

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, OCTOBER 12, 2009, 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, Alan Harnisch, Mark Jahnke, Jim Kochensparger, Bill Lamott, Steve Rosenthal

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Thomas A. 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 Jahnke supported by Kochensparger to approve the Agenda as submitted.

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

Nays: None

Motion carried.

IV. MINUTES

A. September 14, 2009 Regular Village Council Meeting.

Motion by Lamott supported by Jahnke to approve the minutes of the September 14, 2009 Regular Village Council Meeting as submitted.

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

Abstain: Kochensparger

Nays: None

Motion carried.

B. September 29, 2009 Organization Meeting.

Motion by Gettel supported by Jahnke to approve the minutes of the September 29, 2009 Organization Meeting as revised.

Lamott noted that he voted against X (H) – Finance Committee appointments.

Harnisch advised that he will not accept the appointment to the Liquor Control Commission as noted in the minutes under X (I). Discussion ensued as to the potential time commitment and membership requirements with Staran advising that 3 members are required and the time commitment is minimal; Rosenthal volunteered to accept the appointment.

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

Nays: None

Motion carried.

#2009-112 Motion by Gettel supported by Jahnke to appoint Steve Rosenthal to the Liquor Control Committee.

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

Nays: None

Motion carried.

Lamott noted that the Village has 3 major committees (Personnel, Legal and Finance) with membership historically being divided equally between all Council Members with every Council Member appointed to at least 1, noted that he does not believe the current membership of those committees represents good business practice or wise representation for the Villagers and urged Council to rethink those appointments. Harnisch concurred, noted there is a loss of continuity and institutional knowledge when these committees are comprised primarily of new members, and noted the minutes reflect that he voted against the composition of all of these committees.

Jahnke respectfully disagreed, noted there is only one change in membership to the Finance Committee, Gallasch remains on the Legal Liaison Committee who can provide continuity and institutional knowledge, there is good composition of the Personnel Committee, these are advisory committees, and membership will provide an opportunity for the new Council Members to interact with Legal Counsel and Village Administration.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Patrick Browne, Police Chief, advised as to recent activity in the Village, noted that the Department continues to take advantage of low-cost, valuable, training opportunities, and advised that residents will be able to sign up for inclusion on the emergency alert messaging system by accessing Nixle's website (<http://local.nixle.com/register/>) or the link to same on the Village's website. He further noted that a \$10,000.00 grant is offered by Nixle for the community that registers the most users in the next 90 days.

Kochensparger inquired as to the status of the radar speed sign with Browne advising that it is in need of repair or replacement and funds are not currently available. Discussion ensued regarding the pros and cons of repairing or replacing the sign, battery operated vs. hard wired, potential for grants, potential to work out a sharing agreement with a neighboring community to utilize its radar trailer, and means of funding including forfeiture funds, with Stoppels advising that this will be revisited at the mid-year point as the Village should realize some savings by that point in time and the sign could be back in place by spring if money is available for that purpose.

Tony Averbuch, Fire Chief, referred to his written report, advised that equipment testing has been completed with all equipment passing and all repairs (all of which were minor) being completed, provided an update regarding grant funds, and advised as to an upcoming training event in Troy. Discussion ensued regarding coverage to the Village while training is being conducted with Averbuch noting that training is held over 2 days, with responders split between the 2 days, and Beverly Hills has also been advised.

Kochensparger inquired as to how property owners can provide access to their properties when they are not home with Averbuch advising as to the Knox System and noted that interested parties can contact the Fire Department for additional information.

Thomas Morrow, Treasurer, referred to his written report, noted that the Bills List includes advance purchase of 6 pumps from the Water Resources Commission, and bank account conversion is nearing completion.

Ray Majacz, Great Lakes Landscaping, Public Services Coordinator, referred to his submitted memorandum and noted that he has met with Village Administration regarding fall priorities as noted in the memo.

VI. SUBMISSION OF CURRENT BILLS

Motion by Gettel supported by Jahnke to approve the Bills List as submitted

Discussion ensued regarding the following line items: Oakland County Treasurer, DTE Energy, and HRC, with Jahnke inquiring if the Village could participate in the consortium for electric utilities – with Browne noting he is already investigating if there is a possible benefit to the Village in that regard and Kochensparger requesting to see a copy of the joint crack sealing specifications prepared by HRC.

