

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JULY 11, 2016, 7 PM
FRANKLIN COMMUNITY CHURCH
26425 WELLINGTON ROAD, FRANKLIN, MICHIGAN 48025**

I. CALL TO ORDER

The meeting was called to order by President Jim Kochensparger, at 7:00 PM at the Franklin Community Church, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Brian Gordon, Pam Hansen, Jim Kochensparger, Judy Moenck,
Mike Seltzer
Absent: Tom Morrow
Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Eileen Pulker, Village Clerk
Lance Vainik, Treasurer
John Staran, Village Attorney

III. ADOPTION OF AGENDA

Motion by Seltzer, seconded by Gordon, to adopt the agenda, as presented.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow
Nays: None
Motion carried.

IV. MINUTES

A. Regular Meeting of June 13, 2016

Motion by Moenck, seconded by Seltzer to approve the Regular Meeting minutes for June 13, 2016, as presented.

Hansen requested that on page 3, under **VII. PUBLIC REQUESTS AND COMMENTS**, **Mr. Cyrus Motlagh**, that her comments be included in the minutes. "It was noted that the property owners may need to fund the project themselves."

Gallasch pointed out that on page 9, at the bottom of the page, #4 should read that the Notice was published "... twice in the *Oakland Press*." not the Birmingham Eccentric.

Motion by Moenck, seconded by Seltzer to approve the Regular Meeting minutes for June 13, 2016, as amended.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow
Nays: None
Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to and provided an overview of his submitted monthly Report, listing a home invasion that occurred during June which was actually a domestic dispute, listed as a felony home invasion. There was a multitude of traffic arrests and drunk driving arrests during the month. The Fourth of July holiday brought the usual fireworks complaints.

Kochensparger inquired about the power outage over the Fourth which was rumored to be due to fireworks. Roberts clarified that the outage was due to a blown transformer on Romsey. There was a discussion about the new state fireworks law and its enforcement and the large explosive fireworks which some Council Members had experienced.

Moenck asked the Chief if our officers felt any anxiety for their safety and the residents' safety in light of the recent news reports. Chief Roberts recounted a recent incident involving a motorcycle traffic stop on Telegraph Road when some motorists stopped and started video-taping the interaction between the officer and the driver. Roberts mentioned the long history that the department has had with cameras in the police cars and the intensive training our officers have gone through.

Tony Averbuch, Fire Chief, was not in attendance, but had provided a written report.

Lance Vainik, Treasurer, referred to his submitted monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending. Vainik stated that the expenditures are generally consistent with the FY 2015-16 Budget. He also reported that the bills list included one (1) large entry, payable to Brock and Associates for the Application 4 – through June 30, 2016 for the Broughton House renovations. Vainik added that a list provided of account balances is as of July 7, 2016. He concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations.

Gallasch asked if the sewer bills paid to the Water Resource Commissioner for the Kreger House and the Broughton House are annual bills, monthly bills, or quarterly bills; to which the answer was quarterly bills.

Concerning the vehicle repairs paid to Franklin Auto Service, Moenck inquired about the age of the police car(s). Chief Roberts replied the car in question was a 2013 model with over 90,000 miles.

Main Street Franklin, Barry Silverstein, Chairman of the Board, referred to the report submitted by MSF. He mentioned a meeting with a potential new Executive Director of Main Street Oakland County. MSF will be meeting with MSOC to discuss the search for an Executive Director for Franklin, as well as, the merger of MSF and Main Street Franklin Fund (MSFF) into a new 501c3 organization, and future tech opportunities. Bill Finnicum has digitized all the artwork from the Paint the Town event and will post them on the MSF website. The agreement between MSF and the Village is being reworked and should come before the Council at next meeting.

MSOC's 2016 Heritage Conference is scheduled for September 23, 2016 in Holly.

Gallasch inquired as to MSF's meeting schedule. Silverstein stated that a new one was in the process of being formulated.

VI. SUBMISSION OF CURRENT BILLS

Motion by Gordon, seconded by Seltzer, to approve the Bill's List, as submitted.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow
Nays: None
Motion carried.

