

**PROCEEDINGS OF THE VILLAGE OF FRANKLIN
VILLAGE COUNCIL ORGANIZATION MEETING
MONDAY SEPTEMBER 26, 2005, 7:00 P.M.
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I.

CALL TO ORDER

President Jahnke called the meeting to order at 7:05 p.m. at the Franklin Village Hall, Franklin Michigan.

II. ROLL CALL

Motion by McElroy supported by Lamott to excuse Gallasch, for medical reasons, in his absence from this meeting.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

Present: Randy McElroy, Dominick Schiano, Brian Coyer, Alan Harnisch, Bill Lamott, Mark Jahnke

Absent: Fred Gallasch (excused)

Also Present: Eileen Pulker, Clerk

Jon Stoppels, Administrator

John Staran, Village Attorney, Hafeli Staran Hallahan Christ & Dudek, P.C.

Bill Dinnan, Village Building Official

III. ADOPTION OF AGENDA

One addition to the Agenda, to add the appointment of Construction Board of Appeals members as item IX N.

Motion by Lamott supported by McElroy to adopt the Agenda as amended.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

IV. RATIFY ELECTION RESULTS

Election Results, Village Biennial Election, September 13, 2005 (final, official):

Total Votes Cast 479

<u>Position/Name</u>	<u># of Votes</u>
Village Clerk	vote for one
Eileen H. Pulker	413 (elected)

Village Council Trustee	vote for three
Brian W. Coyer	300 (elected)
Steven Croyle	241

Fred Gallasch **325 (elected)**
Dominick J. Schiano **306 (elected)**

Library Board Member **vote for two**
Julie S. Douse-Angileri **390 (elected)**
Charles "Chip" Hudson **358 (elected)**

V. ADOPTION OF COUNCIL RULES OF PROCEDURE

Jahnke noted a number of typographical corrections.

#2005-93 Motion by Schiano supported by Harnisch to approve the Rules of Procedure/Conduct as corrected.

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

VI. ELECTION OF PRESIDENT PRO TEMPORE

#2005-94 Motion by McElroy supported by Schiano to approve the appointment of Fred Gallasch as President Pro Tem.

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

VII. BANK RESOLUTIONS

#2005-95 Motion by Harnisch supported by Lamott to approve the bank resolutions as follows:

Those banks with whom the Village of Franklin has accounts
Comerica Bank, LaSalle Bank, National City Bank
And the signers on those accounts are to be the Treasurer, Deputy Treasurer, and Village Administrator with the transfer of funds from savings to checking accounts, any two signatories among the mentioned individuals, and the Village Clerk shall act for that purpose.

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

VIII. APPOINTMENTS BY VILLAGE PRESIDENT

A. Building Official/Alternate

#2005-96 Motion by Lamott supported by Coyer to approve the appointment of Bill Dinnan as the Building Official for the Village of Franklin pursuant to the original version of the Building Official Agreement dated September 22, 2005.

McElroy stated that he also approved of the language of the agreement adding that it balances the revenues and costs and does not expose the Village to a fixed liability.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

B. Building Inspectors

1. Building

2. Electrical

3. Mechanical & Plumbing

C. Building Clerk

D. Fire Chief/Inspector

#2005-97 Motion by Schiano supported by McElroy to ratify the Village President's appointment of the: Building Inspector Bill Dinnan; Electrical Inspector George Little; Mechanical & Plumbing Inspector Bill Dicks; the Building Clerk Kathleen Wilcox; the Fire Chief/ Inspector Tony Averbuch.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

IX. APPOINTMENTS BY COUNCIL

A. Village Treasurer

#2005-98 Motion by Schiano supported by Lamott to appoint Tom Morrow as the Treasurer for the Village of Franklin.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

B. Village Deputy Treasurer

#2005-99 Motion by Lamott supported by Schiano to appoint Randy McElroy as the deputy Village Treasurer.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

C. Village Attorneys

#2005-100 Motion by Harnisch supported by Coyer to appoint John Staran of Hafili Staran Hallahan Christ Dudek, P.C. as Village Attorney.

