

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, August 9, 2004, 8:00 P.M.
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I. Call to Order

The meeting was called to order by President Jahnke at 8:00 pm at the Franklin Village Hall, Franklin, Michigan.

II. Roll Call

Motion by Coyer, supported by Gallasch, to excuse Trustee Alan Harnisch in his absence from this meeting.

Ayes: Jahnke, Lamott, Sosin, Gallasch, Coyer, McElroy

Nays: None

Absent: Harnisch

Motion carried.

Present: Mark Jahnke, Bill Lamott, Ralph Sosin, Brian Coyer, Fred Gallasch, Randy McElroy

Absent: Alan Harnisch (excused)

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

III. Adoption of Agenda

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

Ayes: Jahnke, Lamott, Sosin, Gallasch, Coyer, McElroy

Nays: None

Absent: Harnisch

Motion carried.

IV. Minutes:

A. Regular Meeting of July 12, 2004

Motion by Gallasch, supported by McElroy, to approve the Minutes for the Regular Council Meeting of July 12, 2004 as presented.

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

V. Reports of Village Officers and Agents

Police Chief Glomb gave an update on an armed robbery he reported on at the previous month's meeting. Chief Glomb continued stating that the suspect has been identified by the Automatic Fingerprint Identification System (AFIS) and will be questioned when found. Glomb also reported on a stolen refrigerator and stolen television from the Robertson Brothers Cressbrook development adding that the police believe the person or persons committing the crime had worked at the home on a contract basis. Glomb stated that the new Special Agent in Charge for the Detroit Office of the FBI, Dan Roberts, was a Village resident who had worked as a volunteer for the Police Department and then as a full time Police Officer a number of years ago. Glomb gave a report on the Music on the Green, stating that it went very well and that there were only minor problems. Glomb reported on the funeral of Jack Peltz, a member of mobile watch and an original police volunteer, which took place a week ago.

Fire Chief Averbuch referred to his written report and also made a request for raising the banner for the Franklin Community Association for the Labor Day Roundup. Lamott suggested repositioning banner this year so it is easier to read.

#2004-73 Motion by Sosin, supported by Coyer, to Approve the Raising of the Banner for the Labor Day Roundup from the dates Starting with August 10th, 2004, and concluding the Day after Labor Day, Contingent upon the Submission of the Proper Insurance Documents.

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

Council noted the excellent response times by the Fire Department. Council asked if the Fire Department charged fines for false alarms. Averbuch stated that it was up to the Village, and stated that he felt there were varying levels of false alarm violations, and each one should be dealt with on a case-to-case basis.

Treasurer Schiano gave his report and approval of the bills list. Schiano noted that although the bills list seemed unusually large, most of the costs were debt service charges and fit within the approved budget. Coyer stated that the Village should be concerned about the rising cost of Health Insurance and added that the Treasurer should keep track of Health Insurance costs in the future.

VI. Submission of Current Bills

Motion by McElroy, supported by Gallasch, to approve the current bills list as presented.

TOTALS

General Administration	\$	17,219.41
Tax Fund	\$	75,000.00
Building	\$	19,018.80
General Debt	\$	386,019.88
Insurance	\$	28,864.30
Legal	\$	2,478.75
Police	\$	60,764.76
Pressure Sewer	\$	471.00
Roads	\$	21,774.44
2002 Local Road	\$	1,775.36
Cell Tower	\$	993.50
Rubbish	\$	13,624.50
Trust & Agency	\$	16,600.00
Village Hall & Grounds	\$	4,517.84
Waste Water	\$	<u>1,222.01</u>
ALL FUNDS	\$	650,344.55

Ayes: Jahnke, Lamott, Sosin, Gallasch, Coyer, McElroy

Nays: None

Absent: Harnisch

Motion carried.

VII. Public Requests and Comments

There were no public requests or comments offered.

VIII. Special Reports

A. Election Law Changes, Public Hearing to be held September 13, 2004 at 8:00 pm.

Village Residents interested in how the changes in the election law will affect the Village elections are requested to attend the regular Village Council meeting to be held on September 13, 2004 at 8:00 pm., during which a public hearing regarding the Village Charter changes are to be heard.

B. Conserving Land in Franklin, Trustee Bill Lamott

Lamott stated that he met with Oakland County Officials and collected information. Lamott commented that many sources indicated that Franklin

provides a relief from urban closeness, which he believed was a good assessment. Lamott stated that the Village could work with Oakland County officials to develop a plan. Lamott stated that the following actions should be made by the Village:

1. Decide whether the Village wants to take a stand in conservation.
2. Create a community committee
3. Communicate with landowners and give them the information they would need to understand the conservancy goals.

