

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 14, 2011, 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 8:10 P.M. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Lew Eads, Fred Gallasch, Brian Gettel, Jim Kochensparger, Bill Lamott, Steve Rosenthal, Mike Seltzer

Also Present: Amy Sullivan, Village 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
Vivian Carmody, Administrator, Main Street Franklin

III. ADOPTION OF AGENDA

Motion by Gettel supported by Seltzer to approve the Agenda as revised.

Gallasch noted that New Business items F and G are related and could be combined for discussion purposes and a discussion relative to organization for the budget process could be covered under the President's Report with Council in agreement on both suggestions.

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

Nays: None

Motion carried.

IV. MINUTES

A. January 10, 2011 Regular Village Council Meeting

Motion by Kochensparger supported by Rosenthal to approve the minutes of the January 10, 2011, Regular Village Council Meeting as revised.

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

Nays: None

Motion carried.

Kochensparger noted the motion for New Business item B was to contract with Municipal Web Services for the Village's website. Discussion ensued regarding the motion with it being noted that Council would need to approve a contract.

B. February 4, 2011 Special Village Council Meeting

Motion by Gettel supported by Eads to approve the minutes of the February 4, 2011, Special Village Council Meeting as submitted.

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

Nays: None

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Patrick Browne, Police Chief: Browne provided an update as to recent activity in the Village, noted that for incidents on Telegraph Road, the Department sends e-mails requesting information and providing

prevention tips to property managers and requests the information be forwarded to their tenants, and advised that training with Farmington Hills is ongoing, with one officer scheduled to receive additional training regarding risk management in March. Kochensparger inquired as to how many residents are participating in the Nixle program with Browne advising he will look into whether Nixle can quantify that on a Franklin specific basis and noting that participation in the Nixle alert program is encouraged, information is available on the website under police information, alerts are transmitted when needed, and a volunteer will be looking at transmitting crime prevention tips via Nixle on a monthly basis. Discussion ensued regarding the benefit of promoting this program and with the public invited to sign up.

Tony Averbuch, Fire Chief: Averbuch referred to the submitted report, noted the Department is concentrating on budget issues, and reminded Villagers to be cautious regarding ice at night and to take care of their driveways to protect themselves and the Village.

Thomas Morrow, Treasurer: Morrow referred to his submitted written report, advised the bills list includes spending on road repairs and interest on pressure sewer and roadway bonds, and noted a revised list of account balances and the quarterly report on the MERS Retirement Health Funding are included in the packet.

Vivian Carmody, Administrator, Main Street Franklin: Carmody provided a brief recap of recent MSF activity as follows: Organization's first e-news letter went out (same format will be used for news blasts and monthly newsletter with signup information posted on MSF's website), Promotions Committee - Farmer's Market Committee has met and is moving forward and Frost Fest is scheduled for March 5th which is a downtown promotion/awareness initiative, Membership and Fundraising completed its first membership investment brochure and is planning its first official fundraising event (Franklin Lobster Drop), Design is partnering with Planning Commission on the parking study, survey has gone out and moving forward with charette, and Economic Restructuring is working on a consumer survey.

VI. SUBMISSION OF CURRENT BILLS

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

Discussion ensued regarding Police-Sam's Club (should reflect computer package not just a monitor), Tax Fund-Oakland County Treasurer (County delinquent sewer payments collected by Franklin on tax bill), Major and Local Roads-Pro Line Asphalt (HRC approved work), and Building-Administrative Functions (review process for projections).