Jahnke stated that the services of the new attorney firm, Hafili Staran Hallahan Christ Dudek, P.C., had been thoroughly reviewed and that the council was satisfied in the consideration of maintaining John Staran as the Village Attorney.

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

#2005-101 Motion by McElroy supported by Coyer to appoint Allen Glass of Reifman and Glass as the Prosecutorial Attorney for the Village.

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

D. Village Auditors

#2005-102 Motion by Schiano supported by Harnisch to appoint Les Pulver of Plante Moran as the Auditors of the Village of Franklin.

Stoppels stated that a breakdown of the bill received from Plante Moran for the recent audit would be forthcoming and that, as well as the preliminary audit, had been referred to the Finance Committee for their comment prior to the October Regular Village Council meeting.

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

E. Village Engineers

#2005-103 Motion by Harnisch supported by McElroy to appoint Tom Biehl of Hubbell, Roth and Clark as the Village Engineers.

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

F. Council Liaison to Fire Commission

#2005-104 Motion by Schiano supported by Harnisch to appoint Brian Coyer as the Liaison to the Franklin/Bingham Farms Fire Commission.

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

G. Village Legal Liaison Committee

#2004-105 Motion by McElroy supported by Lamott to appoint President Jahnke, Trustees Harnisch and Coyer to serve as the Legal Liaison Committee.

Jahnke opined that the Legal Committee, while mostly dealing with legal issues, occasionally overlaps into other issues and that there were times when a council member at large (not an attorney) would be helpful at those meetings. Coyer added that the communication could be enhanced between this committee and the rest of the Council. Discussion ensued regarding the need for a committee report and the purpose of the committee, which would include the sounding out of ideas and details.

Coyer moved to amend the motion to include Trustee Randy McElroy as the fourth member of the committee, accepted by McElroy and Lamott.

Motion by McElroy supported by Lamott to appoint President Jahnke, Trustees Harnisch, Coyer, and McElroy, as the Legal Liaison Committee.

Harnisch added that he tried to bring whatever legal skills and training he had to the committee, and tried to be as practical as possible, and he pledged to do even more so if he thought there was a conflict between a legalistic view of an issue and a practical view. Harnisch added that the committee has several non lawyer members who are present, and there is a tempering of any legalistic view of things with the practical expertise brought by Jahnke, Stoppels and Pulker and now by McElroy. Harnisch stated that he doesn't view this as a problem, but to the extent that it is a problem, the committee will work harder to overcome that.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

H. Village Finance Committee

#2005-106 Motion by Harnisch supported by Lamott to appoint Treasurer Morrow, Trustees Gallasch, McElroy, and Schiano as the Finance Committee.

Coyer asked if the community members Whit Jones and Rick Koslowski were to be again included on the Finance Committee. Discussion ensued regarding the public's input on budget issues and bond payoffs. It was clarified that those meetings to which Jones and Koslowski had attended had been open to the public and while their comments were welcome, they would still be able to attend those meetings even though they were not specifically named as committee members.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

I. Village Liquor Control Committee

#2005-107 Motion by Schiano supported by Harnisch to reappoint President Jahnke, Trustees Coyer and McElroy to the Village Liquor Control Committee.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch
Motion carried.

J. Village Personnel Committee

#2005-108 Motion by Coyer supported by McElroy that Trustees McElroy, Gallasch and Lamott constitute the Personnel Committee,

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

1. Police Negotiation Committee

#2005-109 Motion by Coyer supported by McElroy to confirm the existing Police Negotiating Committee as Harnisch, Gallasch and Lamott.

Jahnke noted that as he had stated previously, he believed that the Village President should serve as a member of the Police Negotiation Committee. Jahnke added that he felt that it is critical that Administrator Stoppels be included in that committee's activities, and that it is important that on these three committees, there be common members in each.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott
Nays: Jahnke
Absent: Gallasch
Motion carried.

