,000 (original \$9,000)
- 000680 – Miscellaneous: Increase revenue account to a new total of \$11,000 (original \$500).
- 000684 – FOIA Requests: Increase revenue account to a new total of \$1,000 (original \$250).
- 000688 – Grass cut reimbursements: Increase revenue account to a new total of \$1,500 (original \$0).
- 000689 – Mounted Unit Donation: Increase revenue account to a new total of \$1,500 (original \$500).
- 000999 – Appropriation of prior year funds: Increase revenue account to a new total of \$130,993 (original \$129,720).

Accounts (Expenditures)

Village Council

- 101720 – payments to cable cast board: Increase expense account to a new total of \$52,000 (original \$34,000).
- 101824 – Historic Commission: Decrease expense account to a new total of \$1,000 (original \$10,000).

Legal

- 211826 – Legal and related services: Increase expense account to a new total of \$50,000 (original \$40,000).

Administrator

- 102704 – Administrative salaries: Increase expense account to a new total of \$160,539 (original \$144,539)
- 102705 – Group Insurance: Decrease expense account to a new total of \$39,000 (original \$41,000).
- 102706 – life & disability insurance: Decrease expense account to new total of \$1,500 (original \$3,000)
- 102709 – payroll taxes: Increase expense account to a new total of \$12,875 (original \$11,675).
- 102710 – Contracted Services: Decrease expense account to a new total of \$38,550 (original \$47,250).

Village Clerk

- 215705 – group insurance: Decrease expense account to a new total of \$18,225 (original \$20,225)
- 215710 – contract services: Decrease expense account to a new total of \$4,000 (original \$7,000).

Police

- 305705 – group insurance: Increase expense account to a new total of \$151,000 (original \$140,000)
- 305706 – Police Life and Disability: Decrease expense account to a new total of \$7,144 (original \$10,644).
- 305708 – Retirement contributions: Increase expense account to a new total of \$116,065 (original \$104,065)

305863 – Police Car Operation: Increase expense account to a new total of \$38,000 (original \$34,000).

305920 – utilities: Decrease expense account to a new total of \$11,000 (original \$14,000).

Broughton House Operations

405710 – Contract Services: Increase expense account to a new total of \$23,000 (original \$20,500).

875000 – Broughton House Improvements: Increase expense account to a new total of \$6,000 (original \$5,000).

Other functions

006999 – uncategorized expense (bank fees): Increase expense account to a new total of \$5,500 (original \$2,500).

865910 – liability insurance and bonds: Decrease expense account to a new total of \$33,000 (original \$36,500).

875830 – CDBG expense: Decrease expense account to a new total of \$6,000 (original \$9,000).

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 Building Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2007/2008 Building Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenue)

000476 – Building: Decrease revenue account to a new total of \$70,000 (original \$100,000).

000479 – Electrical: Decrease revenue account to a new total of \$20,000 (original \$30,000).

000482 – Mechanical: Decrease revenue account to a new total of \$10,000 (original \$15,000).

000484 – Plumbing: Decrease revenue account to a new total of \$5,000 (original \$10,000).

000487 – Tree Removal: Decrease revenue account to a new total of \$3,000 (original \$5,000).

Accounts (Expenditures)

000811 – Building Plan Reviews: Decrease expense account to a new total of \$6,000 (original \$14,200).

000812 – Building Inspections: Decrease expense account to a new total of \$90,000 (original \$102,979)

000813 – Building Administration: Increase expense account to a new total of \$15,000 (original \$10,190).

000820 – Electrical inspector fee: Decrease expense account to a new total of \$14,000 (original \$17,500).

000850 – Plumbing Inspector fee: Decrease expense account to a new total of \$6,000 (original \$9,000).

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 Major Road Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2007/2008 Major Road Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenues)

- 000546 – motor vehicle highway fund – Act 51: Decrease revenue account to a new total of \$131,000 (original \$155,000).
000682 – road oiling reimbursement: Decrease revenue account to new total of \$0 (original \$2,500).
000999 – appropriation of prior year funds: Increase expense account to a new total of \$56,000 (original \$19,500).

Accounts (Expenses)

- 965965 – contribution to local street fund: increase expense account to a new total of \$31,000 (original \$21,000).

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 Local Road Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2007/2008 Local Road Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenues)

- 000546 – highway & streets, Act 51 MVHF: Decrease revenue account to a new total of \$87,000 (original \$100,000).
000582 – transfer from major street fund: Increase revenue account to a new total of \$31,000 (original \$21,000).
000999 – appropriation of prior year funds: Decrease revenue account to a new total of \$8,500 (original \$14,000).

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 Garbage & Rubbish Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2007/2008 Garbage & Rubbish Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenues)

- 000999 – appropriation of prior year fund balance: Increase revenue account to a new total of \$5,500 (original \$0)

Accounts (Expenses)

- 528818 – contracted services: Increase expense account to a new total of \$197,000 (original \$\$191,000).

WHEREAS: the Village must assure that expenditure in each account do not exceed those budgeted. A review of the Village 2007-2008 Waste Water Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2007/2008 Waste Water Fund budget with funds coming from the appropriation of other funds.

Accounts (Revenues)

- 000999 – appropriation of prior year fund balance: Increase revenue to a new total of \$1,500 (original \$0).