TOTALS

General Administration	\$	39,344.62
Building	\$	10,335.48
Insurance	\$	47,889.68
Legal	\$	-
Police	\$	11,674.88
Pressure Sewer	\$	-
General Debt Service	\$	-
Major Roads	\$	1,430.71
Local Road	\$	1,430.70
Rubbish	\$	17,854.60
Trust & Agency	\$	5,800.00
Tax Fund	\$	-
Waste Water	\$	-
ALL FUNDS	\$	135,760.67

VII. PUBLIC REQUESTS AND COMMENTS

No comments were made at this time.

VIII. SPECIAL REPORTS

A. President's Report

None

B. Council Report

Gallasch stated that while driving around the Village on Mobile Watch and such, he has noticed that the Village's right(s) of way(s) are overgrown, even to the point that the Franklin Village signs are covered up. He stated that he thinks that the Village DPW should clean them up. Creech noted that such work was on-going.

C. Administrator Report

This Wednesday he will be attending a meeting at the Cranbrook Science Center where he will be discussing Mr. Motlagh's issue on wetland maintenance. Today was the second day of trash pickup for Rizzo, the new waste hauler. With Waste Maintenance discontinuing service to the downtown merchants (which is separate from the Village contract) Rizzo will pick up and continue the service. ADP came in today setting up the payroll system. Regarding the Broughton House, there are about 6 more items and issues that need to be taken care of, some of which he would discuss later in the agenda.

Kochensparger inquired about an update on the demolition on Ovid Ct. Creech believed everything had been resolved with the contractor (?) agreeing to pay for court costs. The Village is expecting to be reimbursed for all the time and effort to prosecute the issue. Bill Dinnan, Building Official has inspected the site and everything is complete.

Moenck referenced the minutes from last month's meeting and inquired about an update of OCWRC's comparison cost of bond vs. non-bond funding, since those items were not on the agenda. Creech stated that OCWRC was planning on being at the August meeting.

IX. NEW BUSINESS

A. Consider Amendments relating to Cost Recovery Provisions in the Michigan Mutual Aid Alarm System Association Agreement for the Fire Department.

Kochensparger reminded Council that at last month's meeting Chief Averbuch explained the System. Kochensparger merely highlighted financial points which closed some loopholes and people would be treated equally.

#2016-54 Motion by Gallasch, seconded by Moenck to approve the amendments relating to the Cost Recovery Provisions in the Michigan Mutual Aid Alarm System Association Agreement for the Fire Department.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow

Nays: None

Motion carried.

B. Consider Updated Mutual Agreement for Police Department that would allow participation by Oakland County communities, and other policing jurisdictions.

Chief Roberts explained that the last Mutual Agreement in Oakland County was in 1988. Staran has reviewed the document as have other legal councils across Oakland County. He highlighted several specific updates.

Hansen had questions related to the training levels of other communities' officers in comparison to Franklin's officers who are given the highest level of training. Roberts gave a brief background of the Oakland Tactical Consortium of which Franklin is a member.

Gallasch praised the writing of this agreement and that of the Fire Department which had been approved.

#2016-55 Motion by Gordon, seconded by Seltzer to approve the Resolution of Participation in the Oakland County Law Enforcement Mutual Aid Agreement dated 2016, as presented.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow

Nays: None

Motion carried.

C. Consider Appointments/Reappointments of Citizens to Various Boards and Commissions.

Kochensparger explained that this item had been postponed at last month's meeting because proper notice had not been given to the public. Another issue was that it had not been confirmed that those proposed nominees were interested in continuing to serve on the Boards and Commission.

#2016-56 Motion by Seltzer, seconded by Gordon to consider the appointments and reappointments of residents as follows:

Appointed by Village President, approved by Village Council:

- **Planning Commission – Dean Moenck, Bob Wilke**

Appointed by Village Council:

- **Historic District Commission – Gayle Timmis, Jill Wilke**
- **Zoning Board of Appeals – Fred Gallasch, Matthias Meyer**

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow

Nays: None

Motion carried.

