

PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
FRANKLIN VILLAGE HALL - BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN
MONDAY APRIL 14, 2003, 8:00 P.M.

I. CALL TO ORDER

The meeting was called to order by President James Pikulas at 8:00 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: James Pikulas, Fred Gallasch, Ralph Sosin, Randy, McElroy, Alan Harnisch, Brian Coyer (arrived at 8:20 p.m.)

In Attendance: Eileen H. Pulker, Village Clerk
Jon E. Stoppels, Village Administrator
John Staran, Village Attorney, Beier Howlett
Edward Glomb, Police Chief
Tony Averbuch, Fire Chief

III. ADOPTION OF AGENDA

Motion by Sosin, supported by Gallasch to approve the agenda as presented.

Ayes: Pikulas, Gallasch, McElroy, Sosin
Nays: None
Absent: Saltzman, Coyer, Harnisch
Motion carried.

IV. MINUTES:

A. Regular Meeting of March 17, 2003

Motion by Gallasch, supported by Sosin, to approve the minutes of the Regular Council meeting of March 17, 2003 as presented.

Ayes: Pikulas, Gallasch, Sosin, McElroy
Nays: None
Absent: Saltzman, Coyer, Harnisch
Motion carried.

B. Organization Meeting of March 24, 2003

Motion by Sosin, supported by McElroy, to approve the minutes of the Regular Council meeting of March 17, 2003 as presented.

Ayes: Pikulas, Sosin, McElroy
Nays: None

Abstain: Gallasch
Absent: Saltzman, Coyer, Harnisch
Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Police Chief Glomb referring to his written report submitted to Council, reported that the Village had been quiet for the last month. Chief Glomb continued stating that since the homeland security alert had dropped out of the high status range, the police were back to normal shifts, but were still on alert and coordinating with Bloomfield Township to continue to be diligent in protecting Huda School and Temple Beth El. The Council commented on numerous commendations for Police Officers, given by Villagers and non-Villagers alike.

Fire Chief Averbuch referred Council to his written report and reported on the arrival of new fire trucks, explaining that there were some small glitches for which a mechanic is arriving to correct, but overall he was satisfied with the performance so far, having tested the new apparatus at a car fire the previous week. Chief Averbuch also reported that the department expects to be able to use the new equipment far longer than previous equipment had remained useful, due to better quality and engineering.

Pikulas commented on the letters received by Council written by both the Police Chief and Fire Chief in which it was reported that the plan for a cell tower had their support for emergency needs and safety concerns of Villagers. Village Attorney, John Staran gave an update on the status of the new cell tower application stating that site plans are to be submitted later in April so that Council may refer to them to Planning Commission and Historic District Commission for their reviews.

Interim Treasurer McElroy commented on his correspondence with Comerica Bank in regards to the charges issued on Village accounts and reported that some refunds are to be made to the Village. McElroy also reported on a Morgan Stanley seminar he attended, and on his preliminary research into possible, legal investment plans for Village funds.

VI. SUBMISSION OF CURRENT BILLS

TOTALS

General Administration	\$	9,540.98
Tax Funding	\$	7,752.56
Building	\$	9,697.12
Insurance	\$	10,096.04
Legal	\$	3,083.64
Police	\$	12,187.38
Pressure Sewer	\$	270.00
Roads	\$	13,302.73
Rd Bond Expense-2002	\$	652.77

Rd Bond Expense-2001	\$	240.21
Cell Tower	\$	598.00
Rubbish	\$	12,891.00
Trust & Agency	\$	3,000.00
Water	\$	2,731.94
Village Hall & Grounds	\$	505.00
Waste Water	\$	<u>981.30</u>
ALL FUNDS	\$	87,530.67

Motion by McElroy, supported by Sosin, to approve the bills list as presented.

Ayes: Pikulas, Gallasch, Sosin, McElroy. Coyer

Nays: None

Absent: Saltzman, Harnisch

Motion Carried

VII. PUBLIC REQUESTS AND COMMENTS

No comments at this time.

VIII. SPECIAL REPORTS:

A. Verbal Report, James Pikulas, Village President

President Pikulas reported on the National Food Drive sponsored by Letter Carriers and US Postal Service, going on now through May 10th. Bags of food can be left at mailboxes on May 10, 2003 and there is also a barrel for food donations located at the Village Hall, where people are able to drop off canned goods for the Oakland County Food Bank.

Pikulas commented on the availability of Larvacide tablets, for West Nile containment, available at no cost at the Village Office for use in ponds, and other standing water such as pool covers throughout the Village.