TOTALS

General Administration	\$	9,207.35
Building	\$	5,987.57
Insurance	\$	41,200.44
Legal	\$	3,266.00
Police	\$	13,506.47
Pressure Sewer	\$	17,762.50
General Debt Service	\$	16,295.00
Major Roads	\$	35,012.50
Local Road	\$	35,012.50
Rubbish	\$	17,863.92
Trust & Agency	\$	600.00
Tax Fund	\$	27,971.62
Waste Water	\$	1,126.75
ALL FUNDS	\$	224,812.61

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

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

- **Chuck Moss, State Representative**, noted the Governor's budget will be presented on Thursday and opined the budgeting process will be difficult with huge cuts expected, no one to be spared, no sacred cows, with short-term pain for a long-term gain, and is Michigan's chance to get everything under control. Discussion ensued with it being noted the State of the State address was well done.
- **Charles Dunn, Kirk Lane**, noted the website is a great opportunity to promote the community, a great 21st century communication tool, will help drive knowledge of community events/programs, enhanced site could further attract residents/businesses, drive real estate sales, and generate increased community involvement, and suggested a means of raising funds to cover the costs could be to sell a Franklin map similar to one that Westland uses.
- **Alan Havis, Hickory Lane**, noted the benefit of developing an electronic modern day way of communicating with the Village by compiling a database of e-mail addresses which would facilitate connecting with residents/businesses as opposed to having residents/businesses connect with the Village which is the current practice.
- **Rebecca Gale, Franklin Library**, noted she fields calls at the library from people in and outside of the Village looking for information and suggested setting up a centralized Franklin website which contains information regarding all happenings in the Village including businesses to meet internal Village needs as well as provide information to those outside of the Village.

VIII. SPECIAL REPORTS

A. President's Report

Gallasch thanked the Eccentric for a great article on the skate rink, thanked the Hanke's for funding and setting up the rink, and noted he came across a great article regarding a new suspense novel, *Law of Attraction*, written by Allison Leotta a Washington D.C. Federal Prosecutor and Alan Harnisch's daughter. Gallasch noted that at the last work session Council discussed setting up a blue ribbon panel to look at the Village's budget situation and provide comments/suggestions to Council and opened the discussion for Trustees to put forth candidates to serve on the committee advising he had contacted Dom Schiano and Jeff Kopelman, and Sullivan and Morrow should also sit on the panel. Discussion ensued regarding panel members with Lamott suggesting David Angel, with Rosenthal advising he would provide a candidate tomorrow, and with the suggestion made to limit Council involvement to Gallasch as Council's representative.

Sullivan presented a power point entitled *Budgeting 101* which provided an overview of Village funding and how Proposal A, the Headlee Amendment, and declining property values have impacted millage rates/revenue and noted that Council needs to chart a course of action to address the upcoming budget deficit that makes the most sense for the Village of Franklin.

B. Council Report

None.

C. Birmingham Area Cable Board ("BACB") Report.

Elaine McLain, Chair BACB, noted she is here with the Vice-Chair, Executive Director, and Treasurer, referred to the submitted Annual Report, provided an update as to service in the Village, and briefly reviewed the interlocal agreement between BACB and the Village noting it can be revisited if so desired. Discussion ensued regarding the administrative grant the Village received 2 years ago (one time, funds accumulated over a 7 year period), Annual Report, and value of broadcasting Council meetings.

IX. UNFINISHED BUSINESS

A. Discussion Item – Website Committee

Eads noted that he will have a proposal by the end of the week which he will transmit to all Trustees for consideration at the next work session.

X. NEW BUSINESS

A. Consider Civic Event Permit application for the Franklin Garden Club Walk, June 15, 2011.

#2011-11 Motion by Kochensparger supported by Seltzer to approve the Civic Event Permit application for the Franklin Garden Club Walk, June 15, 2011.

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

Nays: None.

Motion carried.

B. Consider Solid Waste Contract Renewal.

Gallasch noted this has been discussed at a work session and Sullivan advised this is extending the contract for an additional 5 years with some recycling perks included at no additional cost. Discussion ensued regarding potential motion and benefits of bidding the contract with the consensus being to formally bid out the contract.

C. Consider Revision of Master Fee Schedule for Tree Removal Permit.

Sullivan provided an overview of the proposed revisions noting the bond amounts would be released after the one year inspection.

#2011-12 Motion by Lamott supported by Gettel to amend the Master Fee Schedule to require a \$100 permit fee and \$450 bond for replacement of protected trees, \$450 bond for every three inch caliper of protected trees intended to be saved, and \$450 bond for every three inch caliper of heritage trees to be replaced.

