

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JUNE 14, 2010, 8:00 PM
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 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Brian Gettel, Bill Lamott, Steve Rosenthal, Mike Seltzer, Jim Kochensparger (arrived at 8:04 p.m.), Mark Jahnke (arrived at 8:57 p.m.)

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

III. ADOPTION OF AGENDA

Motion by Gettel supported by Lamott to approve the Agenda as amended.

Lamott requested that New Business item IX-C be moved to earlier on the Agenda to accommodate those in the audience who wish to speak on this topic.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried.

IV. MINUTES

A. May 10, 2010 Regular Village Council Meeting

Motion by Lamott supported by Rosenthal to approve the minutes of the May 10, 2010, Regular Village Council Meeting as submitted.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried.

B. May 17, 2010 Public Hearing, Budget FY 2010-2011

Motion by Gettel supported by Lamott to approve the minutes of the May 17, 2010 Public Hearing, Budget FY 2010-2011 as submitted.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried.

IX. NEW BUSINESS

C. Consider MDOT Telegraph Road Sidewalk Proposal.

Stoppels provided an overview of this proposal including issues Council will need to consider (boundary, jurisdiction, maintenance) and noted that Legal Committee's recommendation is to pursue this opportunity pursuant to clarification of the Village's border and Council's determination as to how

maintenance will be funded with an agreement structured accordingly. Discussion ensued regarding timing, Charter, boundaries, location, community support, maintenance costs and who is responsible, and process.

#2010-53 Motion by Kochensparger supported by Gettel to authorize the Village Attorney and Village Administrator to move forward with this proposal, negotiate with Bingham Farms if necessary, allow MDOT to install the sidewalk at no cost to the Village, and gather information to determine costs and timeframes for possible completion of the project.

Tom Couvreur, 24555 Tudor Lane; President Dorchester Hills Neighborhood Association, referred to his submitted correspondence dated June 7, 2010 to President Gallasch and noted that the proposal ties in with Master Plan goals, is an opportunity to install a much needed sidewalk at little to no cost to the Village, is a much needed connector to the downtown for the Dorchester Hills/Franklin Farms area, and maintenance costs should be accepted by the Village. Gallasch inquired if the Association was willing to assist with long-term maintenance costs with Couvreur responding that this has not been formally considered, funding should come from the Village as this directly relates to a Master Plan goal, and opined that if necessary they would consider whatever is necessary to get this much needed improvement done.

Tiffany Allred, North Cromwell, noted she is in support of this proposal due to safety concerns for family members and the connection to the downtown this improvement would bring to her subdivision and suggested that adding something off the back of the subdivision would also be of benefit.

Discussion ensued as to whether a motion and vote is necessary with Kochensparger noting that he made the motion to show support to the Homeowner's Association. Discussion continued regarding clarification of the motion, funding of maintenance costs, timing/deadlines, with Stoppels advising that the intent is to gather the necessary information and present a proposed agreement to Council at the July meeting, with Moenck advising as to data compiled for the Safety Path initiative regarding maintenance costs. Kochensparger amended his motion to moving forward with the project providing there is no cost to the Village.

Richard Surdacki, 24480 S. Cromwell, noted that the discussion will not change the actual boundary lines of the Village, time is of the essence for this proposal, the issue to be considered is who assumes maintenance responsibilities and costs which he opined should be the Village just as it bears the responsibility for the sidewalk in the downtown currently, and further noted that it is high time the Village considers the periphery instead of just the downtown area. Gallasch noted the boundaries need to be clarified to determine who has jurisdiction and control over the site so an agreement can be structured accordingly. Discussion ensued regarding timing. Kochensparger revised his motion to be to move forward with this proposal, negotiate with Bingham Farms if necessary, allow MDOT to install the sidewalk at no cost to the Village, and with the Village assuming maintenance costs.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried.

Tom Couvreur, President, Dorchester Hills Neighborhood Association, read a proclamation thanking Walter Banacki for his years of service to the Association and the Village, noted they are forever grateful for his many contributions, and presented him with a plaque.

