

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

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, Florence Saltzman, Fred Gallasch, Ralph Sosin, Alan Harnisch, Brian Coyer (arrived at 8:07 p.m.)

Absent: None

In Attendance: Eileen H. Pulker, Village Clerk
Jon E. Stoppels, Village Administrator
John Staran, Village Attorney, Beier Howlett
Dominic Schiano, Village Treasurer
Edward Glomb, Police Chief

III. ADOPTION OF AGENDA

Motion by Saltzman, supported by Gallasch, to adopt the agenda as presented.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, McElroy, Harnisch

Nays: None

Absent: Coyer

Motion carried.

IV. MINUTES

A. Regular Meeting of August 11, 2003

Motion by Saltzman, supported by Gallasch, to approve the minutes of the Regular Meeting of August 11, 2003 as presented.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, McElroy

Nays: None

Abstain: Harnisch

Absent: Coyer

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Chief Glomb referred to his written report and gave a brief summary of the Labor Day Round-Up. Glomb also reported on larcenies, someone breaking into cars, and the Police are looking into the matter. Glomb thanked Lori Grundy for supplying the Police and Fire Departments with food during the large power outage in August.

Chief Averbuch was out of town, but submitted a written report.

Treasurer Schiano reported on the Bills List presented and subject for approval later in the meeting, stating that it met with his approval, and was consistent with the budget plan the Council had approved. Schiano continued by reporting on the progress of tax payments, stating that seventy six percent (76%) of the taxes had been paid, any payments coming in past the September 1st due date will be subject to penalties; the Pressure Sewer Fund has been moved to a money market account, with a higher interest yield; the Audit on the Village finances have commenced and there have been no problems.

VI. SUBMISSION OF CURRENT BILLS

Sosin asked about the building bills, specifically the building officials payment, stating that he would like to see a breakdown of his payments in the bills, Stoppels offered to make those numbers available to the Council.

Treasurer Schiano was asked by Council to take a look at the General Debt funds.

Council asked Stoppels to obtain a copy of the ground plans for the Cell Tower Project, Stoppels said he would give the plans to the Council once an overlay drawing had been completed, placing a drawing of the Cell Tower site on top of the current land structures.

McElroy asked that Treasurer Schiano be given the authority to pay the trash collection bill when it arrives.

TOTALS

General Administration	\$ 8,051.34
Tax Fund	\$ 2,702.86
Building	\$ 26,104.82
General Debt	\$ 213,681.25
Insurance	\$ 21,971.57
Legal	\$ 181.00
Police	\$ 7,714.00
Pressure Sewer	\$ 120.00
Roads	\$ 44,663.38

2002 Local Road	\$	9,120.90
Cell Tower	\$	1,910.02
Trust & Agency	\$	13,100.00
Village and Grounds	\$	1,724.02
Water	\$	1,455.46
Waste Water	\$	<u>50.00</u>
ALL FUNDS	\$	352,550.72

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

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

None

VIII. SPECIAL REPORTS

A. Verbal Report, James Pikulas, Council President

Pikulas made some comments prior to giving the official recognition, stating how efficiently he felt the Police and Fire Departments performed during the Power Outage from firsthand witness. Also, giving credit to the gas station owners, who held a reserve of 1500 gallons of gasoline as a reserve for the Police and Fire Departments and giving credit to the Franklin Grill for donating food to the Police and Fire Departments as well.

1. Recognition of Police and Fire Department Efforts During the Power Outage.

Representatives of the Fire Department, Jim Kochensparger and Rick Koslowski, were on hand, Sgt's Girardot and Castro of the Police Department were not available for the meeting. The volunteers at the Fire Department stayed at the Fire House through the power outage, and the Police Department went to twelve hour shifts. The Council thanked the Police and Fire Departments, on behalf of the Village, for their efforts and support during the crisis. Pikulas also thanked the Franklin Service Station, BP, for their service to the Village in holding back 1500 gallons of gas to assure the use for both the Fire and Police vehicles. Lori Grundy, the owner of the Franklin Grill, was also thanked for her generous donations of food to both the Fire Department and Police Department.

Pikulas also gave a report on the Labor Day Round-Up, the event was written about in the Oakland Press, and Judge Cooper, of the Circuit Court, wrote a letter

thanking the Village for letting him participate. The Council thanked Mike and Lori Seltzer for organizing and running the event.

The Planning Commission will hold a Public Hearing on the Cell Tower which will be held on Wednesday, September 17, at the Village Hall. The Planning Commission will look at the plans for the Cell Tower, and then give their recommendations to the Council.

The Michigan Public Service Commission is holding a forum for consumers scheduled September 23 at 6:00 p.m. to be held at the Lahser High School Auditorium, 3456 Lahser Road. The subject to be addressed will be the rise in price of natural gas heating bills.

