

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, JULY 14, 2008, 8:00 P.M.  
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE  
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

**I. CALL TO ORDER**

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

**II. ROLL CALL**

Present: Brian Coyer, Mark Jahnke, Bill Lamott, Amie Saltzman, Fred Gallasch, Alan Harnisch (arrived 9:13 p.m.)

Absent: Dominick Schiano (excused)

Also Present: Jon Stoppels, Administrator  
Eileen Pulker, Clerk  
Thomas Morrow, Treasurer  
Patrick Browne, Police Chief  
Tony Averbuch, Fire Chief  
John Staran, Village Attorney, Hafeli Staran Hallahan Christ & Dudek, PC

**Motion by Lamott supported by Coyer to excuse Harnisch and Schiano in their absences from the meeting.**

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

**Nays: None**

**Absent: Harnisch, Schiano**

**Motion carried.**

**III. ADOPTION OF AGENDA**

**Motion by Lamott supported by Saltzman to approve the agenda as published and presented.**

The New Business item B for PayLocalTaxes.com was suggested to be removed, as the program has been revised and requires Oakland County Board of Commission approval before proceeding. In its stead, it was proposed that a new item B of New Business be a consideration of the letter received from the Birmingham Cable Board requesting comment from the Village on PEG services possibly to be extended to AT&T.

**Motion by Lamott supported by Coyer to approve the agenda as amended to replace item B of New Business, deleting paylocaltaxes.com and replacing it with the item of the Birmingham Area Cable Board correspondence regarding AT&T discussions about PEG channels.**

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

**Nays: None**

**Absent: Harnisch, Schiano**

**Motion carried.**

#### **IV. MINUTES**

##### **A. June 9, 2008 Regular Village Council Meeting**

**Motion by Lamott supported by Saltzman to approve the minutes of the June 9, 2008 Regular Village Council meeting as presented.**

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

**Nays: None**

**Abstain: Jahnke**

**Absent: Harnisch, Schiano**

**Motion carried.**

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

Police Chief Patrick Browne referred the Council to his written report and reported on several incidences that had taken place in the last month, as follows:

1. Browne reported that there had been a larceny in an office building on Telegraph in Bingham Farms in which an individual was disguised as a cleaning service employee and was seen in the office, but upon his departure, things were found missing from various offices, including laptop computers and plasma televisions. Browne encouraged residents to contact the police when they suspect an unfamiliar individual, and the police department would be able to verify credentials of the individuals in question.
2. Browne also reported that a metal flower cart had been stolen from one of the businesses along Franklin Road in Franklin that had been in place on the porch for the past year without prior incidence.
3. Fraudulent checks were presented at the Bank of America, and two (2) suspects have been arraigned and are currently out on bond.
4. Items were taken from a residential garage on Roberts Drive, while a villager was packing his car for a trip.

Browne also reported that the upcoming PGA Tournament on August 4 to August 10 had prompted him to file a traffic control order with the Village Clerk, placing temporary parking restrictions on the Village streets along Fourteen Mile Road, to prevent over parking in those areas. Browne also briefly reviewed the annual report that he had provided to the Council and clarified definitions used in the report, adding that copies are available for the public to review.

Fire Chief Tony Averbuch referred the Council to his written report and invited everyone to attend the Fire Department's Annual Meeting on August 4, 2008 at 8:00 p.m. The fuel savings research was discussed and Stoppels reported that credit cards had been ordered for the Fire Department's use and that the cards would allow for accounting to determine which charges were for which department: Police, Fire or Administration and that the Fire Department would reimburse the Village for the fuel charges applicable to their

department. Stoppels added that further inquiries were still ongoing between other community's departments for possible future intergovernmental agreements.

Treasurer Thomas Morrow referred the Council to his written report, reviewed the account balances and the bills list as provided for the meeting, noting that the Village had sufficient funds to meet the obligations and that the expenditures presented were consistent with the approved Fiscal Year 2008-2009 Village Budget. Morrow commented that he expects interest rates to rise in the near future, but nothing has improved yet as of this date.