D. Consider Appointment of Deputy Treasurer.

Kochensparger stated that Bill Lamott had volunteered to be the Deputy Treasurer but he was of the opinion that Council should look at the Treasurer position as a whole and find someone who meets the criteria of being a Treasurer.

Gallasch commented that, as seen in the previous agenda item, it has become increasingly difficult to find Villagers who will volunteer to help in different capacities. Gallasch stated

that he feels that Council should reach out directly to residents and find someone who is a CPA or finance person who can sign checks. He personally did that when ZBA needed a candidate and a neighbor who is a contractor stepped forward for the position, adding that putting it on the website isn't optimal. Gallasch supported Morrow in his resignation as Deputy Treasurer and thought it appropriate. He saw the conflict of interest of a Council member signing checks. That puts himself in the same situation. He supports getting a full time Treasurer, but in the meantime he thinks Council should accept Mr. Lamott's offer to be Assistant Treasurer. He felt it was important for the person signing checks to know about the budgeting process and be familiar with the vendors, thereby monitoring the checks. He also opined that it was important that even with a Treasurer who has all the capabilities, there still needed to be a least one assistant in case the Treasurer was unable to sign checks.

Hansen expressed her concern about making a decision at this meeting. She would like to see the Village make a concerted effort to find someone who could fill the role of Treasurer, whether a notice is put on the website and/or included in the Clerk's email blast and the FCA email blast. Therefore, she would recommend that this issue be postponed.

Moenck was in agreement. She also inquired about the requirements of the Treasurer. A discussion ensued about the responsibilities.

**Motion by Gallasch to appoint Bill Lamott Deputy Treasurer.
(There was no second to the Motion)**

**E. Review and Consider Engineers' Report and Recommendations for
Proposed 2017 Village Road Improvement Program.**

Tom Biehl, Hubbell, Roth & Clark, announced that he was retiring on December 31, 2016. Ed Zmich was present and he introduced James Burton, also a principal, who would be taking over Biehl's position with the Village.

Biehl presented a detailed background and current conditions of the roads in the Village, using the PASER (Pavement Surface Evaluation and Rating) system. He also outlined the proposed road improvement program and explained the hypothetical Bond Series A and Bond Series B. For his presentation he provided a map with all the PASER ratings of the Village roads, including individual maps showing which roads would be included in the individual Bond Series.

In the materials he provided the Council he presented different preliminary scenarios for the purpose of discussion and even sample ballot language. The only Village roads not covered in this program would be public roads with PASER ratings of 8 or higher, private roads, and Franklin Rd. between Fourteen (14) Mile and the Southfield city limits.

The issue of rocks/boulders which are obstructions in the right of way was discussed.

Moenck inquired about the width requirements for “Complete Streets” with Biehl explaining the measurements needed for safety paths.

Creech expanded on the discussion of millage rates depending on the length of the individual Bonds. The ballot language needs to be to the county by August 16, in order to be put on the November ballot.

It was decided that an additional work session was necessary to clarify the numbers for the road issues and the water issues.

F. Consider 2016 Road Project Bids.

Tom Biehl, Hubbell, Roth & Clark, referred to Ed Zmich’s letter, dated June 24, 2016, concerning the road paving bids. The low bidder was ASI, Asphalt Specialists, Inc. of Pontiac, and his office recommended the awarding the contract to it.

There was a discussion concerning which roads would be included (Bowden and Meadowdale) and if an additional road (Irving) were to be added how would it be funded.

Motion by Gallasch, seconded by Hansen to accept the bid for 2016 Road Rehabilitation Program, which includes Bowden and Meadowdale, to the low bidder, ASI, Asphalt Specialists Inc. of Pontiac, including costs for contingencies, not-to-exceed \$150,000.

Discussion ensued as to the benefits of authorizing this project vs. including it in the proposed Road Bond(s).

Ayes: Gallasch

Absent: Morrow

Nays: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Motion denied.

