

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, FEBRUARY 9, 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: Brian Coyer, Alan Harnisch, Mark Jahnke, Bill Lamott, Amie Saltzman, Dominick Schiano, Fred Gallasch

Absent: None

Also Present: Jon Stoppels, Administrator  
Eileen Pulker, Clerk  
Thomas Morrow, Treasurer  
Patrick Browne, Police Chief  
Tony Averbuch, Fire Chief  
Eddie Delbridge, Main Street Director  
John Staran, Hafeli Staran Hallahan Christ, P.C., Village Attorney

**III. ADOPTION OF AGENDA**

**Motion by Coyer supported by Lamott to adopt the Agenda as submitted.**

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

**IV. MINUTES**

**A. January 12, 2009 Regular Village Council Meeting.**

**Motion by Schiano supported by Saltzman to approve the minutes of the January 12, 2009 Regular Village Council Meeting as revised.**

Jahnke pointed out a couple of typographical errors.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

**V. REPORTS OF VILLAGE OFFICERS AND AGENTS**

**Patrick Browne, Police Chief, reported as follows:**

- January 21, 2009 in Bingham Farms there were two incidents of catalytic converter thefts from vehicles which occurred in the day time hours. His department has shared information with property managers to be shared with tenants to encourage reporting of suspicious activity in parking lots to the police.
- Malicious destruction of property which occurred on Franklin Farms during the evening of January 12, 2009, noting that the Department encourages residents to

report suspicious activity and to employ strategies that would inhibit such incidents from occurring.

- The Department will communicate safety tips regarding securing of valuables when bringing strangers such as workers into one's home at some point in the near future, perhaps in an upcoming Village Quorum newsletter.
- The Department started their yearly joint training with Farmington Hills Police Department in January.
- Oakland County Chief of Police meeting with Sheriff Bouchard which discussed expanding coordination of training and potential legal enforcement funding within the stimulus package.

Gallasch advised Chief Browne that in a meeting with Congressman Gary Peters' Office he learned about potential COPS funds and that he will pass along any details he receives.

Schiano inquired if the economy is impacting incidents of crime in the general area, noting that the Village is relatively stable, to which Browne replied that the economic element is one causative factor for increased crime and domestic runs and the surrounding area has experienced incidents recently and he anticipates seeing an increase in the area.

**Tony Averbuch, Fire Chief**, in a follow up to his written report, advised Council:

- Since the overnight program was initiated on January 1<sup>st</sup> the Department has decreased response time while experiencing an increase in runs. He also provided a brief summary of the eligibility requirements for night-time staffing.
- The Department received an Assistance to Firefighter Grant in the amount of \$46,000.00 to acquire safety equipment including replacement of turn out gear and acquisition of self-rescue kits which will allow the Department to keep in line with standards and the Fire Department budget. Bids are due by Friday and will be brought to the Fire Commission March meeting for consideration.

Council congratulated Chief Averbuch on receiving the Grant.

**Thomas Morrow, Treasurer**, reviewed his submitted written report as follows:

- Bills List is consistent with normal monthly spending and the '08-09 budget.
- Sufficient funds exist to meet the Village's current and anticipated obligations.
- Offer to refinance the 1999 Pressure sewer bond which he, after consulting with Tom Traciak, of ACI Finance, the Village's bond advisor, does not recommend pursuing.
- Results of a bond portfolio review by Tom Traciak which identified the 1999 Police station bonds for a potential refinancing due to a 2010 call feature which he will track and bring back to the Village in spring of 2010.

Gallasch asked who will bring the potential refinancing of the 1999 Police station bonds to the Finance Committee with Morrow replying that it will be coordinated between himself and Tom Traciak.

Schiano inquired if the call back feature is a par call with no fees with Morrow stating that is his understanding, adding that the other bonds did not have this call back feature and would therefore have call penalties assessed.

- Fourth quarter 2008 retiree savings funds summary, advising that this quarter was not favorable investment wise, adding that the market will hopefully turn around, enabling the Village to obtain a better return on investments moving forward.

Schiano inquired if the values in the summary reflect securities the Village owns at current prices to which Morrow stated yes, adding that the overall 4<sup>th</sup> quarter results have not been published and he will provide those results to Council when they become available. Schiano commented that the Village has a somewhat balanced portfolio, not just equities, with Morrow in agreement.

