

PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL MEETING
MONDAY, JULY 11, 2005, 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 Pro Tem Fred Gallasch at 8:15 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Motion by Coyer supported by Lamott to excuse President Jahnke, Trustees Harnisch and Schiano in their absence from this meeting.

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Jahnke, Harnisch, Schiano

Motion carried.

Present: Fred Gallasch, Randy McElroy, Brian Coyer, Bill Lamott

Absent: Mark W. Jahnke (excused), Alan Harnisch (excused), Dominick Schiano (excused)

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
John Staran, Village Attorney, Beier Howlett
Edward Glomb, Police Chief
Tony Averbuch, Fire Chief
Thomas Morrow, Treasurer Appointee

III. ADOPTION OF AGENDA

Motion by Lamott supported by McElroy to approve the Agenda as presented.

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Jahnke, Harnisch, Schiano

Motion carried.

IV. MINUTES

A. Regular Meeting of June 13, 2005

Motion by Coyer supported by McElroy to approve the minutes of the Regular Village Council meeting of June 13, 2005 as presented.

Changes to the minutes submitted by Harnisch were reviewed and noting that none of the changes were determined to be substantive, the minutes were to be corrected to show those corrected typographical errors.

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Jahnke, Harnisch, Schiano

Motion carried.

B. Special Council Meeting of July 7, 2005

Motion by McElroy supported by Lamott to approve the minutes of the Special Village Council meeting of July 7, 2005 as presented.

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Jahnke, Harnisch, Schiano

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Police Chief Ed Glomb referred Council to his written report and added that on June 29, 2005 there was another incident of an unlocked vehicle being broken into, with a lap top computer stolen in Bingham Farms. Chief reminded Council that he had reported on a similar incidence in Franklin last month and stated that he wished to remind residents that they should take care to lock their vehicles, and doors, and remember to close garage doors to prevent these opportunistic crimes in the two Villages. Chief Glomb also reported on an incident in the neighboring community of Farmington Hills, in which a party store called "Mug and Jug" was held up on July 5, 2005 at 9:00 p.m., during which the owner was shot. Chief added that a "Papa Romanos" Pizza that was robbed the month before and that the Police suspect was perpetrated by the same two people. Chief Glomb reported on an incident in Franklin of a home invasion during which the home owner was able to obtain a license number and the suspect was apprehended and charged with that crime as well as others in coordination with "SONIC" (Southern Oakland Narcotic Investigative Consortium). Glomb added that the "Speed Sentry", newly installed on the north bound lane of Franklin Road, has documented 12,833 cars with an average speed of 28.4 miles per hour; 2 cars at 46 - 55 mph; highest number of cars, 9,513 cars, at 26-35 mph; with many positive responses from Villagers.

Fire Chief Tony Averbuch was not presented but had previously provided a written report.

Treasurer Schiano was not present at the meeting and will later provide a report.

VI. SUBMISSION OF CURRENT BILLS

Motion by Coyer supported by Lamott to approve the bills list as presented.

TOTALS

General Administration	\$ 81,938.91
Building	\$ 21,568.67
Insurance	\$ 28,415.49
Legal	\$ 3,216.48
Police	\$ 42,821.63
Roads	\$ 14,186.93
Local Road 2002	\$ 11,860.98
Rubbish	\$ 297.54
Trust & Agency	\$ 10,100.00
Village Hall & Grounds	\$ 1,008.78
Waste Water	\$ 3,436.84
All Funds	\$218,852.25

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

Scott Aldridge, of 31040 Crestwood, stating that he had recently purchased the property and was planning to demolish the dwelling. Aldridge had questions regarding a number of trees he would like to remove, creating a backyard, creating room to build a new home, and moving the driveway from its present location. Aldridge continued stating that 75% to 80% of the lot was wooded, and added that he did not wish to pay the \$11,600.00 bond required by the Arborist. Aldridge was asking that the Council grant an exception to the requirements, and added that he intended to plant a number of trees along the road when his project neared completion. Stoppels stated that Mr. Aldridge had been in contact with staff and was in the midst of the process to resolve his issues. Stoppels added that he intended Mr. Aldridge's presentation to be informational with any actual consideration by the Council to be placed on a future Agenda once the issue had been adequately reviewed by staff. Aldridge added that he had been attempting to move his application forward for six (6) weeks, with plans to begin demolition before Fall 2005. Coyer responded that there was a process within the Ordinance to address any variances to the recommended fees, and a formal application for a waiver would need to first be addressed by the administrator. Stoppels stated that he would be in contact with Aldridge during the current week to assisting him in beginning that process.