Totals

General Administration	\$ 9,760.94
Building	4,593.11
Insurance	73,879.60
Legal	2,749.50
Police	10,718.26
Pressure Sewer	129,864.93
Major Roads	14,030.86
Local Roads	14,498.60
Rubbish	16,749.61
Trust & Agency	3,900.00
Tax Fund	24,018.78
Waste Water	<u>370.19</u>
ALL FUNDS	\$305,134.38

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

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

- **Marcia Gershenson, Oakland County Commissioner, District 17**, welcomed the new Council Members, offered to meet with them and advise as to services provided by the County, noted the County has passed a balanced budget which included a 2.5% pay cut across the board and which restored \$1,000,000 to Tri-Party funding. Continuing, she advised as to a new program in the works relative to micro lending, SEMCOG conferences, Rising to the Challenge program, County flu shots, and commended all parties involved in the Police Union contract negotiations. Discussion ensued regarding micro loan program and flu shots with Gershenson noting that more information will be forthcoming on the micro lending program and H1N1 shots are not available yet, but will be soon. Harnisch commended the Commissioners on unanimously passing the budget.
- **Chuck Moss, State Representative**, extended his congratulations to the new Council Members and provided an update as to the State's budget. Discussion ensued regarding budget, State Shared Revenue, and Andy Dillon's Health Care plan.

VIII. SPECIAL REPORTS

A. President's Report

Gallasch applauded the new Council particularly for new initiatives discussed at the last meeting, noted the agenda reordering will assist in providing the public with more information as to how decisions are made, advised the Village is in very good shape and noted the following recent accomplishments the Village should be proud of: 1) Police Union Contract which provides appropriate compensation and benefits to the Village such as 2 tier system; 2) Finance Committee input assists the Village in maintaining services while lowering expenditures and taxes; 3) Rainy-day Fund of about 30% - 50% if all budgets are taken together; 4) Initiated funding legacy health care obligations; 5) Road life is maximized through an active maintenance plan and funds are being saved for future replacement; 6) Hazardous Waste Program which enhances quality of life; 7) Main Street Program is moving forward; 8) Village has AA+ bond rating; 9) Renovation of Village Office provided additional office space; 10) Public Works activities have been consolidated under one contract; 11) Sharing arrangements with neighboring communities for various

services; and 12) Unified medical/dental care under one provider which reduced overall costs and improved benefits. Continuing, Gallasch reviewed the purpose, timing, and membership of the Village's committees and sub-committees and advised the public that members can be contacted to provide input on relevant matters.

B. Council Reports

1. Kreger House Report, Bill Lamott - Trustee

Lamott noted the Questor and Barn Dance events were well attended and raised approximately \$4,500.00, grading will be done soon, back porches and building should be weather-tight by the end of next week, and fundraising continues.

2. Legal Committee Report

Gettel advised that Jahnke, Gallasch, Stoppels, Staran, Pulker and himself (Kochensparger and Rosenthal were out of town) met and discussed various pending lawsuits and Huda School. In addition, Rosenthal, Gettel and Stoppels met with Huda School Administration to discuss improvements to the process that would facilitate timely accomplishments of noted items. Discussion ensued regarding Huda School, attendance at meeting, and policy regarding point of contact.

3. Finance Committee Report

Jahnke advised that the Committee has met and is in the process of setting up monthly meetings. He noted that key discussion items were: advance annual budget process, assumption that revenues will decline while certain other costs continue to rise, continue discussions with MERS actuary for pension funding including evaluation of quote for new actuarial report and divisions. Discussion ensued relative to potential for further reductions in State Shared Revenue.

4. Personnel Committee Report

Kochensparger advised that the Committee has met and discussed the Building Clerk position vacancy and possible combination with Kelda London's current position and noted the combination of positions would be reviewed in January to see how it is working.

5. DPW-Road Administrator Committee Report

Stoppels advised that this Committee will meet just prior to winter, routing map is being developed, and Kochensparger will be able to provide valuable insight.

6. Website Committee Report

Kochensparger noted that the Committee has not met.

IX. PUBLIC HEARING

A. Community Development Block Grant Funds (CDBG)

1. Proposed Program Year (PY 2010) CDBG Projects for the Village of Franklin, in the estimated amount of \$8,000.00.

Gallasch opened the public hearing at 9:13 p.m. with no one from the public responding.

Stoppels requested this item be tabled to provide time for Birmingham Area Senior Coordinating Council ("BASSC") and Birmingham Youth Assistance to provide additional information regarding their needs as the Village can only allocate funding to one such entity and noted the public hearing can still be held. Discussion ensued regarding CDBG rules.