Jahnke inquired as to why the 2007 4<sup>th</sup> quarter and 2008 1<sup>st</sup> and 2<sup>nd</sup> quarter contributions were less than the \$11,050.00, to which Morrow replied he is not sure but suspects it is related to timing. Jahnke requested an answer be brought back to Council.

Gallasch asked why the fee structure seems so random with Schiano opining that it is probably based on the total assets not the contribution to which Morrow agreed and advised he will follow up.

**Eddie Delbridge, Main Street Director**, referred Council to the information provided in the packet regarding the month of May, Rediscover Your Downtown Co-op Advertising Campaign through Main Street Oakland County (MSOC), and summarized the Campaign as follows:

- Promotional costs to be covered by MSOC and will include each of the designated MSOC community's events.
- Village cost will be \$250.00 which is a small portion of the total billboard costs.
- Village can choose timing of participation, does not have to plan a new event, goal is to draw people into the downtown.

Schiano asked if the shopkeepers/merchants know yet and if they are supportive to which Delbridge replied that this effort is just being launched, there is potential benefit to the Village, and summarized a merchant passport event held by other MSOC communities which were successful.

Lamott advised that the team working on the Kreger Farm fundraising has talked about holding some community wide fundraisers and suggested talking with that group to see if it could be mutually beneficial to schedule a fundraiser to coincide with whatever event is planned for the MSOC campaign.

## **VI. SUBMISSION OF CURRENT BILLS**

**Motion by Coyer supported by Saltzman to approve the Bills List as presented.**

### **TOTALS**

<b>General Administration</b>	<b>\$</b>	<b>16,779.11</b>
<b>Building</b>	<b>\$</b>	<b>8,419.08</b>
<b>Insurance</b>	<b>\$</b>	<b>37,061.62</b>

<b>Legal</b>	<b>\$</b>	<b>3,024.50</b>
<b>Police</b>	<b>\$</b>	<b>12,761.23</b>
<b>Pressure Sewer</b>	<b>\$</b>	<b>28,074.68</b>
<b>General Debt Service</b>	<b>\$</b>	<b>22,995.00</b>
<b>Major Roads</b>	<b>\$</b>	<b>4,381.77</b>
<b>Local Roads</b>	<b>\$</b>	<b>4,365.00</b>
<b>Rubbish</b>	<b>\$</b>	<b>16,673.06</b>
<b>Trust &amp; Agency</b>	<b>\$</b>	<b>800.00</b>
<b>Tax Fund</b>	<b>\$</b>	<b>1,187.64</b>
<b>Waste Water</b>	<b>\$</b>	<b><u>4,370.24</u></b>
<b>ALL FUNDS</b>	<b>\$</b>	<b>160,892.93</b>

Jahnke asked if the pg 1 items for Margaret Beke, Historical Minutes, Office Team, Minutes, and Rebecca Gale, ZBA minutes, were each for one meeting, to which the Clerk answered probably.

Jahnke requested clarification as to the page 1 item, Marlin Leasing, Phone, with the Clerk and Administrator Stoppels stating that is for the phone system in this building.

Jahnke asked if the item, Building, Wm. Dinnan & Assoc., LLC, Administrative Functions, reflects 35 hours @ \$40.00 per hour with Administrator Stoppels stating that is correct.

Schiano commented that the line item for McKenna Associates seemed high and requested clarification. Pulker advised that it reflects costs incurred for December 2008 and January 2009 and Trustee Lamott advised that it also reflects Kreger reimbursable costs. Discussion ensued regarding how the Kreger reimbursements will be handled.

Coyer requested clarification as to page 2 item, Pressure Sewer, US Bank and page 3 item, General Debt, US Bank with Morrow and Pulker advising that it is for scheduled, budgeted payments.

Gallasch requested clarification and for Administration to review page 1 item, De Lage Landen Public Finance, Copier maintenance quarterly, for copier maintenance. Administrator Stoppels advised that it will be checked out, but this is paid quarterly and the company may have gone through a name change.