Pikulas also addressed Purple Loosestrife, while it is a pretty plant, it is deadly to the grass and other ground cover, Villagers are advised to remove it pulling it out by the roots, not cutting it, whenever it is encountered. Council wanted to remind Villagers not to trim Oak trees all year, except for December, January and February, to keep Oakwilt Beetles from spreading. Mosquito larvacide pellets are available at the Village Office, to keep the chances of West Nile Virus down to a minimum; Villagers are welcome to come into the Village Offices to the pellets and then place them in areas of sitting water. The Council also wanted the Villagers to know that due to the cost reduction efforts of the Council, the Village has saved \$27,500 year to date of the \$60,000 that are required to make up for the shortfall in State revenue sharing monies. This is an effort to keep from raising taxes in the Village.

IX. BIDS/CONTRACTS/PROPOSALS

A. Consider Amendment to the Personal Services Agreement between the Village of Franklin and Eastern Michigan University.

#2003-73 Motion by Coyer, seconded by Saltzman, to adopt the amendment of the Contract of the Personal Services Agreement between the Village of Franklin and Eastern Michigan University to allow for an additional one thousand five hundred dollars (\$1500.00) of funding and to extend the period of performance to December 31, 2003.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

X. NEW BUSINESS

A. Consider Planning Commission Recommendation for the Proposed Site Plan of the Above Ground Pool Screening for the Property at 30020 Cheviot Hills Court.

Glen Fayolle, owner of the property at 30020 Cheviot Hills Court, presented the new materials he wishes to use as screening.

Council raised a question about the language for the ordinance for screening around pools, and John Staran, Village Attorney, addressed the issue saying that the change in screening would not be prohibited.

#2003-74 Motion by Coyer, supported by Saltzman to accept the Planning Commissions recommendation for the Proposed site plan of the above ground pool screening for the property at 30020 Cheviot Hills Court.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

B. Consider Proposed Demolition Application for the Property at 25701 River Drive.

Brian Guz, owner of the property at 25701 River Drive, was present to address concerns and questions of the Council. Letter received from William Kahn and read by the Clerk for the record, giving Mr. Kahn's support of the demolition.

Sosin asked if all of the structures were to be taken down, Brian Guz, the owner of property in question, stated that all structures were coming down.

#2003-75 Motion by Saltzman, supported by McElroy to approve the application for demolition for the property at 25701 River Drive pending the receipt of a \$5,000 surety bond and submission of property documents to the Building Department, and all other requirements of the Building Official.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

C. Consider Request of the Franklin Community Church to Display Signs for Upcoming Rummage Sale.

Council reminded residents to donate items for the rummage sale taking place on September 19 and 20.

#2003-76 Motion by Coyer, supported by Harnisch to approve the request of the Franklin Community Church to Display Signs for the Upcoming Rummage Sale.

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

D. Consider Proposed Policy for Vehicle Use Policy and Lease Vehicle Specifications.

#2003-77 Motion by Sosin, supported by Harnisch to approve the Vehicle Use Policy as follows with three changes: that the phrase “with the recommendation of the Village Administrator” be removed; to include language to make it clear that the Village will pay for repairs, maintenance and fuel; and that the figure of “30%” in the last paragraph be changed to “25%”:

PURPOSE

To provide rules and procedures that reasonably, effectively and economically control the use of Village owned vehicles by employees.

GENERAL STATEMENT

The purpose of this policy is to establish standard requirements and procedures in accordance with applicable Internal Revenue Service regulations for Village employees who are assigned Village owned vehicles in the course of providing Village services, conducting official business, commuting to and from work when the nature of the employee’s job requires it, and for any personal use (as restricted further in this policy). This policy is intended to ensure the safety and well being of the employee, to facilitate the efficient use of Village resources, to minimize the Village’s exposure to liability, to monitor use, and determine the most practical type of vehicle that meets a variety of potential uses and complete with Internal Revenue Service regulations.

GENERAL REGULATIONS

Vehicles purchased by the Village will be passenger type vehicles meeting specifications applicable to police patrol cars so as to provide a vehicle that serves multiple needs and can be transferred to different uses depending on the existing needs of the Village.

Currently, Village owned vehicles are authorized for use for official business, commuting to and from work, emergency response, and limited personal use subject to the following;

1. Employees may be required to maintain a daily log of all business and personal use mileage and submit same to the Clerk's office with bi-weekly payroll forms.
2. Employees who use Village owned vehicles for personal business will be issued a W-2 tax form for annual reporting to the Internal Revenue Service.
3. Employees will be responsible to have routine maintenance performed and to report any needed repairs to the Village Administrator.
4. Employees who fail to maintain their vehicle in an acceptable fashion, abuse the vehicle, or have repeated "at fault" accidents may lose the right to drive a Village owned vehicle. Employees will be required to sign a statement accepting the responsibilities of this policy.

OTHER

Employees who are not assigned a Village owned vehicle, but are required to travel for official Village business, may be temporarily assigned a vehicle or compensated for the use of their own vehicle in accordance to Internal Revenue Service guidelines.

LEASE CAR SPECIFICATIONS/REGULATIONS

- Type:** Meet intent of following criteria and manufactured by a domestic auto company.
- Bidding:** Local competitive bidding, sealed bid, or through other governmental authorized bid process.
- Price:** Monthly lease price not to exceed \$325.00 (to be set by Council each year based on market factors).
- Terms:** 24-36 Months
- Equipment:** All standard equipment including; am/fm radio, air conditioning, cruise control, ABS brakes, and all-season radial tires.
- Specialty Equipment:** Limited to police related equipment. All other options to be approved by Village Manager prior to bidding.
- Business Use:** Work related trips.

