

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JUNE 8, 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 8:08 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Brian Coyer, Fred Gallasch, Alan Harnisch, Mark Jahnke, Bill Lamott, Amie Saltzman, Dominick Schiano

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
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 Schiano to adopt the Agenda as submitted.

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

Nays: None

Motion carried.

IV. MINUTES

A. May 11, 2009 Regular Village Council Meeting.

Motion by Schiano supported by Saltzman to approve the minutes of the May 11, 2009 Regular Village Council Meeting as revised.

Gallasch noted a typographical error on page 5.

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

Nays: None

Motion carried.

B. May 18, 2009 Budget Public Hearing.

Motion by Coyer supported by Saltzman to approve the minutes of the May 18 2009 Budget Public Hearing as written.

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

Abstain: Jahnke

Nays: None

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Patrick Browne, Police Chief, in addition to his written report, updated Council as to recent police activity in the Village and advised as to a potential Agreement which has been reviewed by the Village Attorney between the Village of Beverly Hills and the Village of Franklin regarding lodging Franklin's prisoners, when necessary, at the Village of Beverly Hills as opposed to the Oakland County Jail. Discussion ensued regarding the benefits of the Agreement, cost, Village's lock-up facilities and use, with Gallasch noting that this Agreement would provide the Village with another tool for lodging prisoners.

#2009-51 Motion by Jahnke supported by Schiano to approve the two-year Village of Beverly Hills and Village of Franklin Intergovernmental Lock-Up Services Agreement effective July 1, 2009.

Schiano inquired if there are any procedural concerns as the item was not officially placed on the Agenda to which Staran replied no.

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

Nays: None

Motion carried.

Chief Browne requested that in the fiscal year 09/10 budget, Officer Krajewski be authorized to fill Officer VanLacken's full-time position during his continued medical absence and provided an overview of the costs, benefits and need. Discussion ensued regarding operations with the consensus of Council being to support this request. Chief Browne noted that the Department participated in training through the Farmington Hills Police Department and is doing more in-house training.

Tony Averbuch, Fire Chief, in addition to his written report, noted that approximately 100 people attended the Department Open House, advised as to the Department's recent training and apparatus evaluations, and noted that the Department is looking forward to Saturday's events in support of the Kreger House. Discussion ensued regarding age issues relative to the ladder truck and the Department's Open House.

Gallasch advised that **Tomas Morrow, Treasurer**, was not able to be present and requested questions/comments regarding his submitted report. Discussion ensued regarding rates of returns on investments with Jahnke noting that he will follow up on this matter with Morrow.

Eddie Delbridge, Main Street Director, in addition to her written report advised that the downtown campaign for May had been an overall success and received great press, the photo contest did well with 15 entries received, the communication database is being updated, Main Street will have great presence on the Village's website, the Needs Assessment will be taking place June 30 – July 1 with a town-hall type meeting to be scheduled after the Needs Assessment has been completed, and noted that brochures are available for the upcoming workshops with Oakland County. Delbridge advised that the Executive Board met for the first time last week and will be working with the Village Attorney to develop bylaws. The Board will meet the 1st week of each month and report to Council the second week of each month, with the Committees following that pattern; meeting on the off weeks. Board Members were requested to provide input as to revitalization projects, direction, etc.

VI. SUBMISSION OF CURRENT BILLS

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

TOTALS

General Administration	\$	26,332.85
Building	\$	6,002.01
Insurance	\$	36,675.78
Legal	\$	4,071.00
Police	\$	32,548.14
Major Roads	\$	4,381.77
Local Roads	\$	4,365.00
Rubbish	\$	16,340.64
Trust & Agency	\$	6,200.00
Tax Fund	\$	17,720.38
ALL FUNDS	\$	154,637.57

Discussion ensued regarding annual dues for the Michigan Planning Association, rubbish, and the Police Department's Crown Victoria.

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

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

A. Robert Hampson Tribute.

Gallasch advised that Robert Hampson is being recognized for his many contributions to the Village over the years and added that members of his family were in the audience. Mr. Hampson's family members were introduced and Coyer read for the record a resolution entitled *Robert "Bob" Hampson - In Appreciation of his Dedication to the Village of Franklin*.

