

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, APRIL 13, 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 8:20 p.m. at the Franklin Village Hall, Franklin, Michigan.

II.ROLL CALL

Present: Alan Harnisch, Bill Lamott, Amie Saltzman, Dominick Schiano, Fred Gallasch

Absent: Mark Jahnke (excused), Brian Coyer (excused)

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Thomas Morrow, Treasurer
Patrick Browne, Police Chief.
Tony Averbuch, Fire Chief
Eddie Delbridge, Main Street Director
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney

Motion by Lamott supported by Schiano to excuse Mark Jahnke and Brian Coyer in their absences from the meeting.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

III.ADOPTION OF AGENDA

Motion by Harnisch supported by Lamott to adopt the Agenda as submitted.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

IV.MINUTES

A. March 9, 2009 Regular Village Council Meeting.

Motion by Schiano supported by Lamott to approve the minutes of the March 9, 2009 Regular Village Council Meeting as written.

Schiano noted a typographical error.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

V.REPORTS OF VILLAGE OFFICERS AND AGENTS

Patrick Browne, Police Chief, advised Council as to three recent incidents in the Village, noting these are ongoing investigations. Chief Browne distributed a memo regarding the "COPS Hiring Recovery Program" which led to a discussion regarding the merits of pursuing a federal grant under this program to fund an additional officer, with Gallasch adding that the deadline for submittal of an application is

tomorrow night. The consensus of Council was to submit the application and bring any award back to Council before accepting. Gallasch requested he be copied on the application which he will forward to Gary Peters' office.

Tony Averbuch, Fire Chief, in a follow up to his written report, advised Council that the Department has been receiving calls for citizen assistance which are non emergency, medical, fire, or rescue related, but seem to be related to independent living issues, advising that he will be presenting a request to the Fire Commission to consider formulating policy to handle these types of situations. Discussion ensued regarding these situations. He continued by reporting on a structure fire that occurred after the submitted report was produced.

Thomas Morrow, Treasurer, reviewed his submitted written report. He continued by advising that Comerica had met with Pulker and Paulsen (finance clerk) to share their options for restructuring of the bank accounts, adding that he will be discussing these with the Finance Committee. Gallasch requested a Finance Committee meeting be scheduled.

Schiano stated that he agrees with the recommendation from Tom in the provided analysis to adopt option 2, suggesting that adopting option 2 tonight would be appropriate. Discussion ensued regarding this matter, with the consensus of Council being to adopt option 2 and with Lamott suggesting that investigating options available through other lending institutions might also be appropriate.

Eddie Delbridge, Main Street Director, reviewed her written report, which included a summary of the National Main Streets Conference she recently attended in Chicago, a Monthly Update, and a Memorandum regarding upcoming Strategic Visioning Sessions. She continued by noting that one member of the Main Street Executive Board has stepped down due to a scheduling conflict and that the May Rediscovering Your Downtown Campaign is well underway. She advised that she has posters with her this evening, a contest component is being developed, Fire Open House will be moved to May, quarterly reporting is due this week, and she is working towards filing for 501(c)(3) status.

Gallasch requested that any suggestions for the appointment to the Executive Board be provided to him.

VI.SUBMISSION OF CURRENT BILLS

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

Totals

General Administration	\$	15,366.86
Building	\$	6,579.34
Insurance	\$	50,813.55
Legal	\$	4,117.00
Police	\$	19,619.38
Pressure Sewer	\$	3,648.98
General Debt Service	\$	275.00
Major Roads	\$	4,564.96
Local Roads	\$	5,181.10
Rubbish	\$	15,776.89
Trust & Agency	\$	1,200.00
Tax Fund	\$	1,297.55
Waste Water	\$	<u>575.75</u>
ALL FUNDS	\$	129,016.36

Discussion ensued regarding various line items for which additional information or clarification was requested with Gallasch noting that the cumulative column is missing, which Schiano requested be transmitted in the mail.

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

VII.PUBLIC REQUESTS AND COMMENTS

Gallasch opened the meeting to public comments with no one from the public responding.

VIII.PUBLIC HEARING

A. Request to Change Description/Reprogram of Community Development Block Grant (CDBG) Funds PY 2007 in the amount of \$2,800 to receive citizen participation and review.

Gallasch requested Stoppels provide a brief review of this item.

#2009-18 Motion by Lamott supported by Harnisch to open the Public Hearing for the Request to Change Description/Reprogram of Community Development Block Grant (CDBG) Funds PY 2007 in the amount of \$2,800 to receive citizen participation and review.