2. Request to Change Description of PY 2007 CDBG Funds in the amount of \$2,800.00

Stoppels advised that BASC had initially requested funds to purchase heavy duty carts which were later determined to be ineligible for CDBG funds and then requested funds for barrier free access improvements which under CDBG rules would have required costly architectural design work. The new request is for automated door openers which will need to be formally accepted by Council to authorize expenditure of funds for this purpose. Discussion ensued regarding BASC funding.

#2009-113 Motion by Gettel supported by Lamott to re-allocate PY 2007 CDBG Funds in the amount of \$2,800.00 to BASC for automated door openers.

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

Nays: None

Motion carried.

X. PROCLAMATION/RESOLUTION/ORDINANCES

A. Consider Resolution for Councilman Brian Coyer in Appreciation of his Public Service to the Village of Franklin.

#2009-114 Motion by Harnisch supported by Kochensparger to adopt the Resolution of Appreciation as drafted for Brian Coyer's Public Service to the Village.

Discussion ensued regarding Coyer's many contributions to the Village.

RESOLUTION

BRIAN W. COYER

In Appreciation of His Service to the Village of Franklin

WHEREAS, **BRIAN W. COYER** has served the Village of Franklin, Michigan, as a Trustee of the Village of Franklin Village Council since March 27, 1995; and,

WHEREAS, **BRIAN W. COYER** has provided leadership as the President Pro Tempore of the Village Council; and,

WHEREAS, **BRIAN W. COYER** was a key member of many Village Council advisory committees including the Legal Committee and Cell Tower/Wireless Communication Committee; and,

WHEREAS, **BRIAN W. COYER** served as the Liaison between the Village Council and the Franklin-Bingham Farms Volunteer Fire Department; and,

WHEREAS, **BRIAN W. COYER** provided valuable support to the review and subsequent cell telephone service capabilities of the Village, including support to the introduction of a Distributed Antenna System (DAS), which provides the services of a Cell Tower without the construction of a tower; and,

WHEREAS, in addition to the support of the Village as noted above, **BRIAN W. COYER** has been part of the reviews and approvals in the development of several projects in the Village that have contributed significantly to both the maintenance of the historic character of the Village and to the careful residential development that has made the Village a wonderful community in which to live; and,

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of October 2009, that the Village Council of the Village of Franklin desires to express its appreciation to **BRIAN W. COYER**, to thank him for his years of dedicated service and commitment to the Village of Franklin, and to wish him well in his endeavors both within and outside of the Village.

BE IT FURTHER RESOLVED that a copy of this resolution and expression of civic appreciation be presented to **BRIAN W. COYER** on behalf of the undersigned.

Ayes: Gallasch, Gettel, Harnisch, Jahnke, Kochensparger, Lamott, Rosenthal
Nays: None
Motion carried.

B. Consider Resolution for Councilman Amie Saltzman in Appreciation of her Public Service to the Village of Franklin.

#2009-115 Motion by Harnisch supported by Kochensparger to adopt the Resolution of Appreciation as drafted for Amie Saltzman's Public Service to the Village.

Discussion ensued regarding Saltzman's and her family's many contributions to the Village.

RESOLUTION

AMIE SALTZMAN
In Appreciation of Her Service to the Village of Franklin

WHEREAS, **AMIE SALTZMAN** has served the Village of Franklin, Michigan, as a Trustee of the Village of Franklin Village Council since her appointment on October 8, 2007; and,

WHEREAS, **AMIE SALTZMAN** has provided leadership as the appointed member of the Southfield Township Planning Commission/Zoning Board of Appeals in June 2007, for which she continues to serve; and,

WHEREAS, **AMIE SALTZMAN** was a key member of the Village Council Wireless advisory committee; and,

WHEREAS, **AMIE SALTZMAN** contributed to the Village's Kreger House Fund by the allocating the remainder of the Saltzman Landscaping Fund, the work for which had been designated originally having been completed; and,

WHEREAS, in addition to the support of the Village as noted above, **AMIE SALTZMAN** is a committed resource as she assists her neighborhood association maintain the character and quality of life in their neighborhood.

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of October 2009, that the Village Council of the Village of Franklin desires to express its appreciation to **AMIE SALTZMAN** to thank her for her years of dedicated service and commitment to the Village of Franklin, and to wish her well in her endeavors both within and outside of the Village.

BE IT FURTHER RESOLVED that a copy of this resolution and expression of civic appreciation be presented to **AMIE SALTZMAN** on behalf of the undersigned.

Ayes: Gallasch, Gettel, Harnisch, Jahnke, Kochensparger, Lamott, Rosenthal
Nays: None
Motion carried.