Walter Banacki, 32844 Chatham Lane, thanked everyone especially those living in Dorchester, noted he is proud to be a part of Franklin, Stoppels and Gallasch have provided much needed guidance and assistance over the years, and there is still a lot of work to be done.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Patrick Browne, Police Chief, referred to his submitted report, reviewed recent activity in the Village, noted that residents should contact the Department regarding any suspicious activity, advised that training on the new radio system with the County should be completed by next week with installation of radios and siren/public announcement systems occurring shortly thereafter, noted the Village should realize a cost-savings with the potential elimination of the repeater tower, advised that the transition to the new system relative to the non-emergency phone line that residents use has occurred which should result in savings to the Village, advised that the Village has a no-obligation opportunity (Wednesday deadline for submission) to apply for a grant to cover entry-level wages and benefits (3 years – Village responsible for 4th year in full) for the hiring or retention of one officer under the Cops Hiring Recovery Program (“CHRP”) which the Village unsuccessfully applied for last year, and noted that Officer Van Lacken is back to full-duty status. Discussion ensued regarding process for CHRP application.

#2010-54 Motion by Gettel supported by Kochensparger to authorize Chief Browne to submit an application for grant funding of one officer under CHRP with the understanding there is no obligation to accept the grant if awarded and with Browne to report back to Council upon receiving the results of the application for Council’s approval if awarded.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried.

Tony Averbuch, Fire Chief, referred to his submitted report.

Thomas Morrow, Treasurer, referred to his submitted report which included a revised list of account balances and noted that interest rates ranged from 0.25% to 0.35% depending on balance which is an improvement.

Ray Majacz, Great Lakes Landscaping, Public Services Coordinator, Gallasch advised that Majacz was unable to be present.

Matthais Meyer, Vice-Chair-Main Street, inquired as to communications between Main Street and Council with Gallasch advising monthly updates to Council is his suggestion and the discussion of communications with Main Street Franklin is scheduled under Agenda Item IX-E.

Pat Burke, 32965 Franklin Ct., provided an update as to the Main Street Director vacancy and search, noting that a job description and timeline have been developed, deadline for applications is tomorrow, some great resumes have been received, and interviews will begin soon.

VI. SUBMISSION OF CURRENT BILLS

Motion by Gettel supported by Seltzer to approve the Bills List as submitted.

TOTALS	
General Administration	\$ 25,903.64
Building	\$ 2,471.25
Insurance	\$ 36,260.31
Legal	\$ 2,052.75
Police	\$ 11,363.00
Pressure Sewer	\$ -
General Debt Service	\$ -
Major Roads	\$ 4,329.18
Local Road	\$ 4,008.00
Rubbish	\$ 17,102.94
Trust & Agency	\$ 400.00
Tax Fund	\$ 29,991.00

Waste Water	\$ 1,453.00
ALL FUNDS	\$ 135,335.07

Discussion ensued regarding General Fund – Bloomfield Ace Hardware with Kochensparger noting that it is a little higher than last month and requesting additional information be provided with the Bill's List in the future, and Stoppels noting that this is the amount of the bill but he will review the bill to determine if some of the costs should be reassigned elsewhere in the budget.

Ayes: Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Absent: Jahnke

Motion carried

VII. PUBLIC REQUESTS AND COMMENTS PRESIDENT'S REPORT

- **Marcia Gershenson, Oakland County Commissioner, District 17**, congratulated Seltzer on his appointment, commended those who assisted with or participated in the Kreger Project events, Gettel for his work with the Encore Resale Shop benefiting Southfield Christian School, Dorchester residents for their involvement in pursuing the MDOT sidewalk proposal, and Stoppels for his efforts in managing the initial time panic with the MDOT proposal, and advised she is continuing to negotiate the water resource bill as requested by Jahnke and is hopeful for a reasonable settlement. Kochensparger inquired if she could contact someone at the County and request clean up of debris at 14 Mile and Franklin Road where the river crosses with Gershenson responding RCOC has come out before and she will contact them again and with Stoppels advising that they have been contacted and this has been placed on their work-order list.
- **Mary Hepler, 30575 Rosemond Drive**, expressed her concern regarding the lack of progress on the Village's Employment Contract for the Village Administrator position and what she considers to be inappropriate and disrespectful treatment of a Village employee, noted the potential risks (loss of employee dedication/commitment, employee distraction, increased job stress, potential for constructive discharge claim) by failing to act in a timely manner, and requested Council address this appropriately this evening.
- **Pam Hansen, 32820 Wing Lake**, echoed Hepler's comments, noted she expressed similar concerns in correspondence to Council dated May 18, 2010, and opined 5 months seems a bit excessive, it is disingenuous to let this drag out, the Village is looking bad, appears to be in turmoil, and is getting bad press, and recommended Council discuss terms and conditions of contracts openly with performance related matters done at a closed session.
- **Connie Ettinger, 25600 River Drive**, agreed with Hepler's and Hansen's comments, noted that courts are much more open to the notion of constructive discharge claims, and urged Council to move forward with all deliberate speed to finalize this matter.