2. Police and Public Safety Committee

#2005-110 Motion by McElroy supported by Lamott that the present committee membership be continued of the Police and Public Safety Committee comprised of President Jahnke, Trustees Schiano and Coyer.

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

K. Village Wireless Telecommunications Committee

#2005-111 Motion by McElroy supported by Harnisch to continue the appointment of Trustees Coyer, Lamott and McElroy to the Village Wireless Telecommunications Committee.

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

L. Village Administrator Appointed as Liaison to All Village Commissions and Committees

#2005-112 Motion by Schiano supported by Coyer to appoint Jon Stoppels as the Liaison to all Village Commissions and Committees, except that Trustee Lamott will be the liaison to the Historic District Commission.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

M. Village Representative to the Birmingham Cablecasting Board

#2005-113 Motion by Harnisch supported by Lamott to reappoint Trustee Gallasch as the Village Representative to the Birmingham Cablecasting Board.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

N. Construction Board of Appeals

#2005-114 Motion by Schiano supported by Lamott to appoint, subject to meeting the requirements of the State of Michigan Statute of 1972 as amended, Betty Lee Hepworth, Robert Honja, Jordan London, Mickey Nemer, and Robert Stine to the Village Construction Board of Appeals.

Staran stated that there were specific requirements for eligibility to be members of a Construction Board of Appeals. Dinnan added that it was necessary to have an electrician, a plumbing and heating contractor and one building contractor on the board. Dinnan stated that recent court cases have been overturned due to the ineligibility of the members of boards.

Ayes: McElroy, Schiano, Coyer, Harnisch, Lamott, Jahnke

Nays: None

Absent: Gallasch

Motion carried.

X. CONSIDER REPORT OF POLICE AND PUBLIC SAFETY COMMITTEE

Coyer reported that the Police and Public Safety Committee, (formed on August 4, 2005) had been laid out a set of duties to pursue, principal of which was to conduct a limited review of the organization structure of the police and public safety to the extent relevant in the light of the resignation of Chief Glomb. Coyer added that it was the duty of the Council to periodically review this, and that now was a good opportunity, and a number of issues were taken up. On August 30, 2005 a list of potential duties was distributed to Council, the committee has met since and to understand their duty and what the understanding of the committee is, with the intent to provide to Council their recommendation and report. In the first discussions, there had been a split of how to

proceed and what the committee would be doing and some agreement had been made to conduct some review of the organizational structure was appropriate to appointing a Police Chief with a number of things in mind. Coyer added that he understood President Jahnke's opinion to be that the police chief should first be sought, then that new police chief could do his own organizational review and provide his own plan. Coyer added that Schiano had come up with a solution, in that in respect to the definition of the Chief's position and the composition of the force, and how to approach the issue of organization, that being that the committee proceed with the limited study of that while simultaneously beginning the search for a chief. Coyer added that this would allow that by the time a notice would be sent to potential candidates, it should be clear to the search firm and the Village what was being sought in a chief. This would take into account specific questions regarding the force here: Is the current organizational structure appropriate for a Village this size and the policing needs of our community? Would it be necessary to define the Chief's position as it has been defined, largely a broad scope public relations department, as well as policing duties, where the duties may be somewhat more limited with the possibility of adding an officer on the line? A secondary consequence to these discussions might be a cost savings. While Jahnke did not agree with the approach, the Administrator was instructed to determine whether or not a limited organizational review could be conducted by the firms that were available to the Village for possible proposals, with proposals back to the Council within a relatively expedited period of time so that the Council can consider the question of how to proceed with the organizational review which Coyer and Schiano would recommend as a parallel to the search process for a new Chief.