Gallasch requested clarification for page 2 item, Police, Cynergy Wireless, Vehicle repairs, with Browne explaining that the expenditure was for a prep radio the Department had to purchase.

Schiano requested a status update regarding the dental insurance switch with Stoppels and Pulker advising that this will be occurring in March.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

## **VII. PUBLIC REQUESTS AND COMMENTS**

### **A. Report by Dick Gleason.**

Dick Gleason, 32921 Wing Lake Road, provided a summary of his recent trip to Washington D.C. to attend the Inauguration Ceremony and an overview of his life experiences, including his involvement with the Freedom Riders, which created in him a need to attend the Ceremony and equipped him with the ability to uniquely appreciate its significance. He stated that initially he had no hopes of obtaining a ticket, but through the generosity of Gary Peters and the Lieberman's, he was able to attend the Ceremony and celebration and while there he was overcome with emotion. He concluded by stating that back in Jackson, Mississippi, he did not feel like he was in America, but when he was escorted by an Honor Guard as he was seated to witness President Obama's inauguration he did feel like he was in America.

Gallasch advised Council that Marsha Gershenson, County Commissioner, was not able to be present at tonight's evening and had requested that he announce that there is a vacancy on the County Committee for Mental Health and she is looking for volunteers.

- B.** Walter Banacki, 32844 Chatham Lane, advised Council that Dorchester Subdivision needs their help in preventing some serious accidents on Telegraph Road north of 14 Mile Road in the southbound lane due to the fact that Consumer's Energy will be turning off their gas street lights on February 17, 2009, terminating a contract they have had with the Subdivision since the 1960s. He explained that eight (8) of these lights are on Telegraph and eight (8) are on 14 Mile Road which light up their dark streets. He continued by advising that they have a committee researching alternative lighting and that they request Franklin's assistance in this research as well as approving the replacement of some of their old antique street signs with strategically placed reflectorized signs. He advised Council that he had also provided the council members with a written request.

Administrator Stoppels advised that the Village will look into it.

## **VIII. PUBLIC HEARING**

### **A. Receive Citizen input regarding the Site Plan Application for the Kreger House, Barn and Shed.**

Gallasch opened the Public Hearing at 8:45 p.m.

Lamott provided background information, stating that this matter relates to the relocation of three (3) buildings formerly on Scenic Drive, to an area just west of the Village Hall temporarily. The buildings were donated to the Historical Society, a group of citizens worked together to come up with a plan to utilize the buildings, and began fundraising (having raised \$100,000 to date), submitted a site plan application to the Planning Commission (PC) and variances to the Zoning Board of Appeals (ZBA), all of which were approved, some with conditions which he believes have been met. The issue now is for Council to formally approve the PC and ZBA recommendations.

Stoppels advised that a Public Hearing is required before Council can give final approval for a site plan, adding that anyone in favor or opposed to the Site Plan Application can speak at this Hearing or submit their comments in writing, some of which have already been submitted. The recommendation is to consider approval of the Application based upon recommendations from the three (3) Village Boards.

With no one from the public requesting to address this matter, Gallasch closed the Public Hearing at 8:48 p.m.

## **IX. OLD BUSINESS**

### **A. Consider the Planning Commission referral of the Site Plan Application for the Kreger House, Barn and Shed.**

**#2009-04 Motion by Saltzman supported by Harnisch to accept the Site Plan Application for the Kreger House, barn and shed, subject to conditions, as provided by the Planning Commission and Village Engineers.**

Coyer requested information regarding the conditions, with Lamott replying that there are no conditions with the Historic District Commission (HDC), the PC conditioned their approval on variances being approved, Village Engineer approval of the plan, buildings dedicated to government use only, and a special land use application would be submitted if the use changes, and the ZBA imposed no conditions and approved the variances, height, setbacks, and parking. He acknowledged that the long term plan is to change the use and to submit a special land use application at the appropriate time.

Harnisch stated that it was his understanding that he supported a motion that included the PC's conditions.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

#### **• Consider Bill of Sale, Terms of Donation and Memo of Understanding for Kreger House.**

Staran stated the intent of the Bill of Sale and Terms of Donation is to provide the proper paper trail to document the transaction from the Historical Society, which acquired the property from the prior owner, and the subsequent transfer of the property from the Historical Society to the Village. Staran referred to the draft memo of understanding that he had prepared.