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

### **TOTALS:**

<b>General Administration</b>	<b>\$17,071.94</b>
<b>Building</b>	<b>9,484.85</b>
<b>Insurance</b>	<b>47,937.81</b>
<b>Legal</b>	<b>3,005.50</b>
<b>Police</b>	<b>19,940.53</b>
<b>Pressure Sewer</b>	<b>166,875.94</b>
<b>Major Roads</b>	<b>6,157.92</b>
<b>Local Roads</b>	<b>4,712.95</b>
<b>Rubbish</b>	<b>27,988.01</b>
<b>Trust &amp; Agency</b>	<b>3,600.00</b>
<b>Waste Water</b>	<b><u>4,418.81</u></b>
<b>ALL FUNDS</b>	<b>\$311,194.26</b>

**Motion by Jahnke supported by Saltzman to approve the bills list as presented.**

Stoppels provided information regarding the Hydrogen Sulfide item based on the information he had received from the Oakland County Drain Commission, and noted that when specifics were known regarding the scope of the possible work required and the cost for same, he would provide that immediately to the Council for their determination.

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

**Nays: None**

**Absent: Harnisch, Schiano**

**Motion carried.**

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

Marcia Gershenson, Oakland County Commissioner District 17, reported on Oakland County matters as follows:

- Wireless Oakland has been suspended due to difficulties with funding.
- Birmingham Area Seniors Coordinating Council and Center (BASCC) is sponsoring their 5<sup>th</sup> annual Peanut Butter and Jelly food program to collect food for needy families for the Lighthouse Food Pantry and everyone can drop off the items at BASCC until July 30, 2008.

- Senior Olympics are to take place on August 9 thru 16, 2008.
- Ron Kagen, the Detroit Zoo director, will provide information regarding the Zoo millage (0.1) being requested on July 30, 7:00 p.m. at the Bloomfield Township Library, hosted by Gershenson

Gershenson further reported on the Ravine Condominiums erosion problem along the Franklin River, noting that the Friends of the Rouge have provided a creative solution to remove and/or use the debris; permits are being applied for to allow the work to proceed in the floodplain/wetland. Gershenson provided information on the recent work along Fourteen Mile Road for which shrubbery along the roadside was cleaned up by the Road Commission of Oakland County, however in the process some lighting fixtures were damaged and remain to be repaired.

David Goldberg, 32850 Romsey, stated that it was often difficult to see oncoming traffic on Fourteen Mile Road as he pulls out, and asked that the shrubbery be cut back to allow for better visibility.

Gershenson commented that as a commissioner, she is able to adopt a road, and with Village volunteers, could provide a work force to keep up with maintenance and trimming concerns along the northern border of the Village. Discussion ensued regarding the volunteers necessary and the amount of time needed to set it up, to which Gershenson replied that the set up would take about a month and that the Village could try the plan on a temporary basis to allow time to evaluate the required amount of work and the potential success.

## VIII. NEW BUSINESS

### A. Consider Appointments to Village Boards and Commissions.

**#2008-37 Motion by Lamott supported by Saltzman to defer the appointments to the Planning Commission and Zoning Board of Appeals until the August 2008 Regular Village Council meeting.**

Lamott explained that the Village Ordinances require that one member of both the Zoning Board and Planning Commission be the same individual, and Stevens had agreed to remain on Planning Commission only; further work remains to determine which member would now serve on both. Discussion ensued regarding recent revisions to the State laws governing Zoning Board of Appeals and Planning Commissions in which voting abilities would be impacted if the same issue were considered by both the Planning Commission and the Zoning Board of Appeals, in that the member that sits on both would not be able to vote twice which could impact on super majority and quorum requirements. Staran explained that the Village Ordinance could be changed to indicate that the member may serve on both, not shall, as currently stated in §1220.01. Additional requirements of the appointments were discussed in that the Planning Commission is appointed by the President and the Historic Commission and Zoning Board of Appeals are appointed by the Village Council.