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

Gallasch opened the Public Hearing at 9:08 p.m. with no one from the public responding.

#2009- 19 Motion by Saltzman supported by Lamott to close the Public Hearing.

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

Gallasch closed the Public Hearing at 9:10 p.m.

IX.OLD BUSINESS

A. Consider Proposed Franklin Community Church Parking Agreement

Lamott distributed and reviewed a spreadsheet regarding a preliminary parking lot upgrade cost sharing analysis, explained the logic behind the analysis, adding that much discussion is still needed and other parties and uses need to be taken into consideration. Discussion ensued regarding parking fees and salt application, with Gallasch suggesting that someone sit down with the FCA and the Baseball League, with Lamott replying that he would.

B. Consider Proposed Oakland County Drain Commission Sewer Lining Program

Schiano suggested this item be deferred to an Executive Session to be held at the end of tonight's meeting. Staran advised that that could be noted at the close of the meeting.

X.NEW BUSINESS

A. Consider Request to Change Description/Reprogram of Community Development Block Grant (CDBG) Funds PY 2007 in the amount of \$2,800.00

#2009-20 Motion by Saltzman supported by Harnisch to reapportion the CDBG funds to Change Description/Reprogram of the Funds PY 2007 in the amount of \$2,800.00.

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

Nays: None
Motion carried.

B. Consider request of Franklin Community Church for Spring 2009 Rummage Sale temporary sign postings.

#2009-21 Motion by Schiano supported by Lamott to approve signage for the Franklin Community Church Spring 2009 Rummage Sale temporary sign postings as requested.

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

Lamott noted that the Rummage Sale is May 1 – May 2nd, 2009.

C. Consider Civic Event Permit Application for Kreger Fund and Franklin Historical Society Event – 5K Run/1K Walk, Pancake Breakfast, and other activities.

Lamott provided a summary of the fundraising event to be held on June 13, 2009. Discussion ensued with Gallasch noting that volunteers are needed and Lamott adding that Chief Browne will be providing input.

#2009-22 Motion by Lamott supported by Saltzman to approve the Civic Event Permit Application for the Kreger Fund and Franklin Historical Society Event (Kreger Farm Barn Raising)– 5K Run/1K walk, Pancake Breakfast, and other activities.

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

D. Consider Outdoor Seating/Café Ordinance Amendment, as Recommended by Planning Commission.

Gallasch introduced this item, noting that Planning Commission has worked on this at great length. Staran added that he has reviewed and provided input to the Planning Commission, and that he is satisfied with the proposed Ordinance Amendment. He continued by noting that if approved by Council for a first reading, for the second reading he will reformat for codification purposes.

#2009-23 Motion by Schiano supported by Lamott to approve the Out-Door Seating/Café Ordinance Amendment in its first reading.

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

Lamott stated he had attended many of the Commission meetings regarding this matter, opining that this is well thought out.

Harnisch inquired relative to placement of outdoor seating for the Franklin Grill, adding that he has safety concerns relative to pedestrians in the ingress. Discussion ensued, with Harnisch commenting that it might be appropriate to add language requiring/signage/markings in the ingress area to enhance safety.

Gallasch inquired if the Village's Liquor Ordinance has to be altered to accommodate the Amendment and if the Historic District Commission (HDC) has to approve, as this is a general ordinance not specific to the HDC. Staran commented that the Zoning Ordinance permits outdoor dining only within the boundaries of the HD, other areas are not zoned for food service.

Harnisch inquired if his concerns regarding safety signage should be incorporated within the Amendment or if it is addressed under an approval of a licensed agreement. Staran commented that the Agreement could cover, on a case-by-case basis, this type of detail; though it would be appropriate to have a general reference to it within the Ordinance. Staran added relative to Gallasch's question regarding the Village's Liquor Ordinance, that this is controlled by the MLCC; therefore no amendments to those ordinances are needed. Discussion ensued regarding Liquor Ordinances and MLCC required approvals.

Gallasch commented that Jim Kochensparger had been present at a lot of the Commission meetings, providing input.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

E. Consider Retention and Disposal Schedule for General Schedule #24 (City and Village Clerks).

Clerk Pulker provided a review of the proposed Schedule, adding that this is one section being revised of the previously approved Retention and Disposal Schedule as approved by the State Department of History, Arts and Libraries in which the main changes of the section pertain to retention and disposal of records, adding that the Village's recently adopted email retention policy aligns with this Schedule. Discussion ensued regarding the Schedule and identification of changes.