Schiano requested Staran to briefly outline the Memo with Staran responding by reading the Memo, adding that a date should be inserted regarding the installation of the foundations.

Schiano asked who the undersigned is referencing to which Staran stated that this needs to be further developed as initially there were some uncertainties as to who was taking on the obligation, though it was his understanding it was likely to be a group of individuals, with Lamott in agreement.

Schiano asked why the Memo is necessary, with Staran advising that it arose out of Council discussions out of concern whether the Village government was not and is not prepared to take on this undertaking including the issue of ongoing maintenance. He added that Council had suggested that it is necessary to document who is doing what and when and this Memo is an effort to simply do that and not to create new liabilities or onerous obligations. Discussion ensued regarding the intent and structure of the Memo, with Schiano opining that the Memo could simply be that if the project isn't completed by a certain date that demolition would occur.

Coyer inquired as to who would have the liability in the case of a fire or if someone was injured on the property. Discussion ensued with Staran stating that once title passes the buildings would be covered by the Village through their insurance coverage with MMRMA.

Gallasch reviewed how Council could proceed and requested input to which Schiano stated that the Bill of Sale is fine, the date is important, and the Memo should simply state that we are undertaking this renovation which has to be done by a certain time and if it is not, we will put it the property back the way that it was. Discussion ensued regarding the Memo, naming the undersigned, with the consensus of Council being that Staran will revise the Memo.

Schiano asked if Council could authorize both with the condition that the Memo of Understanding would be done in a form acceptable to the Village President and the Village Attorney, with Staran replying that as long as Council is comfortable with this, it could be handled in that manner.

**#2009-05 Motion by Schiano supported by Lamott to accept the Bill of Sale and Terms of Donation as written for the Kreger House, barn and shed, modify the Memo of Understanding along the terms of the discussion to include minimum undertakings on what needs to be done and if project completion has not occurred by a set time there is an obligation to return the property to the way that it was, if terms are acceptable the Village President and Village Attorney be authorized to execute the Memo subject to having a counterparty that has sufficient resources.**

Saltzman asked if the last bullet point was to be left in regarding ongoing maintenance being privately funded. Discussion ensued regarding funding of ongoing maintenance and Council's intent from prior discussions, with Coyer clarifying that this can be modified at any point in time,

Coyer asked if the Franklin Historical Society has clear title to the property to which Staran replied that from the documents he has seen that is his conclusion and Schiano opining a statement to that effect could be added to the Bill of Sale (BOS).

Jahnke suggested that the final document be distributed to Council as soon as possible after execution.

Harnisch requested clarification as to the terms regarding ongoing maintenance. Discussion ensued regarding ongoing maintenance and funding with Schiano, with the consensus of Council, suggesting this matter be discussed at a future Council meeting.

Coyer asked if any funds were set aside by the former owner to deal with demolition if necessary to which Lamott stated no, adding that funds have been raised which would be used if necessary.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

## **X. NEW BUSINESS**

**A. Consider License/Permit to Use Public Right of Way for 27130 Wellington Road.**

Gallasch referred Council to the Memo provided in the packet, introduced the item, and inquired if anyone was present to represent the permittee.

Staran provided background information, advising that one of the unique features of Franklin is very narrow roadways without curb and gutter, resulting in the Right-of-Way (ROW) as sometimes being located in the grassy area of a property. At times, the property owner, assuming ownership of that area, inappropriately places items such as landscape timbers, rocks, walls, and non-breakaway mailboxes, etc. in the ROW, which leaves the Village in a precarious and liable position when those items are not appropriately designed (breakaway). After identifying significant structures inappropriately located in the ROW the Village is working one by one with the property owner to execute an agreement which provides the Village with \$1,000,000.00 worth of liability coverage at the property owner's expense. He concluded by advising Council that they will see other agreements as the Village identifies and works with other property owners who have similar inappropriately placed structures.

**Motion by Lamott Supported by Saltzman to approve the Permit to Use Public Right of Way for 27130 Wellington Road.**

Jahnke asked who had drawn up the agreement, the Village or the Applicant with Stoppels and Staran advising that it was modeled after an agreement drawn up by the Village Attorney a number of years ago.