G. Review and Consider MHRP Broughton House Rehabilitation Project Update, Budget and Expenses.

Creech referred to his memo, dated June 8, 2016, explaining the budget for and updates on the Broughton House project. He further explained that the \$10,000 allocated from the Building Fund for the front office improvements, and not included in the grant, has not been expended. He explained that those monies allocated for the floor were sufficient to install new maple flooring. However, new floor structural supports were needed and estimated between \$10,000 and \$15,000, which the Building Department has in its fund.

Gallasch stated that specific details of the project was needed. He also opined that these extra monies needed for the floor stabilization should come from the General Fund as opposed to the Building Dept. Fund.

#2016-57 Motion by Gallasch , seconded by Moenck to authorize the expenditure, not-to-exceed \$15,000, with the money to come from the General Fund, for the wood floor and any structural changes needed for the floor stabilization.

There was a discussion of using monies from the Building Fund vs. General Fund.

Kochensparger has asked Bill Finnicum, architect, to look at the layout and functionality of the outer office and possible furniture. Gallasch questioned the timing of all these projects.

Bill Lamott, representing the Historical Society, stated that with the foundation addressed and corrected, the next phase would be the interior and his objective is to maintain its 200 year heritage. The house has been renovated, it's functional, and something the Village can be proud of. He has spoken with Perlmutter-Freiwald in the Village which helped in the Kreger House and gave them drawings of the house. Perlmutter is very interested in helping with the layout of the office plan.

Gordon suggested that at this point in the project Council should look at the office floor and its functionality and make a decision. He is prepared to spend the money tonight. He asked Creech what the impact on the General Fund balance would be vs. that of the Building Fund balance.

Creech stated that either Fund can afford the costs. Hansen was in favor of using the Building, as was Gordon who could support an amended motion.

Ayes: Gallasch, Moenck
Absent: Morrow
Nays: Gordon, Hansen, Kochensparger, Seltzer
Motion denied.

#2016-58 Motion by Gordon, seconded by Seltzer to authorize the expenditure, not-to-exceed \$15,000, with the money to come from the Building Fund, for the wood floor and any structural changes needed for the floor stabilization.

Ayes: Gordon, Hansen, Kochensparger, Seltzer
Absent: Morrow
Nays: Gallasch, Moenck
Motion carried.

H. Consider Report and Recommendations from Attorney Staran on State Attorney General Review of Charter Amendments.

Staran referred to his memo dated July 11, 2016 advising the Council that he had received preliminary feedback from Assistant Attorney General George Elworth regarding the ten (10)

proposed charter amendments. Elworth suggested and requested changes which Staran provided in the memo. There were no significant changes, only a few “wordsmithing” modifications: **Amendment Proposal #5** – regarding the clerk’s position, replace terminology “elected by the people” to “elected by the Village Council”; **Amendment Proposals 6 and 9** – replace “clarify” with “state”; and a modification of **Amendment Proposal #8**. In addition, at the suggestion of the Attorney General’s office, he himself added a sentence to the Proposed Charter **Amendment of Chapter III, Section 13** regarding the Village Clerk. Today he received feedback from the Attorney General’s office that they do not anticipate any other changes or need for review.

#2016-59 Motion by Seltzer, seconded by Gordon to approve the Proposed Resolution and recommendations as provided by the Village Attorney on the State Attorney General’s review of the Charter Amendments (see attachment #1.

Mira Stakhiv, Crestwood, had an issue with changing the word “appointed” to “elected” in the amendment regarding the Village Clerk position. She considered it “wordplay” and is concerned that the residents would see the word “elected” and think everything is the same. There is a vast distinguishable difference between “appointed” and “elected”.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow
Nays: None
Motion carried.

X. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

A. Consider an Ordinance to Authorize 300 Square Feet of Worn Wood Flooring to be offered to Architectural Salvage Warehouse of Detroit for repurposing.

#2016-60 Motion by Moenck, seconded by Seltzer to approve the resolution to authorize 300 Square Feet of Worn Wood Flooring to be offered to Architectural Salvage Warehouse of Detroit for repurposing, if not used for the office remodel.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow
Nays: None
Motion carried.

XI. ADJOURNMENT

Motion by Gordon, seconded by Seltzer to adjourn the meeting.