VIII. SPECIAL REPORTS

A. President's Report, Mark Jahnke, Village President

Motion by Coyer supported by McElroy to table the President's report.

Ayes: McElroy, Coyer, Lamott, Gallasch

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

B. Council Report

Gallasch began his report, as the Birmingham Area Cable Board Representative, asking the citizens, Village Council, and staff to provide their impressions of the programming, scheduling, and suggestions for new programs on both the Channel 18, the public access channel, and Channel 15 the municipal channel on Comcast. Gallasch asked that those with comments should contact Tom Hanson, the Executive Director of the Cable Board at (248) 336-9445.

Gallasch, a member of the Police Contract Negotiating Committee along with Council Trustees Harnisch and Lamott, reported that on July 7, 2005 there had been a Special Village Council meeting at which the negotiating team received the Council's input and directions on the negotiations. Gallasch continued, stating that one of the items discussed at the Council meeting is to be considered later on the Agenda, and that item is the request to fund studies of future retirement costs to the Village. Gallasch also stated that the committee is scheduled to meet with the Police representatives later that same week, at which time the committee will present to them some of the concerns that the Village Council has. Gallasch concluded stating that the negotiations were going well.

McElroy thanked Gallasch for his intervention and contact with DTE that enabled the necessary utility shut offs that allowed the demolition of the Gardenway property to proceed.

Coyer, Chairman of the Wireless Telecommunication Committee, reported that following what was decided at the June Village Council meeting; an e-mail contact, in the form of a letter written to advocate Franklin as a pilot community, was made to each of the suppliers that had contacted Oakland County for the Wireless Oakland project, with the help of Stoppels, Pulker, Lamott and McElroy. Coyer stated that a bill was pending in the energy and commerce committee of the state legislature that would block communities from providing their own wireless service. Coyer noted that after having met with Ms. Taub, State Representative, he was assured that the bill had no merit and the speaker would not let the bill out of committee. Coyer concluded stating that the Village would continue promoting Franklin by contacting the 14 companies that applied to Oakland County to provide service. McElroy added that Franklin had been leading the charge, long before Oakland County began its "Wireless Oakland" program.

Lamott reminded everyone that the Ben Franklin 299½th Birthday Celebration was to be held on Sunday July 17, 2005, from 2:00 p.m. to 5:00 p.m. on the Village Green.

Coyer added that having attended the "Music on the Green", he wanted to emphasize what a splendid performance that is and how welcome the corporate support, especially Standard Federal Bank, is to that event each Wednesday night in July.

IX. NEW BUSINESS

A. Consider Renewal of the Liquor License for the Franklin Grill.

Gallasch stated that the liquor license has to be annually renewed, which is reviewed by the Village's Liquor Control Committee. McElroy reported that the Village has a thorough Ordinance that was carefully thought out when written, not most important for the current owner of the license, but that any future owners would be watched carefully. McElroy continued stating that a formal review was conducted involving the Fire Chief, Police Chief, Building Official and three members of the Council, Trustee Coyer, President Jahnke and Trustee McElroy, which resulted in outstanding reports on Ms. Grundy, the present license holder, with only a few items noted by the Building Official some of which have been corrected.

#2005-51 Motion by McElroy supported by Lamott to approve the renewal of the liquor license for the Mad Dog Central, Inc. dba Franklin Grill, said renewal to be in effect until February of 2006 at which time it will be up for Review and Renewal Pursuant to Village Ordinance. Further, that the Applicant commit to a timeline for completion of the Outstanding Site Plan Issues (Attachment #1) that were required at the time that the original Liquor License was granted by the Village.

Coyer commented that as a member of the committee, and having reviewed all of the reports along with McElroy and Jahnke, he strongly supported the renewal of the license. Coyer added that the committee could have imposed some restrictions but chose not to due to the good faith of Ms. Grundy and the good outcomes taking place at the restaurant, and as such strongly supports the renewal. Coyer added that there were outstanding site plan issues, but those items are identified in a memo from Bill Dinnan, Building Official, and as such the committee recommended renewing the full and complete license until February 2006, at which time the Village will again review the information. McElroy commented that in order to make certain, in the event the license was sold, that there would be a list of the conditions attached to the approval.