#2009-52 Motion by Coyer supported by Saltzman that the Franklin Village Council adopt the resolution as follows:

RESOLUTION

Robert "Bob" Hampson In Appreciation of his Dedication to the Village of Franklin

Whereas, the Village Council wished to recognize the achievements of Village residents; and,

Whereas: Robert Hampson attended Harvard for his undergraduate and graduate degrees; and

Whereas: Robert Hampson served his Country in the Navy during WWII, where as an ensign he met his wife Puff; and

Whereas: Robert Hampson joined Ford Motor company in 1947 in the financial analyst office, and over the next 32 years, moved steadily through the management ranks and retired as Executive Vice president in 1979; and

Whereas Robert Hampson has been a resident of the Village of Franklin since 1949 where he and his wife Puff raised their five children; and,

Whereas: Robert Hampson, along with others, purchased the tract of land now known as the "Village Green" the site of the Franklin Public Library, which was purchased to prevent the land from being sold to developers; held it until the Village was able to purchase the land, and has now enjoyed the beautiful tract of land for the past 50 years; and

Whereas: Robert Hampson had assisted the Village in many, many ways through the years, serving on the Franklin Community Association, Franklin Baseball League, and the Franklin Community Church.

Therefore, be it resolved that the Franklin Village Council does hereby recognize, commend and thank Robert Hampson for his many achievements and much assistance which bring great pride to the Franklin Community.

Discussion ensued regarding Mr. Hampson's proactive and timely contributions and a round of applause was given in his honor.

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

Nays: None

Motion carried.

Marcia Gershenson, Oakland County Commissioner, District 17, advised that she attended the Mackinac Conference, provided a summary of the experience, Phil Power's Center of Michigan report, recent legislation passed regarding foreclosures, Michigan Retailers Association prescription drug card,

and a credit being offered by Michigan Public Services Commission to consumers who experience lengthy or frequent power outages.

Jahnke noted that the Oakland County handbook is terrific but as obtaining contact information is so easy via the internet opined that perhaps the handbook needs to be revisited.

Randy McElroy, 30575 Woodside, thanked the Fire Department's medical squad for its quick response to his recent fall, commented on the bill he received from the ambulance company, and apologized for missing the Police Department's Awards Ceremony which he opined is an important event as individual recognitions are extremely important for morale.

VIII. UNFINISHED BUSINESS

A. Consider Pathways Plan Project including Possible Ballot Language.

Brian Hughes, Planning Commissioner, provided a summary of Planning Commission's deliberations, advising that non-tinted concrete had been selected as the material in a roll-call vote, pathways to be installed on the south side of 14 Mile Road from Telegraph to Cressbrook in a roll-call vote, and the consensus of the Commission was to do the project all at one time as opposed to a piece-meal approach.

Discussion ensued regarding responsibility to maintain/replace the pathways, with Jahnke inquiring whether there is a conflict with the pathway on Franklin Road and the Charter to which Staran replied no. Discussion continued regarding timing, financing, and ballot language.

#2009-53 Motion by Schiano supported by Harnisch to accept, as amended, the recommendations of the Planning Commission for routing and scheduling, change the material to tinted concrete, direct the Village Attorney to prepare ballot language, and direct the Village Treasurer to assess financing options for the project.

Discussion ensued regarding timing with Village Administration instructed to submit a couple of potential Council meeting dates for review of proposed ballot language, material selection, and financing.

Randy McElroy, requested Council to revisit the recommendation to select non-tinted concrete as the pathways material.

Steve Rosenthal, 26091 Romany, requested clarification as to maintenance/liability concerns.

Discussion ensued with Hughes, upon request, providing a summary of the matter as discussed at Planning Commission.

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

Nays: None

Motion carried.

IX. NEW BUSINESS

A. Consider Historic District Commission Appointments.

Lamott advised that Walt Denison's position will be open as he is retiring after having served 10 years and nominated Bonnie Cook to fill the three (3) year term effective next month and Madeline Haddad and Michael Brassfield have decided to serve another three (3) years. Lamott opined that Walt Denison will be greatly missed and the Commission will have three qualified candidates in Haddad, Brassfield and Cook.

#2009-54 Motion by Coyer supported by Lamott to appoint Bonnie Cook to the Historic District Commission for a three (3) year term and to reappoint Madeline Haddad and Michael Brassfield for three (3) year terms.

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

Nays: None

Motion carried.

B. Consider Main Street Executive Board Appointment.

Gallasch advised he had a nominee, Matthias Meyer, whom he would like to appoint to the citizen member position on the Executive Board currently held by Garrett Keais who has requested to step down and apologized for not submitting his name earlier. Jahnke requested this be moved to the July meeting to provide time to consider the nominee.