Jahnke asked if this is a separate ROW agreement which does not rise to the level of a ZBA variance with Stoppels and Staran answering in the affirmative. Jahnke inquired why Gallasch's signature was already on the Agreement and if there would be any complications in that regard as Council has to approve the Agreement first. Clerk Pulker stated there would be no complications as the date on the Agreement will reflect the date of approval. Jahnke asked if the Applicant is ok with the Agreement with Gallasch and others pointing out it had been executed by the Applicant. Jahnke continued by stating that he is not in favor of the Agreement since the obstruction was constructed outside of the Village ROW ordinances and building permitting requirements and the Village is setting a precedent that accommodations will be made after the fact.

Staran stated that similar requests have been made in advance, many being denied and estimated the timing of this particular situation. He advised that there are a number of similar situations that the Village is working on, and the Village stands fast in their belief that this is their ROW and they have the right to require Village approval.

Schiano asked if the Village has the certificate of insurance and if the company is required to notify the Village in the case of a lapse of policy with Stoppels answering in the affirmative.

Coyer brought up the issue of Village incurred costs associated with these agreements and asked if there is any way for the Village to be reimbursed by a permittee.

Stoppels stated that the Village is moving forward in that direction, is reviewing all of the building department fees, and once a format/procedure is set in place a set fee will be determined and the applicant will be notified up front, however, Council can add a fee as a condition to this Agreement. Discussion ensued regarding options, precedence, and past agreements.



Staran stated that the points regarding precedence are well made in that this is something the Village should not want to encourage, there are traffic and pedestrian safety reasons as to why these obstructions should not be located in the ROW, and that some judgment has been made in this instance and probably prior instances that, although there are no guarantees, there is not a high risk element.

Schiano asked how the risk determination is made to which Staran replied that it is determined on a case-by-case basis using common sense, adding that from a legal perspective the preference would be not to have these structures located in the ROW, but this approach is an effort to find a balance between resident's desire, safety, and the risk factor. Discussion ensued regarding the potential for setting precedent and how to get around that with Stoppels and Staran listing factors such as speed, lighting, road design which would apply on a case-by-case basis.

Coyer opined that this permit request is probably the easiest one to turn down as it is regarding a mailbox, adding that the more difficult ones will be the larger structures that have been in place for a considerable period of time. He continued by stating that he would like to be accommodating but an option would be to not provide the permit. Staran stated that in that case the property owner would be required to modify the structure to create a breakaway design that does not pose an unreasonable danger to cars running off the road.

Discussion ensued regarding precedence, grandfathering, ordinance compliance, and Village liability, with Lamott suggesting that a liability agreement would still be needed in these types of situations where the Village is catching up with structures already in place, but that moving forward, perhaps they would not be allowed, to which Staran stated that is the idea. Discussion continued regarding exceptions, how the Village became aware of this obstruction, Exhibit A, size of mailbox, motion, follow up, and fee schedule.

**#2009-06 Motion by Saltzman supported by Coyer to table the Permit to Use Public Right of Way for 27130 Wellington Road.**

Coyer clarified that the motion to table is non-debatable.

**Ayes: Coyer, Harnisch, Saltzman, Gallasch**

**Nays: Jahnke, Lamott, Schiano**

**Motion carried.**

**B. Consider BASCC Entry Door Bids.**

Stoppels provided an overview of this matter, noting that the Village had authorized the use of CDBG funds for this project, the bid in the amount of \$4,283 to IDN Door and Hardware is the lowest bid, and any remaining funds would be utilized for small projects at the building that would not require bidding.

**#2009-07 Motion by Lamott supported by Schiano to approve the bid for BASCC Entry Doors by IDN Door and Hardware.**

Jahnke commented that giving the improvement to BASCC is contrary to his prior understanding of the CDBG fund process which was that Council budgets the money, holds a public hearing, and then, in this case, gives the funds to BASCC.

Stoppels advised that Council has to approve the specific use of the money and ensure that the rules are adhered to, with Jahnke commenting that he just doesn't understand why the Village has this detailed involvement.