Annual Mileage Limitation:

Lease to include annual mileage of 15,000 miles (Employees to pay for any overages at the end of the lease.)

IRS Reporting:

Employees who utilize a Village owned vehicle will be given a W-2 form representing 30% **(25%)** of the annual cost for said vehicle. Or as reported in a personal/business miles log maintained by the employee.

Sosin inquired about the use of W-2 tax forms, having remembered that 1099's has been used in the past. Stoppels stated that the 1099 form had been used in a specific circumstance, and the W-2 would otherwise be used. Sosin asked about the wording in the second sentence in the seconded paragraph under **GENERAL REGULATIONS**, he read it as the Village needed the Village Administrator's approval to make changes. Stoppels and Staran both confirmed that was not the case and Council that was extraneous wording and could be removed.

Gallasch expressed concern over how the regular maintenance of the vehicles would be compensated. Stoppels stated that the Village would pay for all maintenance and fuel expenses, but it was up to the driver of the vehicle to make sure the vehicle was maintained.

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

#2003-78 Motion by Coyer, supported by McElroy, to amend the Vehicle Use Policy to have it included in the personnel manual.

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

E. Consider Proposed Salary and Benefits for Police Chief.

#2003-79 Motion by McElroy, supported by Gallasch to grant a 3% bonus payment to the Police Chief's salary, and all other Benefits to be maintained in accordance with the personnel manual.

Harnisch stated that the pay raise did not fully compensate for the cut in holiday pay that came with the new personnel manual standards and chose to vote against the motion.

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

F. Consider Proposed Salary and Benefits for Village Administrator.

Council thanked Stoppels for his hard work and diligence as the Village Administrator.

#2003-80 Motion by McElroy, supported by Sosin to grant the Village Administrator a 5% pay increase starting May 1st of 2003 and an increase from 3 months to 9 months severance pay, unless he should find a suitable job in less time, to use a Village owned vehicle in accordance with the Vehicle Use Policy, and all other Benefits to be maintained in accordance with the personnel manual.

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

XI. PROCLAMATION/RESOLUTIONS/ORDINANCES

A. Consider Proposed Resolution to Determine Ballot Language and Election Date for Public Water.

The revised ballot language reads as follows:

PUBLIC WATER BALLOT QUESTIONS

Proposal A

Shall the Village of Franklin construct, provide and maintain a public water system? (The authorization in this Proposal A shall not be effective unless Proposal B is also approved.)

Yes
No

Proposal B

Shall the Village of Franklin borrow a principal amount of money not to exceed Twelve Million Dollars (\$12,000,000) and issue it's general obligation unlimited tax bonds therefore, in one or more series, for the purpose of acquiring and constructing a public water supply system to be maintained by the Village? The maximum number of years the bonds may be outstanding, exclusive of any refunding, is 23 years; the estimated millage that will be levied to pay the proposed bonds in the first year that the levy is authorized is 2.70 mills (\$2.70 per \$1,000 of taxable value); and the estimated simple average annual millage that will be required to retire the bonds is 2.70 mills. (the authorization in this Proposal B shall not be effective unless Proposal A is also approved.)

Yes
No

#2003-81 Motion by Sosin, supported by Harnisch, to adopt the revised ballot language, replace the language previously approved, the Village schedule an election date for November 17th, 2003, and that the Water Study Committee continue to meet for the purpose of obtaining and considering information to better inform the Village on the subject.

McElroy stated his belief that the Village needs a written proposal from SOCWA (South Oakland County Water Authority) and Detroit Public Water. Sosin stated that the Village had such a report from Detroit Public Water, which the figures for the ballot language had been based on, but such a report had not been received from SOCWA. Coyer expressed a concern in the lack of a report from SOCWA, because SOCWA may require the Village to house a water storage facility, which SOCWA would manage, and charge the Village for it. Sosin stated that Tom Biehl, the Village's Engineer, had estimated that the numbers from SOCWA would be much lower than the numbers from Detroit Public Water, even including the charges for a water storage facility. Stoppels stated that placing a water storage facility in or close to the Village and paying for it would decrease the costs to the Village and Villagers. Coyer felt that the Council cannot move forward without a proposal from SOCWA, the issue is too large with too long an effect on the Village. Gallasch felt that the Council could move forward, because the election could be canceled at the last moment. McElroy wondered if the Council would be able to make the final say on the ballot language once the Water Study Committee have come to a final decision, Pikulas answered an affirmative.

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

XII. ADJOURNMENT

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

Ayes: Pikulas, Saltzman, Gallasch, Sosin, Coyer, McElroy, Harnisch

Nays: None

Absent: None

Motion carried.

There being no further business, the meeting adjourned at 9:51 p.m.

Respectfully submitted,

John C. Pulker
Recording Secretary

Eileen H. Pulker
Village Clerk

James Pikulas
Village Council President