C. Consider Rededication of Saltzman Fund to Kreger House.

Discussion ensued regarding the rules of the Trust, intent, Trust formation, and procedure with the consensus of Council being to postpone this item to the July Council meeting for a formal resolution. Lamott noted that there will be two plaques recognizing Art Saltzman and 13 other donors.

D. Consider Sewer Re-Lining Project.

Stoppels provided an overview of the project. Discussion ensued regarding cost, language, intent, flexibility, mediation, funding, rate mitigation measures, replacement, and potential future obligations with Staran noting that he is comfortable with the Agreement as written and revised.

#2009-55 Motion by Jahnke supported by Schiano to approve the contractual agreement with Oakland County designated as the Evergreen Farmington Sewage Disposal System Village of Franklin Gravity Sewer Lining Project Contract as provided and on file in the Clerk's office as follows:

The Clerk presented to the Village Council a form of contract dated as of May 1, 2009, between the County of Oakland (the "County") and the Village relative to the acquisition and construction of the Evergreen Farmington Sewage Disposal System Village of Franklin Gravity Sewer Lining Project (the "Project").

BE IT RESOLVED:

- 1. The Village Council hereby approved the Evergreen Farmington Sewage Disposal System Village of Franklin Gravity sewer lining Project Contract to be dated as of May 1, 2009, between the County and the Village.**
- 2. The President and the Clerk are authorized and directed to execute and deliver the contract for an on behalf of the Village in such number of counterparts as may be desirable.**
- 3. A copy of the contract presented on this date and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the Clerk and made available for examination by any interested person during normal business hours.**

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

Nays: None

Motion carried.

E. Consider Metro Act Right of Way Permit Extension for AT&T.

#2009-56 Motion by Coyer supported by Lamott to adopt the Metro Act Right of Way Permit Extension for AT& T Michigan in the form of a letter agreement as submitted.

Gallasch provided a brief overview. Discussion ensued with Staran noting that the Village has minimal if any flexibility as State Law via the Metro Act controls and the Village will continue to receive its share of Metro Act funds.

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

Nays: None

Motion carried.

F. Consider Finance Committee Alternate Member.

Gallasch advised that Jahnke had suggested appointing the fourth Council Member as an alternate instead of rotating the members, that he would like Council to consider Lamott for that alternate position, and noted that Pulker had provided some potential dates for meetings. Discussion ensued regarding the benefits of adding the fourth member, the need to set a monthly schedule, and scheduling of meetings.

#2009-57 Motion by Schiano supported by Saltzman to appoint Bill Lamott as alternate member to the Finance Committee which will assist in getting a quorum when one of the three primary members is not available.

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

Nays: None

Motion carried.

G. Consider Budget Amendments (FY 2008-2009).

Stoppels provided an overview and noted that the budget reflects two top priorities which are to preserve and enhance the general fund balance in this and future years. Discussion ensued regarding the amendments; desire to not have over-budget comments from the auditor, Village's AA bond rating, with Lamott commenting that he would like to see reporting on a monthly basis as opposed to quarterly. Discussion ensued regarding format of reports, budgeting month-by-month, and pros and cons of monthly reports, with Jahnke commenting that enough information is provided to make decisions; the Finance Committee just needs to meet more often, look at trends, and review the reports provided.

#2009-58 Motion by Jahnke supported by Schiano to adopt the budget amendments as follows:

WHEREAS: The Village must assure that expenditures in each account to not exceed those budgeted. A review of the Village 2008/2009 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2008/2009 General Fund budget with funds coming from the appropriation of other funds.

Accounts (Expenditures)

305701 – police overtime: Increase expense account to a new total of \$34,300 (original \$31,300).

305740 – training and travel expense: Decrease expense account to a new total of \$3,500 (original \$4,500).

305863 – police car operation: Decrease expense account to a new total of \$28,000 (original \$32,000).

305920 – utilities: Decrease expense account to a new total of \$12,000 (original \$14,000).

305981 – autos and related equipment: Increase expense account to a new total of \$32,000 (original \$28,000).

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

Nays: None

Motion carried.

X. ORDINANCES/RESOLUTIONS

A. Consider an Ordinance to Amend Section 1042.13 of Chapter 1042, Sewer use and User Charges, of part Ten, Title Four, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Sewage Disposal System Rates, and Repeal Conflicting Ordinances (first reading).

Gallasch provided a brief overview. Stoppels referred Council to the Memo and noted that a draft "letter of explanation" which, if approved by Council, would be sent to all Village residents who use the sewer system is also submitted for consideration. Discussion ensued regarding the draft letter, timing of implementation, customer-related service call fee, causation, frequency, benefit of personal responsibility, notice, need to continually educate users, and appeal process through Village Administration.