Discussion ensued regarding who went out for bid and why, CDBG requirements, past experiences, who will administer installation, approvals, federal funds – federal rules, options, and Village time.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

### **C. Consider Appointment to Historic District Commission.**

Lamott advised Council that Mark Ashbaugh has moved out of the Village and he is recommending appointing Garrett Keais to fill the remainder of Mark's term. He continued by stating that Garrett Keais lives in the Historic District on Carol Street, has been a resident for 10 years, is in commercial real estate, understands the requirements of the HDC and is excited to be on the Commission.

**#2009-08 Motion by Lamott supported by Harnisch to appoint Garrett Keais to fill Mark Ashbaugh's unexpired term to the Village Historic District Commission.**

Jahnke requested that a brief communication (memo/email) be provided in these instances prior to the meeting in the future.

Lamott stated that another vacancy will be coming up in the near future and requested that prospective member names be provided to him.

**Ayes: Jahnke, Schiano, Harnisch, Gallasch, Coyer, Lamott, Saltzman**

**Nays: None**

**Motion carried.**

### **D. Consider Appointments to the Main Street Board.**

Gallasch provided an overview of previous discussions regarding the possible structure/composition of the Main Street Board so that it could serve the dual purpose of a CIA Board if the Village chooses to move in that direction. He advised that he, Pam Hansen, Eddie Delbridge and others have reviewed the volunteers, there are other recent volunteers to be looked at, requested that the detail be provided to Council in the next packet, and reviewed the document he provided to Council. Gallasch continued, advising Council that most volunteers have been approached, he has attempted to place them appropriately, they have accepted their commission, and to feel free to modify, revise, make suggestions or ask questions. Gallasch noted that the structure of the executive committee has very specific requirements, he has attempted to utilize new volunteers, he encountered reluctance when approaching merchants, Ms. Delbridge will be contacting people and providing Council with more detailed information in the next packet, and each committee will have to meet and set up their own protocol. Gallasch requested some sort of general acceptance of the appointments, especially those on the executive board.

**#2009-09 Motion by Lamott supported by Coyer to accept the appointments to the Main Street Program, as provided.**

Coyer noted that one name appears in two committees and inquired if this is consistent with the rules to which Gallasch replied that it is, noting that he and Delbridge had hoped that some of the executive committee members would serve on other committees so that the overlap would facilitate smoother communication.

Coyer inquired about the appointee to the executive board that is listed as “one or the other” to which Gallasch replied the business owners wanted to participate but as they both own the business they were reluctant to commit one solely as attending meetings but would commit to one of them attending meetings. Gallasch added that part of the problem is that the time obligation is not yet defined.

Schiano asked if these are public meetings or if they could be done by conference call, to which Staran replied executive board meetings are public meetings and subject to the Open Meetings Act, and committee meetings would not be subject to the Open Meetings Act and could be conducted via a conference call.

Discussion ensued regarding the meetings and the benefit of conferencing with Gallasch advising that Delbridge will assist in establishing the protocol and advising the members accordingly. Discussion ensued regarding volunteers with Jahnke, agreeing with Coyer, that one specific appointee needs to be named, and Gallasch agreeing that they will be contacted and one will be named as the appointee.

Jahnke inquired as to the timing of these appointments coming before Council yearly. Discussion ensued with the consensus of Council being that scheduling these appointments to coincide with other appointments made by Council at the July Village Council meeting, during which other commission appointments are made, would be best. Gallasch requested Delbridge to work with the Board in this regard.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

Coyer, seeking clarification, asked when the next general membership meeting is, as he is trying to get a handle on terms, to which Delbridge clarified that the executive board will set the terms. Discussion ensued regarding who would set the timing of meetings with the consensus being that the executive board and committees would set the time table and advise Council accordingly.

**E. Consider Request of Police Officers Association of Michigan (POAM) to begin discussion regarding upcoming contract.**

Gallasch introduced this item and advised that the Police Contract is expiring 12/31/09 and the POAM has approached him requesting that discussions begin early this year.

**F. Consider Appointments to Negotiating Committee.**

Gallasch suggested handling the composition of this committee as the Village did a few years ago – three (3) Council Members who met with Police Officers and Union representatives and Dennis DuBay of Keller Thoma, P.C., Village Labor Attorney, who was an excellent resource.