Discussion ensued with Sullivan clarifying the three categories of trees and assuring there is no overlap and potential for costs to get exorbitant on large treed lots with Sullivan noting the building envelope plus a set distance is the targeted area not the entire lot.

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

Nays: None

Motion carried.

D. Consider Budget Amendments, FY2010-2011.

Gallasch noted this has been discussed at a previous work session and Sullivan provided a brief introduction and offered to address questions. Discussion ensued regarding Grass Cut Reimbursement, budget process, legal requirements, and historical perspective, with it being noted the goal is realistic budgeting and with administration requested to review the transmittal sheet.

#2011-13 Motion by Kochensparger supported by Gettel to approve the Budget Amendments, FY2010-2011 as submitted and to be reviewed administratively for accuracy, as follows:

GENERAL FUND

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2010/2011 General Fund indicates several accounts where budget amendments are required. We resolve the following budget amendments be made to the 2010-2011 General Fund Budget with funds coming from the appropriation of other funds.

Accounts:

000447 – Admin Fee Taxes: Increase revenue account to a total of \$22,000 (original \$19,000).

000451 – Business Licenses: Decrease revenue account to a total of \$1,000 (original \$2,500).

000452 – Cable Board: Increase revenue account to a total of \$105,000 (original \$95,000).
000574 – Revenue Sharing: Increase revenue account to a total of \$185,000 (original \$165,000).
000628 – General Admin: Decrease revenue account to a total of \$5,000 (original \$20,000).
000654 – Civil infractions: Decrease revenue account to a total of \$0 (original \$100).
000657 – False alarms: Decrease revenue account to a total of \$0 (original \$1,000).
000668 – Interest Trust & Agency: Decrease revenue account to a total of \$0 (original \$2,500).
000673 – Sale of fixed assets: Increase revenue account to a total of \$4,000 (original \$3,500).
000677 – Library reimbursement: Increase revenue account to a total of \$4,200 (original \$3,200).
000680 – Miscellaneous: Increase revenue account to a total of \$2,500 (original \$500).
000684 – FOIA: Decrease revenue account to a total of \$0 (original \$500).
000685 – Copies: Decrease revenue account to a total of \$0 (original \$500).
000688 – Grass cut reimbursement: Decrease revenue account to a total of \$0 (original \$5,000).
000999 – Appropriation of prior year funds: Increase revenue account to a total of \$20,688 (original \$15,885).

101720 – Cable Board: Increase expense account to a total of \$66,000 (original \$56,000).
101730 – dues & subscriptions: Increase expense account to a total of \$1,680 (original \$250).
101980 – Miscellaneous: Increase expense account to a total of \$1,250 (original \$250).
102702 – Longevity: Decrease expense account to a total of \$1,800 (original \$3,600).
102704 – Admin Salaries: Decrease expense account to a total of \$106,607 (original \$113,693).
102705 – Health Ins: Decrease expense account to a total of \$27,000 (original \$47,000).
102707 – Worker’s Comp.: Decrease expense account to a total of \$500 (original \$1,000).
102708 – Admin Retirement: Decrease expense account to a total of \$3,800 (original \$7,525).
102710 – Contract Services: Increase expense account to a total of \$63,200 (original \$40,000).
102728 – Computer: Increase expense account to a total of \$1,225 (original \$0).
102863 – Admin Veh: Decrease expense account to a total of \$2,415 (original \$3,500).
305705 – Health Ins: Decrease expense account to a total of \$126,000 (original \$134,400).
305707 – Worker’s Comp: Decrease expense account to a total of \$10,531 (original \$14,587).
305726 – police supplies: Increase expense account to a total of \$3,500 (original \$2,500).
305845 – drug forfeiture: Increase expense account to a total of \$10,000 (original \$2,000).
405710 – contract services: Increase expense account to a total of \$12,500 (original \$9,500).
854960 – transfer to bldg dept: Increase expense account to a total of \$10,000 (original \$0).
865910 – Liability Ins.: Increase expense account to a total of \$41,500 (original \$36,000).
854962 – transfer to Kreger Fund: Decrease expense account to a total of \$500 (original \$5,000).
870724 – Parking Lot: Increase expense account to a total of \$2,000 (original \$0).