VIII. SPECIAL REPORTS

A. President's Report

Gallasch noted that he has received and will give to Pulker the Cable Board Budget, suggested that the Village's budget estimations for Franchise and Peg Fees be reviewed to ensure they align with the Cable Board's budget, and applauded Village resident, Winslow Sheffield, for receiving a Comcast scholarship.

B. Council Reports

1. Kreger House Report, Bill Lamott - Trustee

Lamott advised the Kreger Project events were successful and estimated funds raised to be approximately \$1,700.00 and noted that fundraising efforts will continue.

2. Legal Committee Report

Gettel advised the Committee has had discussions relative to the MDOT proposal and Snow House temporary use process. Kochensparger added that the sewer line relocation on Telegraph Road issue was also discussed and at administration's request, HRC will be reviewing/overseeing the matter, with the County to cover any associated costs. Stoppels noted this may be the State (MDOT) not the County. Gettel advised that the Committee is anticipating a site plan submission from Huda School at some point and reminded that the Committee had recommended Council direct Legal or other Trustees to informally meet with Helman Woods to investigate options regarding protecting the Village's periphery. Discussion ensued regarding process with the consensus of Council being to assign this to the Legal Committee. Gettel noted the Committee has discussed the need for an ordinance to deal with medical marijuana with Staran noting that this is a statewide issue and he will be providing information relative to this matter prior to the July meeting for Council to consider either as a discussion or action item. Kochensparger noted that the Committee is looking into creating a Municipal Civil Infractions Bureau with Staran providing a brief overview.

3. Finance Committee Report

Jahnke noted that the Committee's discussions primarily focused on proposed budget amendments which fall under Agenda Item IX-H.

4. Personnel Committee Report

Rosenthal advised that the Committee met and had discussions relative to the Administrator contract, prepared and submitted an outline, and is proposing Staran be directed to draft a new formal contract based on the outline, a special meeting, closed session, be scheduled within 2 weeks to enable the full Council to discuss terms and ensure a fair/reasonable contract by working together as a team.

#2010-55 Motion by Rosenthal supported by Jahnke to direct the Village Attorney to draft an employment agreement for the Village Administrator based upon the outline prepared by the Personnel Committee and to schedule a special meeting to be held June 22, 2010 at 7:00 p.m. for the full Council to review the draft in a closed session to ensure that it is an agreement Council desires to proceed with and to formally consider the proposed agreement in an open session to immediately follow the closed session.

Discussion ensued regarding whether contract terms should be considered at an open or closed session, with Lamott and Gallasch advocating for non-performance related matters to be considered at an open session. Staran clarified the motion and noted that Council could review the draft agreement at a closed session to ensure it meets their expectations and is a draft they want to proceed with but all deliberations and decisions relative to the merits of the proposed contract must occur at an open meeting. Jahnke and Rosenthal advocated for the consideration of the draft agreement initially at a closed session which would enable all the Trustees to have input regarding proposed terms not just the Personnel Committee and then moving to an open meeting for actual discussion and decision on a draft that encompasses that input. Discussion continued regarding pros and cons of considering at only an open session v. closed followed by open session, the benefit of agreeing on terms before funds are expended to draft an agreement, historical perspective, motion, and scheduling of meeting.

Amie Saltzman, opined that an open meeting in which the salient points are presented should be held first which would allow the public a timely opportunity to provide input.

Mary Hepler, opined that a work-session in which the Personnel Committee makes its recommendations to Council is the right way to proceed; however, she sees no benefit to that session being closed. She further noted a benefit of holding this discussion at an open meeting is that it would provide the transparency that Trustees committed to when campaigning.

Discussion ensued regarding the merits of considering the draft at a closed session, proposed considerations at closed meeting, scheduling of date, need for a Trustee to act as the clerk at the closed session if Pulker cannot be present, with Seltzer volunteering to assume those duties if necessary,

notification requirements, and the need for a roll-call vote to be held now or prior to moving into closed session on the scheduled date with the consensus of Council being to schedule the meeting for June 22, 2010 at 7:00 p.m. to be taped.

Roll Call Vote:

Gallasch: Nay
Gettel: Aye
Jahnke: Aye
Kochensparger: Aye
Lamott: Nay
Rosenthal: Aye
Seltzer: Aye

Motion carried.