C. Consider Resolution for Councilman Dominic Schiano in Appreciation of his Public Service to the Village of Franklin.

#2009-116 Motion by Harnisch supported by Kochensparger to adopt the Resolution of Appreciation as drafted for Dominick Schiano's Public Service to the Village.

Discussion ensued regarding Schiano's many contributions to the Village.

RESOLUTION

DOMINICK J. SCHIANO **In Appreciation of His Service to the Village of Franklin**

WHEREAS, **DOMINICK J. SCHIANO** has served the Village of Franklin, Michigan, as a Trustee of the Village of Franklin Village Council since his appointment on May 9, 2005, and subsequent election on September 13, 2005; and,

WHEREAS, **DOMINICK J. SCHIANO** has provided leadership as the appointed Treasurer of the Village from June 2, 2003 until May 9, 2005; and,

WHEREAS, **DOMINICK J. SCHIANO** was a key member of the Village Council Finance advisory committee; and,

WHEREAS, **DOMINICK J. SCHIANO** assisted the Village Police Department with budgets for several years prior to 2005; and,

WHEREAS, **DOMINICK J. SCHIANO** provided valuable support to the review and subsequent approval of the contract as negotiated between the Village and the Police Officer's Association of Michigan for the new contract to begin January 1, 2010 until December 31, 2013; and,

WHEREAS, in addition to the support of the Village as noted above, **DOMINICK J. SCHIANO** has been part of the many Village functions including the annual Village "Round Up" and "Winter Festival"; and,

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of October 2009, that the Village Council of the Village of Franklin desires to express its appreciation to **DOMINICK J. SCHIANO** to thank him for his years of dedicated service and commitment to the Village of Franklin, and to wish him well in his endeavors both within and outside of the Village.

BE IT FURTHER RESOLVED that a copy of this resolution and expression of civic appreciation be presented to **DOMINICK J. SCHIANO** on behalf of the undersigned.

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

Nays: None

Motion carried.

D. Consider Proposed Program Year (PY 2010) CDBG Projects for the Village of Franklin, the estimated amount of \$8,000.00.

#2009-117 Motion by Kochensparger supported by Jahnke to postpone the PY 2010 CDBG Projects for the Village of Franklin.

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

Nays: None

Motion carried.

XI. NEW BUSINESS

A. Consider Demolition Application for the Property Located at 31805 Telegraph Road.

Rose Giorgi, Oakleaf Lane, advised she is requesting a demolition permit for the property located at 31805 Telegraph Road and offered to answer any questions Council might have. Discussion ensued regarding future plans for the property, Master Plan, and condition of home. Stoppels advised that 2 trees will be impacted by the demolition, noting that this is well within the scope of the tree ordinance and a number of dead trees will also be coming down. Discussion ensued regarding zoning, access, timing and posting of bond, with Stoppels advising the bond has been posted and the applicant advising that demolition will occur as soon as possible.

#2009-118 Motion by Jahnke supported by Harnisch to approve the Demolition Application for the Property located at 31805 Telegraph Road.

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

Nays: None

Motion carried.

B. Consider Building Clerk Appointment.

Stoppels referred to his submitted memorandum, provided a brief overview of the matter, noted the benefits to the Village of combining positions, and recommended this position be combined with Kelda London's current position subject to a 3 month review. Discussion ensued regarding Kelda's part-time position with the PD and compensation with Stoppels advising that Kelda stopped assisting the PD last week and if this is approved, Chief Browne would initiate the process to hire a part-time employee.

#2009-119 Motion by Harnisch supported by Kochensparger to combine the Building Clerk position with Kelda London's (administrative clerk) current position for a 3 month trial period to be re-evaluated January 1, 2010.

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

Nays: None

Motion carried.

C. Consider SEMCOG request to access the Oakland County Assessing Records.

Gallasch referred to submitted correspondence from SEMCOG and provided a brief overview of the request. Discussion ensued regarding the request.

#2009-120 Motion by Jahnke supported by Gettel to authorize SEMCOG to access the Village's Assessing Records kept by Oakland County as requested.

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

Nays: None

Motion carried.

D. Consider Planning Commission Liaison Appointment.

Gallasch inquired if Council had suggestions for this appointment with none being offered.

XII. ADJOURNMENT

Motion by Harnisch supported by Lamott to adjourn the meeting.

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

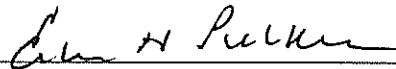
Nays: None

Motion carried.

There being no further business, the meeting adjourned at 9:45 p.m.

Respectfully submitted,

Lori Rich, Recording Secretary



Eileen H. Pulker, Clerk

H. Frederick Gallasch, President