Ayes: McElroy, Coyer, Lamott, Gallasch
Nays: None
Absent: Schiano, Harnisch, Jahnke
Motion carried.

B. Consider Appointment of Treasurer.

Gallasch began by thanking Dominick Schiano for his service to the Village as Treasurer and to further thank him for encouraging the new candidate, Tom Morrow, to serve as the new Treasurer. Gallasch, in order to allow him to nominate the candidate himself, passed the Chairmanship of the meeting to Trustee McElroy.

Gallasch introduced Tom Morrow, the nominee for Village Treasurer, who has lived on Oakleaf for three years with his wife Eva, a highly accomplished businessman with a lot of financial background and is a Director with AlixPartners, LLC, and has spent 20 years solving financial, strategic issues with companies, has experience with NBD and has degrees from University of Michigan and University of Chicago. Gallasch added that he was personally gratified that Tom was willing to serve as Village Treasurer, and that he looks forward to working closely with him on Village matters.

#2005-52 Motion by Gallasch, supported by Coyer to approve the appointment of Thomas A. Morrow as Village Treasurer.

Ayes: Gallasch, Coyer, Lamott, McElroy
Nays: None
Absent: Schiano, Harnisch, Jahnke
Motion carried.

McElroy passed the Chairmanship back to President Pro Tem Gallasch.

Coyer commented that the Council owes an initial debt of gratitude for taking on this position and with Schiano's recommendation as well as the impressive résumé, and pleased that he was willing to provide the service to the Village.

Tom Morrow stated his own thanks to the Council for their kind comments, adding that he was looking forward to working with all of them.

C. Consider Recommendation of Personnel Committee for 2005-2006 Non Union Employee Wages and Benefits.

Gallasch stated that the Village Council performs an annual review of the performance of the non union employees of the Village and that comparative salaries of other similar communities are looked at, after which the Personnel Committee makes a recommendation to Council for the changes for the next fiscal year.

McElroy reported that the committee did do a thorough review and did obtain a new survey from the Michigan Municipal League, having not done so for many years, to make certain that the salaries are competitive and fair. McElroy stated that the survey proved that salaries are "in the ballpark" with one exception, which will begin to be addressed tonight. McElroy added that in 1999, the Council got away from effectively what was an inflation based raise pattern, and have now done the best possible, in a small office, in trying to institute a 360° performance review, and that based upon the resources available, the committee is recommending that all Village Non Union employees, with the exception of the recently hired Finance Clerk who is to be evaluated at a later date, are to receive a 3% increase to their base wages. McElroy continued stating that the Village Clerk is at the lower end of the scale, based on the research conducted, and as such, within the limits of the resources available the committee is recommending that the salary

be moved up, and that the Council grant Ms. Pulker an incremental 2% base wage increase on top of the 3%, still not at the midpoint according to the MML study, and at the minimum that the committee feels she should be, but is at least a start. McElroy concluded stating that this comprises the recommendation of the Personnel Committee consisting of President Jahnke, Trustees Gallasch and McElroy and that the recommendation includes input from all the department heads including Police Chief Glomb and Administrator Jon Stoppels.

#2005-53 Motion by McElroy supported by Lamott that the Village of Franklin increase the base salary of all non-union employees, that they be granted a 3%, to their base wage, raise with the exception of the Finance Clerk who is a new hire, and with further exception that the Village Clerk will also receive an additional 2% raise, on top of the 3%, which will bring her more in line with other Clerks in Oakland County, all of which are retroactive to July 1, 2005.

Coyer commented that he certainly supported the increases, but asked if there was any way to take a look at the budget over the next several months, taking a look at the Village Clerk position to possibly revisit that. Coyer continued stating that while he commends the work done and does not second guess the committee, but perhaps this could be looked at again to bring it closer to the average. McElroy agreed that this could be addressed at the same time that the new finance clerk was to be evaluated, due to the fact that by that time revenue sharing numbers would have been finalized, and it would be a good time to review the budget.