5. DPW – Road Administrator Committee Report

Stoppels advised that he has completed his Pavement Management Study, provided a brief overview, and noted he is meeting with HRC tomorrow

Kochensparger noted he is unhappy with progress on DPW related tasks and listed tasks that DPW should be addressing.

#2010-56 Motion by Kochensparger supported by Jahnke to direct the DPW Administrator to complete the following tasks: all potholes filled, road edges backed up with gravel or soil to minimize damage to the road edges, trim branches in ROWs to provide safe visibility of all signs, clear views at intersections, and safe passage of vehicles, proactively remove weed trees in ROWs, Village grounds kept up in acceptable manner (manicured to a standard free of weeds), outstanding storm damage cleaned up in ROWs and dead standing trees removed, and Welcome to Franklin sign at 14 Mile and Inkster cleaned up and maintained.

Discussion ensued regarding role of DPW Road Administrator Committee, process for addressing concerns, overstepping of authority, and impact on budget with Kochensparger advising there should be no impact as the tasks fall under the scope of the all-inclusive contract.

Pat Burke, 32965 Franklin Ct., expressed her concerns relative to clear cutting that occurred along 14 Mile Road (Oakland County) and inquired if aesthetics will be considered in any tree trimming proposed.

Discussion ensued regarding setting DPW priorities and Committee's role.

Ayes: Gettel, Jahnke, Kochensparger, Rosenthal, Seltzer

Nays: Gallasch, Lamott

Motion carried.

IX. NEW BUSINESS

A. Consider Planning Commission Recommendation for Special Land Use Application for Kreger Farm Buildings.

Gallasch introduced this item and Lamott provided a brief overview noting that approval would authorize community use of the property. Discussion ensued regarding parking surface, Ordinance requirements, Commission's perspective, barrier free parking, Public Hearing, shared parking agreement(s), parking study, McKenna correspondence, and permitting process, with Hansen noting that the consensus of the Planning Commission was to pursue porous surfaces for parking (with possible Ordinance revisions) and shared parking agreement is sufficient to handle most parking needs.

#2010-57 Motion by Lamott supported by Jahnke to approve the Special Land Use Application for Kreger Farm Buildings, conditioned upon the approval of green surface and barrier free parking requirements.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

B. Consider Appointment of Committee to Oversee Kreger Farm Buildings Use and Upkeep.

Gallasch introduced this item and asked Staran whether the President or Council has the authority to appoint members with Staran advising that power of appointment falls to Council. Lamott noted the Kreger Team has recommended appointees as outlined in the email submitted in the packet.

#2010-58 Motion by Lamott supported by Kochensparger to appoint Lew Eads, Leslie Frick, Madeline Haddad, Diane Lake, Ann Lamott, John Pulker, and Gary Roberts to the Franklin Community Center Advisory Committee.

Discussion ensued regarding terms, guidelines, and role of advisory committee.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

D. Consider Proposed Lease for Police Chief Vehicle.

Gallasch introduced this item with Browne noting that it is his recommendation to accept the low bid on the 2010 Jeep Liberty Lease (4 wheel drive vehicle) from Snethkamp Chrysler Dodge Jeep Ram, Inc. as outlined in his memo to Council dated June 10, 2010.

#2010-59 Motion by Gettel supported by Lamott to support Chief Browne's recommendation for the 2010 Jeep Liberty Lease.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

E. Consider Main Street Franklin and Village Council Interaction.

Gallasch introduced this item and noted that the intent is to come up with a relationship plan to clarify rules of procedure, communication, and budget and requested input. Discussion ensued with it being noted that with Kochensparger and Gallasch sitting on the Board and Council they are in the best position to draft a memorandum of understanding ("MOU") for consideration by both entities. Discussion continued regarding need for measurable objectives and reports back to Council.

Matthais Meyer, Vice-Chair, Main Street, 32334 Franklin Road, noted that Donahue advised that Village funds transferred to Main Street should only be utilized for the employee. Discussion ensued regarding relationship plan with Gallasch offering to draft a MOU.

Pat Burke, 32965 Franklin Ct., noted the Bylaws of Main Street Franklin specifically state that the Director (contract employee) reports to the Chairman of the Board.