Ayes: Gallasch, Gordon, Hansen, Kochensparger, Moenck, Seltzer
Absent: Morrow

Nays: None
Motion carried.

There being no further business, the meeting was adjourned at 9:35 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President

Attachment #1

Village of Franklin

NOTICE OF PROPOSED CHARTER AMENDMENTS

The Franklin Village Council, at its regular meeting on Monday, June 13, 2016, at 7:00 p.m., at the Village of Franklin municipal offices, 32325 Franklin Road, Franklin, Michigan 48025, will consider taking action on the following proposed amendments to the Franklin Village Charter. If approved by the Village Council, the proposed charter amendments shall be submitted on the ballot to the electors at the Tuesday, November 8, 2016 general election.

I. PROPOSED CHARTER AMENDMENT NO. 1

CHAPTER III, Section 3

Present Charter Language

Section 3. The President and Trustees shall be elected on a non-partisan ticket from the Village of Franklin at large and shall be subject to recall as hereinafter provided. No person shall be eligible to the office of President or Trustee who shall not be at the time of his or her election or appointment twenty-five (25) years of age and a citizen of the United States; and have been a resident of the territory incorporated as the Village of Franklin at least two (2) years immediately prior to the last day for filing nominating petitions for such office or prior to the time of his or her appointment to fill a vacancy; and an owner of real property in the Village of Franklin; or the lawful wife or husband of such person.

Proposed Charter Language

Section 3. The President and Trustees shall be elected on a non-partisan ticket from the Village of Franklin at large and shall be subject to recall as hereinafter provided. No person shall be eligible to the office of President or Trustee who shall not be at the time of his or her election or appointment eighteen (18) years of age and a citizen of the United States; and have been a resident of the territory incorporated as the Village of Franklin at least two (2) years immediately prior to the last day for filing nominating petitions for such office or prior to the time of his or her appointment to fill a vacancy.

Proposed Ballot Question

Shall Chapter III, Section 3 of the Village of Franklin Charter be amended to change the minimum age of eligibility for election or appointment to the office of Village President or Trustee to eighteen (18), and to repeal the unconstitutional requirement that in order to be eligible to hold office a person must own real property in the Village?

YES NO

II. PROPOSED CHARTER AMENDMENT NO. 2

CHAPTER III, Section 3-A

Present Charter Language

Section 3-A. No person shall be elected to any office unless he or she shall be an elector of the Village of Franklin. And no person shall be elected or appointed to any office in the Village of Franklin who is a defaulter to the Village. All votes for or any appointment of any such defaulter shall be void. All officers of the Village of Franklin, elected or appointed, shall take and subscribe the oath of office prescribed by the Constitution of the State, and file the same with the Village Clerk, and in case of failure to do so, within ten (10) days after receiving notice of their election or appointment, shall be deemed to have declined the office.

Proposed Charter Language

Section 3-A. No person shall be elected to any office unless he or she shall be an elector of the Village of Franklin. And no person shall be elected or appointed to any office in the Village of Franklin who is a defaulter to the Village. All votes for or any appointment of any such defaulter shall be void. All officers of the Village of Franklin, elected or appointed, shall take and subscribe the oath of office prescribed by the Constitution of the State, and file the same with the Village Clerk, and in case of failure to do so within ten (10) days after the time fixed for taking office shall be deemed to have declined the office.

Proposed Ballot Question

Shall Chapter III, Section 3-A of the Village of Franklin Charter be amended to be consistent with Chapter III, Section 24 of the Charter and require the oath of office to be taken within ten (10) days after the time fixed for taking office?

YES NO

III. PROPOSED CHARTER AMENDMENT NO. 3

CHAPTER III, Section 7

Present Charter Language

Section 7. Four (4) members of the Council shall constitute a quorum, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance, and all pending business noticed or set down for hearing at such meeting shall be taken up and heard at such adjourned meeting or at the next regular meeting without further notice. The Council shall act only by ordinance or resolution. The affirmative vote of a majority of the Trustees, which shall be four (4) votes, shall be required for the passage of any ordinance or resolution, unless in any given case a different number is required by this Charter or State law.