Harnisch commented that starting discussions earlier is a good idea, the suggested composition makes sense, and he recollects the Council Members as being Gallasch,

Lamott and Harnisch, adding that they worked well together and DuBay's involvement was invaluable.

**#2009-10 Motion by Harnisch supported by Coyer to appoint a committee composed of Lamott, Gallasch, and Harnisch, and with the assistance of Dennis DuBay, Stoppels, Chief Browne and the Village Attorney, to commence negotiations with the Police Officers Association of Michigan.**

Schiano stated that he is in agreement.

Jahnke stated that he is opposed to the inconsistency with the decision to include the President once again on this committee.

Coyer clarified the motion.

Discussion ensued regarding the composition of this committee and the composition of prior committees.

Harnisch amended his motion to include Chief Browne as an advisor.

**Ayes: Coyer, Harnisch, Lamott, Saltzman, Schiano, Gallasch**

**Nays: Jahnke**

**Motion carried.**

**G. Consider whether to convene in closed session immediately following the regular meeting for strategy session connected with the negotiation of a collective bargaining agreement, specifically the police union contract.**

**2009-11 Motion by Saltzman supported by Lamott to convene in closed session for a strategy session related to negotiations specific to the police union contract.**

Discussion ensued regarding the closed session.

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

**Motion carried.**

## **XI. SPECIAL REPORTS**

### **A. President's Report, Fred Gallasch, Village President**

Gallasch thanked all who volunteered to serve on the Main Street initiative and Mary Beth Almond, writer for the Eagle for two great articles on the Kreger House and Main Street. He read correspondence from a resident which complimented Police Officer Mike Bastiannelli on his thoughtful service. Gallasch updated Council on a meeting he attended with Gary Peters' office regarding the stimulus package, adding that Pulker will provide copies of handouts he received in the packet. He noted that police officer and energy efficiency funding appears to be available and more information will be forthcoming regarding possible funding for local roads. Gallasch suggested ideas for possible projects to be submitted and discussed, possibly via a task force assembled for that purpose.

Discussion ensued regarding funding of projects with Lamott adding that Kreger house already has a request for funding in, energy efficiency, cost benefit of bringing in federal

funds, and potential benefit of acquiring energy efficiency funding and timing of submissions.

Gallasch requested Stoppels look into responding to the Road Commission Oakland County 2035 plan.

## **B. Council Reports**

### **1. Wireless Report, Brian Coyer – Trustee.**

Coyer advised Council that federal funds may also be available for wireless activity which might bear looking into. He continued by advising that Great Lakes Internet can also provide wireless television reception in addition to wireless internet connection and opined that it may be wise for the Committee to provide more detailed information as to the cost of the demonstration and the details of the demonstration to the Village Council for consideration.

Schiano advised Council that on Channel 15 he viewed a documentary about moving the Kreger House which was simply fabulous. Discussion ensued regarding this documentary, with Pulker stating that she has a copy.

### **2. Building Department Fund expenditures and documentation – Finance Committee.**

Jahnke stated that in looking at the fund and the budget it is his belief that the Finance Committee needs to be meeting sooner rather than later, adding that he has some ideas which may provide some relief for the general fund, and suggested meeting before the March meeting. Discussion ensued regarding timing of meeting and the need to find opportunity within the budget with the Clerk being instructed to circulate some tentative dates for the following week.

## **C. Administrator's Report**

Jahnke inquired if there is any specific update to Huda school response to Administrator Stoppels letter to which Stoppels replied and it is rather lengthy and offered to submit a summary in writing which Council agreed to. Discussion ensued regarding lighting at the Huda School.

## **XII. ADJOURNMENT**

**Motion by Lamott supported by Saltzman to adjourn the meeting.**

**Ayes: Coyer, Harnisch, Jahnke, Lamott, Saltzman, Schiano, Gallasch**

**Nays: None**

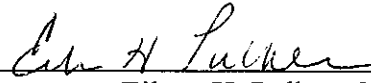
**Motion carried.**

There being no further business, the meeting adjourned at 10:20 p.m.

Respectfully submitted,

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Lori Rich, Recording Secretary



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Eileen H. Pulker, Clerk

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H. Frederick Gallasch, President