F. Consider Village Banner Policy for Placement over Franklin Road.

Gallasch introduced this item and provided a brief historical perspective. Stoppels noted the concerns of the Fire Department and reviewed Legal Liaison Committee's recommendation. Averbuch reviewed the Department's concerns, requested the Village provide oversight and specifications to protect the Department from liability, and noted if those concerns are met the Department is still willing to hang banners. Discussion ensued regarding liability, wind issues, number of banners, banner specifications, FCA banner as being a good model for specifications, equipment supporting banners, need for safety precautions, benefits of obtaining input from sign company via proposal/quote for the supporting equipment, need to minimize Village involvement, benefit of using outside properly insured/licensed contractor to hang banners, banners technically temporary signs, and potential to obtain procedures and specifications from other communities utilizing banners. Jahnke suggested this be referred back to Administration and HRC. Discussion ensued with Staran advising that liability concerns would best be

addressed by establishing safety precautions/specifications/procedures to prevent accidents and hold harmless/indemnification agreements in the event an accident does occur. Gallasch summarized the discussion as directing Stoppels and HRC to review and draft a proposal, contact utility company, and contact property owner.

G. Consider Event Permit Modifications for Concours d'Elegance Boat & Car Show: liquor & gaming license, banner.

Matthais Meyer, Vice-Chair Main Street, noted the first annual Concours d'Elegance Boat & Car Show is scheduled for August 7th, invited residents to attend and/or display their vehicles, and briefly reviewed the request. Discussion ensued regarding the additions to the original permit granted, with Staran advising Council is considering the adoption of a form resolution that recognizes Main Street as a non-profit organization operating within the community for the State's consideration of a gaming license.

#2010-60 Motion by Lamott supported by Rosenthal to pass the local government body resolution recognizing Main Street as a non-profit organization operating within the Village of Franklin, as follows:

That the Local Governing Body Resolution for Charitable and Gaming Licenses submitted by the Main Street Franklin, Village of Franklin, Oakland County, Michigan, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

Discussion ensued regarding serving of liquor with Moenck opining the serving of liquor on the Village Green would set a bad precedent, Meyer advising that the Main Street Franklin Board is recommending liquor be served at this event and is reviewing outside agencies to handle service and parking concerns, and would report back to Council with their findings for further considerations.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

H. Consider Proposed Budget Amendments FY 2009-2010.

Stoppels referred to the submitted material and Jahnke noted this is an annual amendment necessary to align the budget more closely with the anticipated real numbers. Discussion ensued regarding grass cutting reimbursements, Planning Commission, Forfeiture funds, and transfer to building fund with Jahnke noting this amount may not be sufficient.

#2010-61 Motion by Jahnke supported by to Gettel to adopt the Resolution to Amend FY 2009-2010 Amended Budget as follows:

**RESOLUTION TO AMEND FISCAL YEAR 2009-2010 AMENDED BUDGET
(3rd Quarter Review)**

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 General Fund budget with funds coming from the appropriation of other funds.

Accounts (Income):

000452 – cable tv royalties: increase revenue account to a new total of \$97,000 (originally \$85,000)
000656 – police fines: increase revenue account to a new total of \$13,500 (originally \$12,500).
000665 – interest income: decrease revenue account to a new total of \$1,500 (originally \$7,000).
000673 – sale of fixed assets: increase revenue account to a new total of \$3,800 (originally \$0).
000679 – other reimbursements: decrease revenue account to a new total of \$0 (originally \$2,500).
000680 – miscellaneous: increase revenue account to a new total of \$20,000 (originally \$13,000).

- 000688 – Grass cut reimbursements: decrease revenue account to a new total of \$1,000 (originally \$4,000).
- 000690 – Grant proceeds: decrease revenue account to a new total of \$7,700 (originally \$9,000).
- 000999 – Appropriation of Prior Year Funds: increase revenue account to a new total of \$15,000 (originally \$0).

Accounts (Expense):