Proposed Charter Language

Section 7. Four (4) members of the Council shall constitute a quorum, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance, and all pending business noticed or set down for hearing at such meeting shall be taken up and heard at such adjourned meeting or at the next regular meeting without further notice. The Council shall act only by ordinance or resolution. The affirmative vote of a majority of the Trustees voting shall be required for the passage of any ordinance or resolution, unless in any given case a different number is required by this Charter or State law.

Proposed Ballot Question

Shall Chapter III, Section 7 of the Village of Franklin Charter be amended to provide that the affirmative vote of a majority of the Council Trustees voting shall be required to pass any ordinance or resolution, unless a different number is required by Charter or state law?

YES NO

IV. PROPOSED CHARTER AMENDMENT NO. 4

CHAPTER III, Section 8, Subsection (b)

Present Charter Language

Section 8

(b) The President shall appoint a Village Marshall, which appointment shall require the ratification of Council, who shall be the Chief of Police of the Village. As police officer, he or she shall be subject to the direction of the President and Council. In case of a vacancy in the office of Chief of Police, the vacancy shall be filled through appointment by the President of the Village Council, subject to ratification by the Council. The Chief of Police shall report directly to the

President. It shall be his or her duty to see that all ordinances and regulations of the Council, made for the preservation of quiet, good order, and for the safety and protection of the inhabitants of the Village, are promptly enforced. As peace officer, he or she shall, within said Village, be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He or she shall have power to serve and execute all process directed or delivered to him or her, in all proceedings for violations of the ordinances of the Village. Such process may be served anywhere within the county in which said Village is located.

Proposed Charter Language

(b) The President shall appoint a Chief of Police, which appointment shall require the ratification of Council. In case of a vacancy in the office of Chief of Police, the vacancy shall be filled through appointment by the President of the Village Council, subject to ratification by the Council. The Chief of Police shall be subject to the direction of, and shall report directly to, the President and Council and such other Village Official as the Council may prescribe by ordinance. The Chief shall be authorized to enforce all ordinances and regulations of the Council. The Chief shall, within said Village, be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. The Chief shall have power to serve and execute all process directed or delivered to him or her, in all proceedings for violations of the ordinances of the Village. Such process may be served anywhere within the county in which said Village is located.

Proposed Ballot Question

Shall Chapter III, Section 8, Subsection (b) of the Village of Franklin Charter be amended to delete reference to Village Marshall and to provide that the Chief of Police shall report to the Village President and Council and such other Village official as the Council may prescribe by ordinance, and to restate the Chief's authority to enforce Village ordinances and regulations?

YES NO

V. PROPOSED CHARTER AMENDMENT NO. 5

CHAPTER III, Section 13

Present Charter Language

Section 13. At the regular 1966 Municipal election, there shall be elected a Village Clerk and a Treasurer whose terms of office shall begin at 8:00 p.m. on the second Monday following the said Municipal election in the year 1966. The offices of Clerk and Treasurer shall not be filled by the same person.

The Village Clerk shall serve until 8:00 p.m. on the second Monday following the Municipal election in March 1967 and at the regular Municipal election in every second year thereafter, there shall be elected a Clerk whose term of office should commence at 8:00 p.m. on the second Monday following the election and shall expire at 8:00 p.m. on the second Monday following the regular Municipal election in every second year thereafter.

The Treasurer shall serve until 8:00 p.m. on the second Monday after the regular Municipal election in 1968. At the regular Municipal election in the year 1968 and every second year thereafter, a Treasurer shall be elected whose term of office shall begin at 8:00 p.m. on the second Monday following his or her election and shall expire at 8:00 p.m. on the second Monday following the regular Municipal election in every second year thereafter.

However, commencing upon the expiration of the Treasurer's elected term of office in 2002, the Treasurer shall be appointed by the Village Council and shall hold office at the will of the council and shall be subject to the direction of the Council and such other Village officials as the Council may prescribe by ordinance.

Proposed Charter Language

Section 13. At the regular 1966 Municipal election, there shall be elected a Village Clerk and a Treasurer whose terms of office shall begin at 8:00 p.m. on the second Monday following the said Municipal election in the year 1966. The offices of Clerk and Treasurer shall not be filled by the same person.