Accounts (Expenses)

371816 – storm water discharge permit: Increase expense account to a new total of \$2,500 (original \$1,000).

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

Nays: None

Absent: Jahnke

Motion carried.

IX. Proclamations/Resolutions/Ordinances

A. Consider Ordinance to Amend Section 1474 Signs and Outdoor Display Structures (first reading)

#2008-35 Motion by Coyer, supported by Lamott, to approve the adoption of the ordinance to amend section 1474 Signs and Outdoor Display Structures in its first reading.

Lamott referred to a letter from Planner Chris Doozan dated June 4, 2008 and agreed that the three changes in his letter need to be made in the proposed ordinance.

In reference to item number 2 on Doozan's letter dated June 4, 2008, Staran clarified that the Sign Board of Appeals does need to exist. He added that the Zoning Board of Appeals could be designated as the Sign Board of Appeals so that they would not need separate meetings. It would just be a line item on their agenda. Staran stated that he will contact Doozan to combine their efforts to get the verbiage in the proposed ordinance for its second reading in July.

Lamott asked that the revised proposed ordinance be submitted to the Historic District and Planning Commissions prior to the July Council meeting.

Gallasch referred to the proposed sign ordinance number 1474.04.04(a) Termination of Nonconforming Signs and suggested that once this ordinance is in effect there would need to be a notice that would go out to all of the merchants, especially the ones with existing non-conforming signs, to alert them that they have up to 2 years to comply with the ordinance or their sign will be expected to be removed.

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

Nays: None

Absent: Jahnke

Motion carried.

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 Ordinances (first reading)

Staran advised Council to waive the second reading of this proposed ordinance and adopt it in its first reading due to time constraints as it is expected to go into effect July 1, 2008.

#2008-36 Motion by Schiano, supported by Coyer to approve the ordinance amendment for 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 in its first reading, waiving the second reading.

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

Nays: None

Absent: Jahnke

Motion carried.

X. Special Reports

A. President's Report, Fred Gallasch, Village President

Gallasch called attention to the fact that the Franklin Garden Club had cleaned up the garden at the Village office and it looked very nice. He then announced that the Garden Club is having their annual Garden Walk in the Village on Wednesday, June 11, 2008.

Gallasch applauded Judy Meade and Lamott for arranging the annual Memorial Day service which was quite moving and well done. He recommended that everyone try to attend it in years to come.

Gallasch announced and thanked Huda School for conducting a program where the children learn about greening up and to be environmentally sensitive. In doing so, there was a contest for the children to raise money for the Green Initiatives. The children raised \$401.67 and donated it all to the Village of Franklin for the Franklin Beautification Committee. He added that there will be a photo of the children in an upcoming edition of the Eagle Newspaper.

B. Council Reports

Lamott referred to articles from the Detroit Free Press regarding pathways and trails in the Detroit area and passed copies of them out to the Council. He opined that he would like to see pathways installed on 13 Mile, 14 Mile and Franklin Roads.

When asked about the lawn cutting issues in Franklin, Stoppels explained that there were many vacant homes that had not been maintaining their property. Stoppels continued stating that the Village has a list and has been directing Greenscapes to cut each of them when the growth reaches and/or exceeds 8 inches in height, at the expense of the individual property owners.

Coyer commended on an article on Environmentally Friendly Lawn Care in the Quorum and shared an animal rescue story that occurred in his back yard involving Grey Horned Owls. He pointed out that during this experience he and his family learned how lawn care pesticides and herbicides do have a profound negative impact on the wildlife in the Village.

C. Administrator's Report

1. Riparian Homeowners meeting, June 26, 2008 at 7:00 p.m.

Stoppels announced that there is a workshop taking place for Riparian homeowners at the Franklin Community Church on Thursday, June 26, 2008 at 7:00 p.m. for anyone who is interested.

Stoppels referred to the Hazardous Waste Day that took place Saturday, June 7, 2008 and reported that this year they had double the participation which may cause an increase in cost.

Stoppels reported that Huda School has taken care of many exterior maintenance issues that had been addressed with them such as:

- ~ Large piles of debris, broken concrete, gravel and sand have been picked up in the back lot.
- ~ The trash all over the grounds has been picked up.
- ~ The area behind the new curb has been filled in and seeded.
- ~ Dead trees and limbs have been removed from the property.
- ~ The loose wires from the side of the building have been removed.
- ~ There has been better maintenance on the grounds.
- ~ The new grass is growing well and is being cut and maintained on a regular basis.
- ~ There is better trash management on the property.

He added that there are still a few items of concern remaining on their list, however, they have been cooperative, have been better neighbors and there is a genuine interest to continue to improve.

XI. Adjournment

Motion by Lamott, supported by Harnisch, to adjourn the meeting at 9:40 p.m.

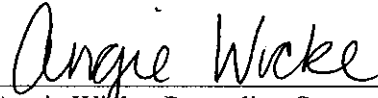
Ayes: Coyer, Schiano, Harnisch, Lamott, Saltzman, Gallasch

Nays: None

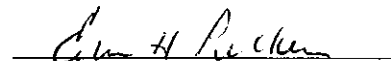
Absent: Jahnke

Motion carried.

Respectfully Submitted, .



Angie Wicke, Recording Secretary


Eileen H. Pulker, Clerk

H. Frederick Gallasch, President