- 101720 - payments to cable cast board: increase expense account to a new total of \$62,000 (originally \$55,000).
- 101730 – dues & subscriptions: increase expense account to a new total of \$1,800 (originally \$500).
- 101818 – Planning Commission: increase expense account to a new total of \$12,000 (originally \$11,000).
- 101824 – Historic District Commission: decrease expense account to a new total of \$3,500 (originally \$4,500).
- 101901 – Public Information: increase expense account to a new total of \$4,500 (originally \$3,500).
- 101980 – Misc council expenses: decrease expense account to a new total of \$2,500 (originally \$3,500).
- 211826 – legal & related services: decrease expense account to a new total of \$32,500 (originally \$37,500).
- 102704 – administrative salaries: decrease expense account to a new total of \$138,476 (originally \$153,476).
- 102705 – group insurance: increase expense account to a new total of \$44,500 (originally \$42,500).
- 102728 – Computer software & supplies: increase expense account to a new total of \$1,200 (originally \$0).
- 102863 – administrator vehicle supplies: increase expense account to a new total of \$4,250 (originally \$3,500).
- 215705 – group insurance: increase expense account to a new total of \$18,500 (originally \$16,000).
- 305701 – police overtime: increase expense account to a new total of \$36,000 (originally \$33,000).
- 305702 – longevity pay: decrease expense account to a new total of \$27,500 (originally \$30,400).
- 305703 – holiday pay: decrease expense account to a new total of \$30,000 (originally \$34,300).
- 305704 – clerical salaries: decrease expense account to a new total of \$27,515 (originally \$29, 515).
- 305705 – group insurance: decrease expense account to a new total of \$155,000 (originally \$159,000).
- 305706 – life & disability insurance: decrease expense account to a new total of \$7,100 (originally \$8,100).
- 305708 – retirement contributions: increase expense account to a new total of \$162,252 (originally \$137,452).
- 305709 – payroll taxes: decrease expense account to a new total of \$57,200 (originally \$59, 200).
- 305740 – training and travel expenses: decrease expense account to a new total of \$3,000 (originally \$4,500).
- 305826 – legal & related: increase expense account to a new total of \$13,500 (originally \$10,000).
- 305845 – drug forfeiture: increase expense account to a new total of \$5,200 (originally \$2,500).
- 305863 – police car operation: decrease expense account to a new total of \$32,500 (originally \$40,000).
- 305981 – autos & related equipment: increase expense account to a new total of \$2,000 (originally \$0).
- 854961 – transfer to Building Fund: increase expense account to a new total of \$15,000 (originally \$0).
- 854961 – transfer to waste water fund: increase expense account to a new total of \$9,000 (originally \$6,000).
- 405710 – Broughton House contract services: increase expense account to a new total of \$12,500 (originally \$9,500).
- 405853 – Broughton House communication exp.: decrease expense account to a new total of \$11,000 (originally \$12,000).
- 006999 - uncategorized expense (bank fees): increase expense account to a new total of \$10,000 (originally \$5,000).

875830 – CDBG expense: decrease expense account to a new total of \$5,400 (originally \$7,400).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 Building Department Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 Building Department Fund budget with funds coming from the appropriation of other funds.

Accounts (Income)

- 000475 – engineering income: decrease revenue account to a new total of \$4,000 (originally \$9,000).
- 000476 – Building permits: decrease revenue account to a new total of \$60,000 (originally \$65,000).
- 000478 – Demolition: increase revenue account to a new total of \$900 (originally \$300).
- 000479 – electrical permits: decrease revenue account to a new total of \$12,000 (originally \$20,000).
- 000480 – Fence: increase revenue account to a new total of \$1,000 (originally \$600).
- 000482 – Mechanical permits: decrease revenue account to a new total of \$6,000 (originally \$10,000).
- 000483 – Planning Consultant fee: decrease revenue account to a new total of \$500 (originally \$4,500).
- 000484 – Plumbing permits: decrease revenue account to a new total of \$5,100 (originally \$8,000).
- 000487 – Tree Removal Permits: increase revenue account to a new total of \$8,000 (originally \$4,000).
- 000583 – Transfer from General Fund: increase revenue account to a new total of \$15,000 (originally \$0).
- 000680 – Misc Income/consultant: decrease revenue account to a new total of \$2,700 (originally \$5,000).

Accounts (Expense)

- 000704 – clerical salaries: decrease expense account to a new total of \$2,446 (originally \$9,446).
- 000705 – group insurance: decrease expense account to a new total of \$100 (originally \$1,500).
- 000707 – workers comp insurance: decrease expense account to a new total of \$600 (originally \$1,700).
- 000811 – building plan reviews: decrease expense account to a new total of \$7,750 (originally \$14,750).
- 000812 – building inspections: increase expense account to a new total of \$52,000 (originally \$14,750).
- 000813 – building administration: increase expense account to a new total of \$11,000 (originally \$4,800).
- 000820 – electrical inspector fee: decrease expense account to a new total of \$5,125 (originally \$8,125).
- 000830 – engineering consulting fee: decrease expense account to a new total of \$3,500 (originally \$4,500).
- 000835 – tree consultant fee: increase expense account to a new total of \$8,500 (originally \$4,000).
- 000840 – mechanical inspection fee: decrease expense account to a new total of \$4,000 (originally \$5,000).
- 000850 – plumbing inspection fee: decrease expense account to a new total of \$3,000 (originally \$4,000).
- 000927 – office supplies: increase expense account to a new total of \$2,100 (originally \$500).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 Major Street Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 Major Street Fund budget with funds coming from the appropriation of other funds.