IX. NEW BUSINESS:

A. Consider Application for use of Village Owned Property/Village Green for "Music on the Green."

Karen Couf-Cohen of the Franklin Council for the Visual and Performing Arts, asked the Council to allow the use of the Village Green for "Music on the Green." There are four (4) concerts planned for Wednesdays in July, 7 pm – 8:30 pm. Comments made about Ice Cream vendors, whether or not there could be two Ice Cream trucks. Also comments made about Police, Fire, and EMS costs. Donations are welcome and are to be sent to the Music on the Green Committee c/o Franklin Council for the Visual and Performing Arts, PO Box 250683, Franklin, MI 48025.

#2003-30 Motion by Sosin, supported by Coyer, to approve the use of Village Owned Property/Village Green for "Music on the Green" for four Wednesday evenings in July 2003, that being July 9, 16, 23 and 30.

Ayes: Pikulas, Gallasch, Sosin, McElroy, Coyer

Nays: None

Absent: Saltzman, Harnisch

Motion Carried

B. Consider Request for Authorization to Purchase Tornado Warning Siren by Franklin Bingham Fire Department to be Reimbursed over Two Budget Years.

Fire Chief Averbuch reported on the need to replace the Fire Siren on Cemetery Hill.

#2003-31 Motion by Coyer, supported by McElroy, that up to Seventeen Thousand, Five Hundred Dollars (\$17,500.00) will be authorized for the purchase of a Tornado Warning Siren by Franklin Bingham Fire Department from the General Fund to be reimbursed over two budget years.

Ayes: Pikulas, Gallasch, Sosin, McElroy, Coyer

Nays: None

Absent: Saltzman, Harnisch

Motion carried

C. Consider Village Participation in the Rouge River Watershed Assembly.

Margie Kuhn, from Hubbell, Roth, and Clark spoke to the Council, asking for endorsement on the Rouge River Watershed Resolution to enable the Village to participate in the combined testing, regulatory processes, and public information materials while incurring a cost based upon our jurisdictional boundaries. Jon Stoppels will be the representative of the Village with Ms. Kuhn attending meetings in his stead if necessary after which she agrees to report to Jon Stoppels and the Council what transpired at said meeting.

#2003-32 Motion by Sosin, supported by McElroy, to agree to participate in the Rouge River Watershed Assembly at a cost not to exceed \$1,500 for the period of July 1, 2003 until June 30, 2004.

Ayes: Pikulas, Gallasch, Sosin, McElroy, Coyer

Nays: None

Absent: Saltzman, Harnisch

Motion carried

X. PROCLAMATIONS/RESOLUTIONS/ORDINANCES:

A. Consider Proposed Resolution Directing the Village Attorney to Develop Ballot Language in Regards to Public Water.

#2003-33 Motion by Sosin, supported by McElroy, that it is hereby resolved that the Village Council directs the Village Attorney to draft and present for the Council's consideration, at its May 12, 2003 regular meeting, a proposed ballot question for a special election, to be held pursuant to Village Charter Chapter XIV, on whether or not a public water system should be installed in the Village of Franklin.

Discussion followed, during which it was questioned whether or not additional research and information gathering needed to be directed, after the substantial response to the survey recently conducted. Also discussed was whether or not to ask for special assessment districts or a Village wide water system. Other options discussed were from which source water should be obtained; whether SOCWA or directly from Detroit Water and Sewerage and whether the water obtained from either of these sources would be better quality than what the Village currently has with well water. A number of other questions were raised including concerns over the accountability of the Detroit Water and Sewerage Department and the infrastructure costs remaining for the system dating back to more than one hundred years ago.

Motion by Coyer to amend the proposal adding the following to be considered part A of the motion, with the previously stated portion of the motion to be part B:

It is resolved that the Village Council direct the Administrator, Engineer and Attorney to review and report to Village Council by May 5, 2003 on adequacy, quantity and quality of water, and financial accountability, and rate making system of the source of any public water system anticipated.

Further discussion ensued during which it was decided that additional study and information gathering would continue to provide information necessary for a possible question and answer format mailing to be provided to the Villagers prior to an election on this issue.

Coyer withdrew amendment.

Ayes: Pikulas, Gallasch, Sosin, McElroy. Coyer

Nays: None

Absent: Saltzman, Harnisch

Motion carried

Coyer excused at 9:35 pm.