The Village Clerk shall serve until 8:00 p.m. on the second Monday following the Municipal election in March 1967 and at the regular Municipal election in every second year thereafter, there shall be elected a Clerk whose term of office should commence at 8:00 p.m. on the second Monday following the election and shall expire at 8:00 p.m. on the second Monday following the regular Municipal election in every second year thereafter.

However, commencing upon the expiration of the Clerk's elective term of office in 2018, the Clerk shall be elected by the Village Council and shall hold office at the will of the Council and shall be subject to the direction of the Council and such other Village officials as the Council may prescribe by ordinance. The election of the Clerk shall be exclusively governed by this section, and any other provisions of this charter regarding elected officials shall not apply to the Clerk.

The Treasurer shall serve until 8:00 p.m. on the second Monday after the regular Municipal election in 1968. At the regular Municipal election in the year 1968 and every second year thereafter, a Treasurer shall be elected whose term of office shall begin at 8:00 p.m. on the second Monday following his or her election and shall expire at 8:00 p.m. on the second Monday following the regular Municipal election in every second year thereafter.

However, commencing upon the expiration of the Treasurer's elected term of office in 2002, the Treasurer shall be appointed by the Village Council and shall hold office at the will of the council and shall be subject to the direction of the Council and such other Village officials as the Council may prescribe by ordinance.

Proposed Ballot Question

Shall Chapter III, Section 13 of the Village of Franklin Charter be amended to provide that thereafter upon the expiration of the Village Clerk's term of office in 2018, the Clerk shall be elected by the Village Council and hold office at the will of the Council and be subject to the direction of the Council?

YES NO

VI. PROPOSED CHARTER AMENDMENT NO. 6

CHAPTER VIII

Present Charter Language

Section 1. No contract shall be entered into by the Village for the making of any public improvement or for the purchase of any materials, tools, apparatus, supplies or services, exclusive of professional services, which professional services include but are not limited to Village Attorney, Village Engineer, Village Planner, Village Accountant and Village Auditor, the consideration or cost of which shall exceed ten thousand dollars (\$10,000), until specifications shall be prepared therefor, and published advertisement made for sealed proposals thereon; provided, however, that by a vote of two-thirds (2/3) of the members of the Council-elect, such contracts may be made without advertisement. The Village shall have the right to reject any or all such proposals.

Section 2. Subject to the provisions of the Charter, the Village may through its departments, officers, and employees perform public work of all kinds or it may let any of such work by contract. The Village shall not, however, undertake the performance of any construction work exceeding an estimated cost of twenty-five thousand dollars (\$25,000), until it has first advertised for sealed proposals therefor.

Section 3. No public improvement, costing more than ten thousand dollars (\$10,000), shall be contracted for or commenced until drawings, profiles, and estimates for same shall have been submitted to the Council and approved by it; and the same or a copy thereof shall thereafter remain on file in the office of the Village Clerk subject to inspection of the public.

Section 4. No member of the Council shall vote for the authorization of any contract with or for the Village, or for the expenditure of any money on the part of the Village, if he or she shall be financially interested in the proceeds of such contract or in the money so expended.

Proposed Charter Language

Section 1. No contract shall be entered into by the Village for the making of any public improvement or for the purchase of any materials, tools, apparatus, supplies or services, exclusive of construction work or professional services, which professional services include but are not limited to Village Attorney, Village Engineer, Village Planner, Village Accountant and Village Auditor, the consideration or cost of which shall exceed ten thousand dollars (\$10,000), until specifications shall be prepared therefor, and published advertisement made for sealed proposals thereon; provided, however, that by a vote of two-thirds (2/3) of the members of the Council-elect, such contracts may be made without advertisement. The Village shall have the right to reject any or all such proposals.

Section 2. Subject to the provisions of the Charter, the Village may through its departments, officers, and employees perform public work of all kinds or it may let any of such work by contract. The Village shall not, however, undertake the performance of any construction

work exceeding an estimated cost of twenty-five thousand dollars (\$25,000), until it has first advertised for sealed proposals therefor.