Lamott stated that the last item could be to establish easements and tax breaks as incentives. Lamott presented an example of the space behind Tel-Twelve Mall, which was recently made a conservancy space of approximately 20 or 30 acres. Lamott stated that there was a need to find out the level of interest in the community. Sosin asked if there was any reason the Council could not invite planning and conservancy interests to the same meeting, and stated that he would like to begin with a presentation from those individuals to demonstrate what could be done. Sosin stated that the Village needed to set a time to allow the public to meet with officials and discussion the above items. The Clerk was directed to arrange for a special meeting to deal with these issues.

IX. Proclamations/Ordinances/Resolutions

A. Consider Resolution for a Proposed Wireless Communication Policy.

Coyer gave a report of the policy proposed for resolution and recommended approving the policy, with the option of revising it later.

Council discussed options available to the Village for Wireless Communications Systems. General consensus of the Council was that the Policy should be established as a short-term solution to deal with the companies that are trying to establish service in the Village, and then work on an Ordinance amendment to the Wireless Telecommunications Ordinance.

#2004-74 Motion by Coyer, supported by Sosin, to Approve the Policy for Wireless Communication in the Village of Franklin as follows, With the Option to Revise the policy in the Future as Needed.

Franklin Wireless Communication Policy – August 2004

- 1. Franklin recognized the demand and need to improve and enhance wireless voice and data transmission and communication systems for the benefit of Village residents, businesses and government operations through the introduction of new wireless communication facilities and technologies.**

2. **Wireless communication service facilities and equipment should be designed and located to be compatible with the aesthetics, character and environment of the Village.**
3. **The Village of Franklin should receive fair consideration from wireless communication service providers for the use of Village property for location of facilities and equipment. To the extent possible, equipment should be located on and confined to public property, public utility easements or public rights-of-way. If, due to economic or engineering infeasibility, facilities must be located on private property, the village should receive a fair share of compensation paid for the use of facilities within Franklin's borders.**
4. **New ground-mounted facilities should be permitted only when locating them on existing structures has been determined to be unfeasible. The burden of showing unfeasibility (including valid factual supporting evidence) is on the wireless communication service provider.**
5. **Wireless communications facilities should be designed to be flexible and adaptable for transition to new or improved technology without major infrastructure changes.**

Ayes: Jahnke, Lamott, Sosin, Gallasch, Coyer, McElroy

Nays: None

Absent: Harnisch

Motion carried.

Gerald Ingber, 23714 Ravine Drive, stated his frustration with the lack of cell phone capability in the Village and urged the Council to resolve the issue immediately.

X. Bids/Contracts/Proposals

A. Consider FY 2005 Municipal and Community Credit Contract between SMART and the Village.

Council asked about numbers for how many Village residents have taken advantage of the service and how many residents even know the service is available. The Clerk stated that the BASCC organization was very active and highly regarded and that residents in the Village, many of whom are members of BASCC, are aware to the availability of the transportation services.

#2004-75 Motion by Coyer, supported by McElroy, to Approve the FY 2005 Municipal and Community Credit Contract between SMART and the Village.

Ayes: Jahnke, Lamott, Sosin, Coyer, McElroy

Nays: Gallasch

Absent: Harnisch
Motion carried.

XI. New Business

A. Consider Referral to Planning Commission of Site Plan Application for Building Expansion for the Franklin Bingham Farms Volunteer Fire Department Facility.

Council asked Chief Averbuch why the Fire Department Facility required expansion. Averbuch stated that there were several factors involved: the defeat of the public water connection millage, the increase in the number of larger homes, placed farther apart, which created a need to bring water to the site of a fire. Averbuch also stated that the Fire Department needed additional facilities for allowing sleeping quarters, training facilities and various other emergency accommodations, which had become necessary since September 11 of 2001 and the Power Outage of 2003. Council discussed whether or not a millage would be required and directed the Finance committee to explore the matter.

#2004-76 Motion by Coyer, supported by McElroy, to Approve the Referral to the Planning Commission the Site Plan Application for Building Expansion for the Franklin Bingham Farms Volunteer Fire Department Facility.

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

B. Consider Referral to Planning Commission of Site Plan Application for Building Addition for the property located at 32749 Franklin Road (Dr. Costello's Dentist Office).

#2004-77 Motion by Sosin, supported by Gallasch, to Refer the Site Plan Application for Building Addition for the property located at 32749 Franklin Road (Dr. Costello's Dentist Office) to the Planning Commission.

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

C. Consider Appointments to Village Planning Commission.

#2004-78 Motion by Sosin, supported by McElroy, to Re-Appoint Mary Hepler to the Village Planning Commission to a 3 Year Term to end July of 2007.

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

#2004-79 Motion by McElroy, supported by Gallasch, to Re-Appoint Al Beke to the Village Planning Commission to a 3 Year Term to end July of 2007.

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

XII. Adjournment

Motion by Coyer, supported by Lamott, to Adjourn the Meeting.

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

There being no further business the meeting adjourned at 9:47 pm.

Respectfully submitted,

John C. Pulker
Recording Secretary

Eileen H. Pulker
Village Clerk

Mark Jahnke
Village Council President