#2009-59 Motion by Schiano supported by Lamott to approve the Ordinance to Amend Section 1042.13 of Chapter 1042, Sewer use and User Charges, of Part Ten, Title Four, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Sewage Disposal System Rates, and Repeal Conflicting Ordinances conditioned on the \$250.00 Service Fee being subject to an appeals process and including the fee structure as described by the Water Resources Commissioner memo of June 2009, citing: the aforementioned \$250.00 Customer Related Service Fee; Elimination of the Dialer System; An Additional 50 percent Charge assessed for Residential Customers with Duplex or Centrifugal Grinder Pump Installations; and the Customer Rate Impact to ensure adequate finding for grinder pump replacements which result in a \$2 per quarter net increase and to waive the second reading of the Ordinance and accept it in the first reading.

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

Nays: None

Motion carried.

Staran advised that as the rates are intended to go into effect on July 1, 2009 which would be before the next Council meeting, the requirement for the second reading needs to be waived.

XI. SPECIAL REPORTS

A. PRESIDENT'S REPORT, FRED GALLASCH, VILLAGE PRESIDENT

Gallasch commented that Hazardous Waste Day was very successful, thanked office staff and the vendor for running this program and noted that this is an important event which will not be held next year due to cost issues but which will hopefully be brought back in some way in 2011. He further commented that due to the Birmingham Eccentric supposedly going out of business there has been an effort to revitalize it and urged people to subscribe to the paper if they can afford to as it is of value to the Village. In that regard, he praised Mary Beth Almond of the Eagle for her recent articles and the Eccentric for its recent articles. Gallasch noted that Nicole Lamb-Hale, a resident of the Village has been appointed the Deputy General Counsel of the U.S. Department of Commerce, provided information regarding Bingham Farms Plant Flower Day on the median of Telegraph Road, and thanked Chief Browne for the 2nd Annual Awards Ceremony.

Jahnke noted that he has requested Stoppels to look into how one appropriately disposes latex paint as he had difficulty with the waste hauler and latex paint does not qualify as hazardous waste. Discussion ensued regarding procedure with Stoppels advising that he will talk to the provider to make sure they are educating their staff and request another mailer be transmitted to the community. Stoppels further advised that he will talk to Home Depot to see if a program can be established to collect unused latex paint to benefit Habitat for Humanity.

B. Council Reports

1. Wireless Report, Brian Coyer – Trustee.

Brian Coyer advised that the Wireless Oakland is essentially gone but Wireless Franklin is still a possibility. He summarized the competitive grant process through the Federal Government and opined that establishing a public utility to serve either the Village or a larger geographical area is a possibility though it would take an investment of time, funds, and collective will. He further commented that Great Lakes Internet is interested and would be willing to hold a wireless demonstration for a relatively modest cost, Gary Peters' Office would probably provide assistance, and the threshold question is to determine what it means to be underserved. He added that he is willing to meet with Bingham Farms and Beverly Hills to see if they are interested, with the consensus of Council in agreement.

2. Kreger House, Bill Lamott – Trustee.

Lamott updated Council as to Kreger House developments, advising that foundation digging begins on June 11th, Saturday's events, an upcoming article in the Eagle, and upcoming cable filming.

3. Negotiating Committee Report of Negotiations with the Police Union.

Harnisch advised that a meeting is scheduled for tomorrow afternoon and an outline from the Union was provided this afternoon..

C. Administrator's Report

Coyer requested a status update regarding the DPW bids to which Stoppels replied that bids have been advertised and solicited, are due in the near future, will be on the July Agenda for Council's consideration, and the current provider has been contacted regarding an agreement to provide service beyond July 1.

Schiano requested an update on the bond issue regarding the trees to which Stoppels replied that the bond was timely received.

Coyer thanked Staran for his good work regarding Franklin Commons and Staran noted that the Homeowners Association's effort to hold their deed restrictions was critical to the outcome.

XII. ADJOURNMENT

Motion by Schiano supported by Lamott to adjourn the meeting.

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

Absent:

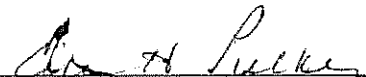
Nays: None

Motion carried.

There being no further business, the meeting adjourned at 10:39 p.m.

Respectfully submitted,

Lori Rich, Recording Secretary



Eileen H. Pulker, Clerk

H. Frederick Gallasch, President