Section 3. No member of the Council shall vote for the authorization of any contract with or for the Village, or for the expenditure of any money on the part of the Village, if he or she shall be financially interested in the proceeds of such contract or in the money so expended.

Proposed Ballot Question

Shall Chapter VIII of the Village of Franklin Charter be amended to state that construction contracts with an estimated cost exceeding Twenty-Five Thousand Dollars (\$25,000) shall not be awarded without first advertising for sealed bids, and also to delete the requirement that Council must have and approve drawings, profiles and cost estimates before contracting for any public improvements costing more than Ten Thousand Dollars (\$10,000)?

YES NO

VII. PROPOSED CHARTER AMENDMENT NO. 7

CHAPTER XI, Section 5

Present Charter Language

Section 5. The Council shall not have the power to construct any new sidewalks in residential areas.

Proposed Charter Language

Section 5. The Council shall not have the power to construct any new sidewalks in residential areas. Construction of new sidewalks and pathways shall be allowed only along routes identified as arterial, major or collector roads in the Village's Master Plan.

Proposed Ballot Question

Shall Chapter XI, Sections 5 of the Village of Franklin Charter be amended to allow construction of new sidewalks and pathways only along routes identified as arterial, major or collector roads in the Village's Master Plan?

YES NO

VIII. PROPOSED CHARTER AMENDMENT NO. 8

CHAPTER XII, Sections 1 and 2

Present Charter Language

Section 1. The Village shall not own or operate any public utility, nor shall it grant a franchise for the operation of any public utility within the Village limits other than for electric service, telephone service, gas service or public transportation, unless the same shall first have been approved by two-thirds (2/3) of the electors voting thereon at a general or special elections.

Section 2. No franchise which is not revocable at the will of the Village shall be granted or become operative until approved by two-thirds (2/3) of the electors voting thereon at a general or special election.

Proposed Charter Language

Section 1. The Village shall not own or operate any public utility, nor shall it grant a franchise that is not revocable at the will of the Village for the operation of any public utility within the Village limits other than for electric service, telephone service, gas service or public transportation, unless the same shall first have been approved by three-fifths (3/5) of the electors voting thereon at a general or special elections.

Section 2. No franchise which is not revocable at the will of the Village shall be granted or become operative until approved by three-fifths (3/5) of the electors voting thereon at a general or special election.

Proposed Ballot Question

Shall Chapter XII, Sections 1 and 2 of the Village of Franklin Charter be amended to modify the vote required to own or operate or to approve a public utility franchise in the Village to be consistent with the Michigan Constitution?

YES NO

IX. PROPOSED CHARTER AMENDMENT NO. 9

CHAPTER XIV

Present Charter Language

MAINTENANCE OF VILLAGE UTILITIES

Public sewers, drains, lighting and water systems or supplies shall not be constructed, provided, or maintained, unless the proposed sewers, drains, lighting systems or supplies shall first have been approved by a majority of the electors voting at any general or special election.

Proposed Charter Language

MAINTENANCE OF VILLAGE UTILITIES

Public sewers, drains, lighting and water systems or supplies shall not be constructed, provided, or maintained, unless the proposed sewers, drains, lighting and water systems or supplies shall first have been approved by a majority of the electors voting at any general or special election.

Proposed Ballot Question

Shall Chapter XIV of the Village of Franklin Charter be amended to state that any public water system must first be approved by the electorate at an election?

YES NO

X. PROPOSED CHARTER AMENDMENT NO. 10

CHAPTER XVI, Section 6

Present Charter Language

Section 6. All records of the Village shall be public and open to inspection at all reasonable times.

Proposed Charter Language

Section 6. Public records of the Village shall be available and open to inspection in accordance with the Freedom of Information Act, MCL 15.261 et seq, as amended.

Proposed Ballot Question

Shall Chapter XVI, Section 6 of the Village of Franklin Charter be amended to provide that the Village's public records shall be available and open to inspection in accordance with the Michigan Freedom of Information Act?

YES NO