BUILDING FUND

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village’s 2010/2011 Building Fund indicates several accounts where budget amendments are required. We resolve the following budget amendments be made to the 2010-2011 Building Fund Budget with funds coming from the appropriation of other funds.

Accounts

000475 – Engineering Consultation: Increase revenue account to a total of \$8,000 (original \$5,000).
000583 – Transfer from Gen Fund: Increase revenue account to a total of \$10,000 (original \$0).
000490 – Legal Review Fee: Increase revenue account to a total of \$1,000 (original \$0).
000499 – Appropriation of prior year fund balance: Increase revenue account to a total of \$850 (original \$0).

000720 – Administrative services: Decrease expense account to a total of \$15,000 (original \$30,000).

000812 – Building Inspections: Increase expense account to a total of \$31,000 (original \$10,600).
000813 – Building Administration: Increase expense account to a total of \$10,000 (\$4,000).
000820 – Electrical Inspector: Increase expense account to a total of \$6,000 (original \$5,000).
000830 – Engineering Consulting: Increase expense account to a total of \$8,000 (original \$2,000).
000927 – Office Supplies: Increase expense account to a total of \$1,000 (original \$100).
000926 – Legal Review: Increase expense account to a total of \$1,000 (original \$100).

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

Nays: None

Motion carried.

E. 1st Floor Retail Ordinance.

Carmody provided an overview of the request and submitted material noting John Pulker, Chair, MSF Economic Restructuring Committee is present as well. Carmody noted the need for and benefits of pursuing the ordinance, recommended Council transmit the matter to Planning Commission for review noting that MSF would partner with them to flesh out the details and identify resources. Discussion ensued regarding cost with it being noted that PC has limited resources.

#2011-14 Motion by Kochensparger supported by Eads to send to Planning Commission for consideration and follow up on the July 30, 2009, correspondence from McKenna.

Discussion ensued regarding motion, funding, utilization of MSOC resources including obtaining draft ordinances to be reviewed and tweaked by a PC subcommittee. Moenck, noted he is on record as opposing this as the ordinance will have the effect of limiting/infringing upon property owner's rights and questioned whether this is appropriate and suggested Council will need to provide direction to PC. Carmody advised this encourages retail but does not force retail and collaboration between MSF and Planning currently exists as Cupidore is the vice-chair of the Economic Restructuring Committee and chair of this subcommittee and further noted this issue needs to be addressed or the Village risks losing its vibrant downtown.

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

Nays: Gallasch

Motion carried.

F. Consider Civic Events Permit Revisions.

G. Consider Banner Policy

Sullivan referred to the submitted memo noting that the Civic Events Permit had to take into account the Road Banner Policy.

#2011-15 Motion by Kochensparger supported by Rosenthal to approve the Civic Events Permit Revisions as submitted and adopt the Banner Policy with the condition that DTE is named as an additional insured.

Gallasch noted the relevant question regarding parking is what is the applicant's parking plan.

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

Nays: None

Motion carried.

H. Special Workshop Meeting Dates.

Discussion ensued regarding meeting dates and a potential conflict with Mobile Watch meetings with the consensus being to meet at 5:30 p.m. on the submitted dates.

#2011-16 Motion by Eads supported by Lamott to approve the schedule of Special Workshop Meeting dates as submitted with meetings to start at 5:30 p.m.

Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer
Nays: None
Motion carried.

XI. RESOLUTIONS/PROCCLAMATIONS/ORDINANCES

- A. Consider an Ordinance to Amend Sections 1022.02 Through 1022.05 of Part Ten, Title Two, of Chapter 1022, Culverts, Laterals, Catch Basins and Driveways, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to Modify the Culvert Permit Process, Require Driveways to be Flared, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (second reading).**

Gallasch provided a brief overview noting this applies to culverts and driveways.