Ayes: McElroy, Coyer, Lamott, Gallasch,

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

D. Consider Appointments to Historic District Commission and Zoning Board of Appeals.

Gallasch reported that he did not have good information regarding Zoning Board of Appeals appointments, but Lamott added that he knew of two certain appointments for the Historic District Commission although a third position was still being discussed. Lamott continued stating that the re-appointments of Walt Denison and Gary Roberts would enable the Commission to conduct their August 2005 meeting, which will occur before the next Council meeting at which the other appointments may be considered.

#2005-54 Motion by Lamott supported by Coyer to re-appointment Walt Denison and Gary Roberts to the Historic District Commission for a term ending July of 2008.

Ayes: McElroy, Coyer, Lamott, Gallasch,

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

#2005-55 Motion by Coyer supported by McElroy to table the Zoning Board of Appeals appointments until the next meeting.

Ayes: McElroy, Coyer, Lamott, Gallasch,
Nays: None
Absent: Schiano, Harnisch, Jahnke
Motion carried.

E. Consider Authorization of Expenditure to Fund the Study of Post Retirement Costs.

Gallasch reported that the Police Negotiating Committee knew that it would be important to look at the future burden upon the Village to fund the post retirement of the Police Officers, and the Police Union has agreed to contribute 50% of the study and that at the last Council meeting it had been suggested that this be considered at this meeting.

Lamott stated that there was a need to do a study of post retirement costs that would incorporate both retirement benefits; for pension and health care. Lamott continued stating that the pension cost expense projection portion is what the Police Union was willing to share in the cost of and the Village would cover the cost of the health insurance cost portion.

#2005-56 Motion by Lamott supported by McElroy to approve funds not to exceed \$5,000 to have MERS conduct an actuarial study to determine costs of post employment benefits for the police department.

Coyer asked if the committee could request of the Police Union that they help fund both portions of the study in order that both studies would be conducted cooperatively and allow joint ownership of both portions, as opposed to one portion and not the other.

Ayes: McElroy, Coyer, Lamott, Gallasch,
Nays: None
Absent: Schiano, Harnisch, Jahnke
Motion carried.

X. BIDS/CONTRACTS/PROPOSALS

A. Consider FY 2006 Municipal and Community Credit Contract between SMART and the Village.

Gallasch stated that this Contract was one that the Council addressed each year, which allows the Village to pass this funding to the Birmingham Area Seniors Coordinating Council and Center (BASCC).

#2005-57 Motion by Coyer supported by McElroy to authorize our President or Administrator to fill in and execute the Municipal Credit and Community Credit contract that has been provided in the letter to Ms. Pulker dated June 22, 2005, the amount to be received from SMART would be \$2,760.00 in Municipal Credits and \$3,573.00 in Community Credits, to assign those amounts to the Birmingham Area Seniors Coordinating Council and Center (BASCC), and forward to the SMART representative.

Ayes: McElroy, Coyer, Lamott, Gallasch,
Nays: None
Absent: Schiano, Harnisch, Jahnke
Motion carried.

Lamott commented that these funds are provided to BASCC to enable them to provide transportation for senior citizens in and around Franklin.

XI. PROCLAMATIONS/RESOLUTIONS/ORDINANCES

A. Consider Resolution Authorizing West Nile Virus Fund Expense Reimbursement Request.

Pulker explained that while the Village continues to use up previously purchased supplies to combat mosquito larvae in the Village, should we run low, this resolution would enable the Village to purchase additional supplies by September 30, 2005 and submit for reimbursement from Oakland County.

#2005-58 Motion by Coyer supported by Lamott to approve the resolution as follows:

WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT REQUEST

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, village and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measure/activity, mosquito habitat eradication, mosquito larviciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS the Village of Franklin, Oakland County , Michigan directs its Administrator as agent for the Village of Franklin, in the manner and o the extent provided under Oakland County Board of Commissioner Miscellaneous Resolution #05091, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Ayes: McElroy, Coyer, Lamott, Gallasch,

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

XII. ADJOURNMENT

Motion by Lamott supported by Coyer to adjourn.

Ayes: McElroy, Coyer, Lamott, Gallasch,

Nays: None

Absent: Schiano, Harnisch, Jahnke

Motion carried.

There being no further business, the meeting adjourned at 9:11 p.m.

Respectfully submitted,

Eileen H. Pulker, Clerk

H. Frederick Gallasch
President Pro Tem