Accounts (Income)

- 000665 – interest income: decrease revenue account to a new total of \$1,000 (originally \$7,500).
- 000682 – road oiling reimbursement: decrease revenue account to a new total of \$1,000 (originally \$2,500).
- 000999 – appropriation of prior year funds: increase revenue account to a new total of \$8,350 (originally \$0).

Accounts (Expense)

- 451818 – road & street construction: decrease expense account to a new total of \$12,300 (originally \$20,000).
- 463818 – general maintenance: increase expense account to a new total of \$36,000 (originally \$30,000).
- 463818 – winter maintenance: increase expense account to a new total of \$42,500 (originally \$20,000).
- 468818 – trees and shrubs: increase expense account to a new total of \$10,500 (originally \$10,000).
- 474775 – traffic services: decrease expense account to a new total of \$5,000 (originally \$10,000).
- 468819 – grass & weed control: decrease expense account to a new total of \$4,800 (originally \$7,500).
- 472818 – dust control: decrease expense account to a new total of \$1,500 (originally \$9,000).
- 478818 – engineering services: increase expense account to a new total of \$7,000 (originally \$2,500).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 Local Street Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 Local Street Fund budget with funds coming from the appropriation of other funds.

Accounts (Income)

- 000548 – metro authority: increase revenue account to a new total of \$10,300 (originally \$7,500).
- 000665 – interest income: decrease revenue account to a new total of \$1,000 (originally \$9,000).

Accounts (Expense)

- 465818 – winter maintenance: increase expense account to a new total of \$43,000 (originally \$25,000).
- 468818 – trees & shrubs: increase expense account to a new total of \$10,500 (originally \$5,000).
- 474775 – traffic services: decrease expense account to a new total of \$3,000 (originally \$5,000).
- 478818 – engineering services: increase expense account to a new total of \$8,500 (originally \$2,500).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 Pressure Sewer Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 Pressure Sewer Fund budget with funds coming from the appropriation of other funds.

Accounts (Income)

- 000407 – Design fees: decrease revenue account to a new total of \$1,000 (originally \$2,500).
- 000418 – Contract K: decrease revenue account to a new total of \$22,000 (originally \$50,000).
- 000665 – interest: decrease revenue account to a new total of \$1,000 (originally \$20,000).
- 000999 – appropriation of prior year funds: increase revenue account to a new total of \$700,879 (originally \$520,396).

Accounts (Expense)

- 831000 – other expenses: increase expense account to a new total of \$1,983 (originally \$0).
- 875826 – gen. sewer construction expense: increase expense account to a new total of \$180,000 (originally \$50,000).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2009/2010 Waste Water Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2009-2010 Waste Water Fund budget with funds coming from the appropriation of other funds.

Accounts (Income)

000800 – transfer from General Fund: increase revenue account to a new total of \$9,000 (originally \$6,000).

000999 - appropriation of prior year fund: decrease revenue account to a new total of \$400 (originally \$5,000).

Accounts (Expense)

371816 – storm water discharge permit: increase expense account to a new total of \$4,000 (original \$1,000).

371820 – engineering services: decrease expense account to a new total of \$4,000 (original \$7,500).

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

I. Consider Website Committee Recommendation for Launch of New Website.

Gettel noted the website is nearly ready to be launched, Pulker advised the website will be transferred to the new server at Great Lakes Internet, as a test over the weekend with launch to occur shortly thereafter. Discussion ensued regarding the positive changes, the ability to incorporate changes, social media links, and continued Committee oversight.

#2010-62 Motion by Gettel supported by Kochensparger to accept the Committee's recommendation to launch the new Village website, which will be located at the same url - www.franklin.mi.us.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

J. Consider Ordinance Enforcement, Dogs Running at Large.

Gallasch referred to the submitted material. Stoppels advised this is for information purposes only and provided a brief overview noting that the Village will start enforcement of the Ordinance as the Village cannot circumvent State Law, signage advising that leashes are required will be posted, and warnings will be issued followed by potential ticketing of repeat offenders. Browne advised the Department as a law enforcement agency has the responsibility to gain compliance and is still hopeful of gaining voluntary compliance and noted his intent tonight is to ensure Council is aware of the move to enforcement. Discussion ensued regarding the need to enforce the ordinance that is in place.