Schiano added that there were two needs: one to proceed with the search for a police chief, two, overriding this, the goal is to have a police department second to none that provides the best service, so the goal was not to cut corners and save a few dollars. Schiano stated that he felt, as everyone did, that it would be irresponsible to wait to begin a search for a new chief. Schiano stated that the time to review the department is before a new chief is hired, because once the chief is hired the investment is in the new person, and the opportunity for a study would no longer exist, because the new person would be in charge. Schiano stated that search firms and new candidates would be alerted to the study of the department and would be provided a copy of what had been developed and ask the candidates to be open to the new study's recommendations.

Jahnke stated that his perspective is one of having supervised Ed Glomb for four years previously and one and ½ years again just in the near past, felt that he knew he was a lot more familiar with the operations of the police department, and more familiar with the individual officers, and why they are assigned to the duties that they perform, Jahnke added that from time to time personnel issues had come up and he has been privy to those discussions with either Jon, Ed or Bill Castro, which others may not have been. If Council, to be comfortable with this whole process needs to do this, then his perspective is that this department is operating in a unique manner, with Bingham Farms, and dispatch through Farmington Hills (which may now be joining with Livonia) which is an ever changing situation. If Council feels the need to look at it than council will budget and appropriate, and do that but, personally, he does not feel it is necessary. Jahnke noted that the search firm can help with those objectives and whoever the finalist is will be able to do so as well.

Schiano opined that no action was necessary, because the funds have already been authorized, and can proceed on that basis, as everyone is anxious to begin and that the Council should get on with it..

Jahnke added that the charge of the committee was to come back to the Council at the October meeting with a proposal to Council. If this is a progress report, then the

committee can still come back to the Council at the October meeting with a specific proposal. So if the proposal is fleshed out then, the Council only needs to choose which instrument of construction.

Coyer added that the Police are doing a fine job, demonstrating that the department is running well and added that two weeks to wait is not too long. Coyer added that Stoppels had only just today received a proposal from Joe Plock, while still waiting for a proposal from MML and the Mercer Group, so he suggested that the report should be made in October.

Lamott added that before candidates are interviewed for the Police Chief job, the Council need to either affirm that the job definition is as it is today, or change the job definition because it is not fair to hire someone expecting them to do one job and then when they get on the job it is something else. So first that question needs to be answered, "What is the job?", then the appropriate candidate needs to be hired.

Stoppels stated that he would like to advertise the job adding that the ad would include the fact that the job was currently under study, believing that good candidates would be found in this way. Stoppels added that he had been speaking to four different search firms, in the next two weeks, he could secure other firms proposals.

Jahnke asked if there was to be an advertisement adding that he wanted the search firm first.

Stoppels stated that he intended to send the advertisement out first.

Jahnke opined that he would rather have the professional finalize the advertisement.

Coyer asked if a search firm would be necessary if an advertisement could secure the right candidates. Coyer added that that would mean that the organizational review could be conducted and the job definition developed, and the Village could advertise itself, and use the local officers that frequently participate in review committees to do what we need to get done. Coyer added that the activity being proposed, the last phase of which would be the hiring of a search firm. Coyer stated that this has appeal, and cost savings, if it is to be trusted. The organizational review would cost up front, but cost savings would occur in the search process.

Stoppels questioned what the job duties of the person in charge of the department, would be best served by a lieutenant or a chief.

Jahnke stated there is a lot of pent up interest, so there is no need to do an advertisement now, and that the Council should wait for the professional to arrange the actual advertisement.

Coyer stated that these were all good questions, and an excellent review.

Schiano stated that he believed that any further action would be incumbent upon looking at the review, with all the more reason, with no delay.

Jahnke added that there is no direction for an advertisement, but an ad could be put together, along with the community profile and candidate profile in preparation of obtaining a search firm. Jahnke stated that a newspaper ad was not advised, but that the MML and the MECP and the different regional police groups all have websites and could be notified of the vacancy.

XI. CONSIDER POLICE CHIEF SEARCH

Already considered in the item above.

XII. ADJOURNMENT

Motion by McElroy supported by Schiano to adjourn the meeting.

There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Eileen H. Pulker, Clerk

Mark W. Jahnke, President