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

**Nays: None**  
**Absent: Harnisch, Schiano**  
**Motion carried.**

**#2008-38 Motion by Lamott supported by Coyer to reappoint Gary Roberts, Walter Denison, and Mark Ashbaugh to the Historic District Commission.**

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

**B. Consider Correspondence from the Birmingham Area Cable Board regarding AT&T request for authorization to provide PEG channels.**

Gallasch introduced the correspondence and noted that AT&T which is new in the television business, is not a franchise partner with the Birmingham Area Cable Board.

David Goldberg, the Village's representative on the cable board, reported that the Village's approval would only allow conversations with AT&T, and noted that when the time comes to authorize any expenditure he would return to advise the Village Council. Goldberg added that he would advocate discussions with AT&T, but more research needs to be conducted before any expenditure would be considered.

**#2008-39 Motion by Lamott supported by Jahnke to approve the request of the Birmingham Area Cable Board to authorize the Cable Board to represent the Village in acquiring the information necessary to identify equipment and develop a cost analysis to provide PEG programming in their service to the Village, and any other relevant issue.**

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

**IX. PROCLAMATIONS/RESOLUTIONS/ORDINANCES**

**A. Consider an Ordinance to Repeal current Chapter 1747 and replace it by adding new Chapter 1474, Signs and Outdoor Display Structure, to the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to regulate Signs and other outdoor displays needed for identification or advertising in the Village, repeal conflicting Ordinances and prescribe a penalty for violations (second reading).**

**#2008-40 Motion by Lamott supported by Coyer to approve the Ordinance to Repeal current Chapter 1747 and replace it by adding new Chapter 1474, Signs and Outdoor Display Structure, to the Codified Ordinances of the Village of Franklin,**

**Oakland County, Michigan, to regulate Signs and other outdoor displays needed for identification or advertising in the Village, repeal conflicting Ordinances and prescribe a penalty for violations in its second reading.**

Nonconforming signs in the Village and the monitoring of existing signs including changes to them were discussed.

Pamela Hansen, 32820 Wing Lake, Planning Commission Chairman, opined that the two (2) year window prescribed in the new ordinance is reasonable and she commended the Historic District Commission and the Village merchants for providing their input and support of the new ordinance.

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

**Nays: None**

**Absent: Harnisch, Schiano**

**Motion carried.**

**X. SPECIAL REPORTS**

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

Gallasch reported on the recent Eagle newspaper article by Eric Czarnik regarding the Village Garden Walk, the Riparian Workshop that was held in June, and noted that the materials from the workshop (which he recommended reading) can be obtained from the Village Clerk.

**B. Council Reports**

**1. Finance Committee Report**

Jahnke requested additional information regarding what was determined at the Finance Committee meeting that he had not been able to attend, asked that financial information be provided at the year end as soon as possible, and it was decided that the answers provided would be distributed to the entire finance committee.

Lamott reported that another Eagle Scout project had been completed at the Historic Society's museum in the Village, which provided an additional 300 feet to the paths on the property. Lamott encouraged Villagers to visit the site now that the work is completed. Lamott further reported that he had been contacted by Virginia DeBenham Rodgers's family and shared that they are planning to help provide a historic marker for the Broughton House to be dedicated in her memory.

Alan Harnisch arrived at 9:13 p.m.

**C. Administrator's Report**

**1. Resident Request**

Stoppels reported on the request by Mrs. Neumann, 25850 Romany Way, for the Village to provide grading of her property to facilitate parking. Stoppels stated that his investigation had shown that the grading remains what it had been prior to the Village road work performed in 2001 or 2002, and as such could not recommend the Village

providing the grading work. Mrs. Neumann asked if she obtained her own contractor, could she perform the work, to which she was assured that with the proper permitting required (soil and excavation, drainage) having been obtained, that she could certainly do so.

**XI. ADJOURNMENT**

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

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

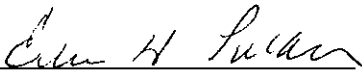
**Nays: None**

**Absent: Schiano**

**Motion carried.**

There being no further business, the meeting adjourned at 9:22 p.m.

Respectfully submitted,

  
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Eileen H. Pulker, Clerk

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H. Frederick Gallasch, President