K. Consider Addendum to Outdoor Seating and Café Permit for 32644 Franklin Road.

Mark Hanke, co-owner Farmhouse Coffee, outlined the request noting the addendum is for temporary seating in the back yard and Historic Commission has been consulted and is recommending approval. Discussion ensued regarding location and parking.

#2010-63 Motion by Kochensparger supported by Lamott to approve the Addendum to Outdoor Seating and Café Permit for 32644 Franklin Road, not to exceed 8 additional tables, as submitted.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

L. Consider Civic Event Permit Application for Franklin Community Association "Round Up" to be held on September 6, 2010.

#2010-64 Motion by Seltzer supported by Rosenthal to approve the Civic Event Permit Application for Franklin Community Association "Round Up" to be held on September 6, 2010.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

M. Consider Master Plan Village Center Parking.

Jahnke noted this issue has been discussed over the years, is incorporated within the Master Plan, and needs to be made a Village priority. Discussion ensued regarding process and potential solutions.

Discussion ensued regarding process, need for cooperation, safety issues, potential solutions both short-term and long-term, study, and use of McKenna Associates, with Hansen advising the Commission would be happy to take this on and noting that McKenna has provided a brief proposal, the previous study may have some benefit, Commission would appoint a committee to oversee and work with McKenna, and identification of the problem to be fixed is the first step in the development of a plan. Discussion continued regarding cost and process with Hansen advising she will discuss with Main Street Board, review McKenna's proposal, utilize other resources such as the county, scope something out that looks reasonable, and come back to Council if additional funds are needed. The consensus of Council was to transfer this matter to Planning Commission for its recommendation to Council.

N. Consider Police Department Expenditures to Repair or Replace Porch Railings and Air Conditioning Unit.

Stoppels provided a brief overview of the request as outlined in his memo dated June 11, 2010 and noted that the recommendation is for Council to approve a general fund transfer at an amount up to \$4,000.00. Discussion ensued a/c specifications with Rosenthal volunteering to assist and need to amend budget.

#2010-65 Motion by Jahnke supported by Lamott to amend Police Department Account No. 305930, Repairs and Maintenance, by increasing it from \$6,000.00 to \$10,000.00, with funds from the General Fund fund balance to be used for this purpose if necessary.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

X. PROCLAMATION/RESOLUTION/ORDINANCES

A. Consider an Ordinance to Amend Sections 1042.13 and 1042.14 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 Rates and Charges, and Repeal Conflicting Ordinances (first reading).

Gallasch provided a brief overview and noted that due to time constraints, waving of second reading would be appropriate with Staran in agreement as the rates go into effect on July 1 2010.

#2010-66 Motion by Lamott supported by Gettel to approve the Ordinance to Amend Sections 1042.13 and 1042.14 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 Rates and Charges, and Repeal Conflicting Ordinances and to waive the second reading.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

Nays: None

Motion carried.

B. Resolution for Adopting Municipal Employees' Retirement System of Michigan Defined Benefit Programs.

Gallasch provided an overview of this request, noting that the hiring of a new police officer under the new two tiered plan necessitates the creation of a new division under the Village's plan with MERS.

#2010-67 Motion by Lamott supported by Gettel to adopt Resolution for Adopting Municipal Employees' Retirement System of Michigan Defined Benefit Programs and Resolution for Defining a Day of Work or Hours per Month for MERS Retirement Purposes with Pulker to complete the Resolutions with input from the MERS Representative.

Discussion ensued regarding clarifying information required, process, Actuarial Report, and two-tier system, with Pulker being advised to contact the MERS representative for input and complete the forms accordingly.

Ayes: Gallasch, Gettel, Jahnke, Lamott, Rosenthal, Seltzer

Nays: None

Abstain: Kochensparger

Motion carried.

Kochensparger noted that due to insufficient time to review the matter he voted to abstain.

XI. ADJOURNMENT

Motion by Gettel supported by Lamott to adjourn the meeting.

Ayes: Gallasch, Gettel, Jahnke, Kochensparger, Lamott, Rosenthal, Seltzer

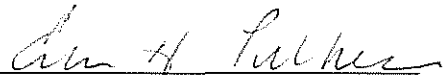
Nays: None

Motion carried.

There being no further business, the meeting adjourned at 10:45 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary



Eileen H. Pulker, Clerk

H. Frederick Gallasch, President