B. Consider Proposed Resolution to Proclaim Friday, May 9th, 2003 as Arbor Day in Franklin.

Stoppels reported on the establishment of Arbor Day in the Village as a necessary requirement of the "Tree City USA" application being sought, in addition to the public awareness and educational opportunity that Arbor Day presents.

#2003-34 Motion by Gallasch, supported by McElroy, to proclaim Friday, May 9th, 2003 as Arbor Day in Franklin as proclaimed as follows:

"Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, 2003 is the 131st anniversary of the holiday and Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, therefore, I, James Pikulas, Council President of the Village of Franklin, do hereby proclaim May 9th, 2003 as the 131st anniversary celebration of ARBOR DAY in the Village of Franklin, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Ayes: Pikulas, Gallasch, Sosin, McElroy

Nays: None

Absent: Saltzman, Harnisch, Coyer

Motion carried

- C. Consider an Ordinance to Amend Chapter 1230, Historic District, of Part Twelve, Title Two, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify the Definition of "Historic District" to Conform to the Corresponding Definition in the Local Historic Districts Act, Revise and Update References to the Michigan Department of History, Arts and Libraries, Provide that Historic District Commission Ordinances (second reading).**

#2003-35 Motion by Sosin, supported by McElroy, to approve the Ordinance to Amend Chapter 1230, Historic District, of Part Twelve, Title Two, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify the Definition of "Historic District" to Conform to the Corresponding

Definition in the Local Historic Districts Act, Revise and Update References to the Michigan Department of History, Arts and Libraries, Provide that Historic District Commission Ordinances in the second reading.

Ayes: Pikulas, Gallasch, Sosin, McElroy

Nays: None

Absent: Saltzman, Harnisch, Coyer

Motion carried

D. Consider Proposed Resolution to Authorize West Nile Virus Fund Expense Reimbursement Request.

Stoppels reported that the Village would be allowed to receive up to \$1290.18 from Oakland County in reimbursements, and that so far the Village has spent \$758.98 on larvacide tablets.

#2003-36 Motion by McElroy, supported by Sosin, to authorize West Nile Virus Fund Expense Reimbursement Request stated in the following resolution:

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities; and

WHEREAS Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larvaciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS the Village of Franklin, Oakland County, Michigan has incurred expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

NOW THEREFORE BE IT RESOLVED that this Council authorizes and directs its Manager, as agent for the Village of Franklin, in the manner and to the extent provided under Oakland County Board of Commissioner Miscellaneous Resolution 03060, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Ayes: Pikulas, Gallasch, Sosin, McElroy

Nays: None

Absent: Saltzman, Harnisch, Coyer

Motion carried

E. Consider Proposed Resolution to Authorize Electronic Transactions.

McElroy reported that the Finance Clerk went to a training session at the County in preparation for the upcoming tax season and brought some information back indicating that this resolution needs to be in place for any new electronic transactions that are to take place, many of which involve payroll issues. McElroy continued stating that Electronic Transactions would eliminate the need for some accounts, and thus alleviate banking fees, while still upholding the same system of checks and balances that the Village now has in place.

#2003-37 Motion by Gallasch, supported by Sosin, to authorize electronic transactions as stated in the following resolution:

WHEREAS the State of Michigan, P.A. 738 of 2002, as amended, requires the Village Council to adopt a resolution to authorize electronic transactions; and

WHEREAS the Village Treasurer has prepared a written Automated Clearing house (ACH) as required by the Act, for the purposes of maintaining effective internal control, by clarifying and emphasizing the responsibility of departments initiating ACH transactions through systems provided by the County and the Village; and

WHEREAS this policy promotes the implementation of department procedures that ensure compliance with State Law, Federal law and national Automated Clearinghouse Association (NACHA) rules.

NOW THEREFORE BE IT RESOLVED that the Village Council authorizes the village Treasurer to enter into Automated Clearinghouse (ACH) arrangements and to maintain the Village's written ACH Policy.

Ayes: Pikulas, Gallasch, Sosin, McElroy

Nays: None

Absent: Saltzman, Harnisch, Coyer

Motion carried

X. ADJOURNMENT

Motion by Sosin, supported by Gallasch, to adjourn the meeting.

Ayes: Pikulas, Gallasch, Sosin, McElroy

Nays: None

Absent: Saltzman, Harnisch, Coyer

Motion carried

There being no further business, the meeting adjourned at 9:43 p.m.

Respectfully submitted,

John C. Pulker
Recording Secretary

Eileen H. Pulker
Village Clerk

James A. Pikulas
Village Council President