#2011-17 Motion by Kochensparger supported by Rosenthal to adopt the Ordinance to amend sections 1022.02 through 1022.05 of Part Ten, Title Two, of Chapter 1022, Culverts, Laterals, Catch Basins and Driveways, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to modify the culvert permit process, require driveways to be flared, repeal conflicting ordinances, and prescribe a penalty for violations.

Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer
Nays: None
Motion carried.

- B. Consider an Ordinance to Amend Section 1474.07 of Part Fourteen, Title Six, of Chapter 1474, Signs and Outdoor Display Structures, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Repeal the Amortization of Nonconforming Permanent Signs, Repeal Conflicting Ordinances, and Prescribe a penalty for Violations (second reading).**

#2011-18 Motion by Kochensparger supported by Eads to adopt the Ordinance to Amend Section 1474.07 of Part Fourteen, Title Six, of Chapter 1474, Signs and Outdoor Display Structures, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to repeal the amortization of nonconforming permanent signs, repeal conflicting ordinances, and prescribe a penalty for violations.

Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer
Nays: None
Motion carried.

XII. ADJOURNMENT

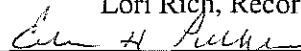
Motion by Kochensparger supported by Lamott to adjourn the meeting.

Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer
Nays: None
Motion carried.

There being no further business, the meeting adjourned at 9:43 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary



Eileen H. Pulker, Clerk

H. Frederick Gallasch, President



32325 Franklin Road, Franklin, Michigan 48025

FAX: (248) 626-0538

(248) 626-9666

VILLAGE COUNCIL

Second Monday of Each Month, Except As Noted – 8:00 p. m.

Held at the Franklin Village Office, 32325 Franklin Road, Franklin, Michigan

January 5, 2011, 6:00 PM Workshop	June 30, 2011, 5:30 PM Workshop
January 10, 2011	July 11, 2011
February 1, 2011, 6:00 PM Workshop	July 28, 2011, 5:30 PM Workshop
February 14, 2011	August 08, 2011
March 3, 2011, 5:30 PM Workshop	September 1, 2011, 5:30 PM Workshop
March 14, 2011	September 12, 2011
March 31, 2011, 5:30 PM Workshop	September 29, 2011, 5:30 PM Workshop
April 11, 2011	October 10, 2011
April 28, 2011, 5:30 PM Workshop	November 3, 2011, 5:30 PM Workshop
May 09, 2011	November 14, 2011
June 2, 2011, 5:30 PM Workshop	December 1, 2011, 5:30 PM Workshop
June 13, 2011	December 12, 2011

WASTE WATER MANAGEMENT BOARD

Same Schedule As Regular Village Council – 7:45 p. m.

PLANNING COMMISSION

Third Wednesday of Each Month – 7:30 p. m.

Franklin Village Office, 32325 Franklin Road, Franklin, Michigan

January 19, 2011	July 20, 2011
February 16, 2011	August 17, 2011
March 16, 2011	September 21, 2011
April 20, 2011	October 19, 2011
May 18, 2011	November 16, 2011
June 15, 2011	December 14, 2011

HISTORIC DISTRICT COMMISSION

First Monday of Each Month – 7:30 p. m. Unless Otherwise Noted

Franklin Village Office, 32325 Franklin Road, Franklin, Michigan

January 03, 2011	(Wed.) July 06, 2011
February 07, 2011	August 01, 2011
March 07, 2011	(Wed.) September 07, 2011
April 04, 2011	October 03, 2011
May 02, 2011	November 07, 2011
June 06, 2011	December 05, 2011

ZONING BOARD OF APPEALS

Third Thursday of Each Month (**ONLY IF NEEDED**) – 7:30 p.m.

Franklin Village Office, 32325 Franklin Road, Franklin, Michigan

January 20, 2011	July 21, 2011
February 17, 2011	August 18, 2011
March 17, 2011	September 15, 2011
April 21, 2011	October 20, 2011
May 19, 2011	November 17, 2011
June 16, 2011	December 15, 2011

ALL SPECIAL MEETINGS AND PUBLIC HEARINGS OF VILLAGE COUNCIL, COMMISSIONS, COMMITTEES AND BOARDS ARE POSTED AS THEY ARE SCHEDULED