Harnisch requested this item be moved to next month so clarification of changes can be provided with Council in agreement.

F. Consider Scheduling FY2009/2010 Budget Public Hearing, May 18, 2009, 8:00 p.m.

Gallasch noted that the Charter requires a public hearing prior to approval of the budget. Discussion ensued regarding date of presentation of budget, timing of approval of the budget, date of public hearing, and scheduling of Finance Committee meeting, with Stoppels advising that the revised version of the proposed budget will be completed within the next couple of days and email contact with Finance Committee will be made to schedule a date to meet. Schiano provided an update relative to Finance Committee's latest review.

#2009-24 Motion by Harnisch supported by Schiano to schedule a Budget Public Hearing May 18, 2009 at 8:00 p.m.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Jahnke, Coyer

Nays: None

Motion carried.

G. Consider Rescheduling Organization Meeting from September 21, 2009, to September 28, 2009.

Clerk noted that terms begin on September 28, 2009, which is a religious holiday and suggested that the Organizational Meeting be held September 29, 2009. New members would be sworn in prior to that meeting. Discussion ensued regarding timing.

#2009-25 Motion by Saltzman supported by Lamott to move the Organizational Meeting from September 21, 2009 to September 29, 2009, at 8:00 p.m.

Ayes: Schiano, Gallasch, Lamott, Saltzman, Harnisch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

H. Consider Proposed Building Inspector Administrative Hours.

Lamott noted that his concern is based on a Budget Resolution Council made last month, adding that this is an area where we may have cut back more than was necessary. Discussion ensued regarding Building Inspector administrative hours, with Schiano noting that Village Administration has options; this is a guideline not a hard cap, to assist with managing the budget. Gallasch added on behalf of Jahnke, that Jahnke is opposed to increasing the hours above the proposed 10 hours at this time. Discussion ensued regarding hours, Bingham Farm's outsourcing of building inspections, future review, adding year-to-date on Bills List in the chart, and the need to keep all costs down in light of economic challenges.

I. Consider Revision to Historic District Commission and Civic Event Permit Fees.

Lamott suggested Council cancel two (2) Building Department Fees that were approved last month: \$50.00 for Civic Event Permit, which previously had no charge and \$100.00 for anyone in the Historic District to make an application to the HDC, and provided his rationale behind his suggestions.

#2009-26 Motion by Lamott supported by Harnisch to cancel the Historic District Commission and Civic Event Permit Building Department Fees and refund any pertinent fees received in the past month.

Gallasch inquired of Staran how to accomplish the cancellation with Staran opining that as the Fees were enacted by Council Resolution, a partial rescission can also be accomplished by Council Resolution. Discussion ensued regarding filing of application which is still required and any potential administrative burden.

Ayes: Harnisch, Lamott, Saltzman, Schiano, Gallasch

Absent: Coyer, Jahnke

Nays: None

Motion carried.

XI. SPECIAL REPORTS

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

Gallasch advised that in March the Village received the Tree City USA for 2008 Award, Marcia Gershenson, Oakland County Commissioner – District 17, has scheduled another 14 Mile Road clean up on April 25, 2009, and Hy Safran of Gary Peter's office, has requested a copy of the Agenda and Minutes.

B. Council Reports

1. Wireless Report, Brian Coyer – Trustee.

Brian Coyer absent; no report.

2. Kreger House, Bill Lamott – Trustee.

Lamott advised Council as to fundraising, foundation quotes received, and project status.

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

Harnisch advised that no formal meetings have been held with the Police Union, the Committee is still in information gathering mode, and the Committee will be meeting with Oakland County, Bob Daddow, regarding financial projections for the next 2 – 3 fiscal years.

4. Liquor Committee Report.

Stoppels advised that a meeting needs to be scheduled to review reports relative to the renewal of the Franklin Grill's Liquor License. Discussion ensued regarding Committee composition and purpose of review, and that a meeting should be scheduled.

C. Administrator's Report

Stoppels stated that he had nothing to report due to the lateness of the hour.

**XII. CONSIDERATION TO MOVE INTO CLOSED SESSION TO DISCUSS THE
PRIVILEGED COMMUNICATION TRANSMITTED TO COUNCIL BY THE
VILLAGE ATTORNEY REGARDING SEWER REPAIR.**

**#2009-27 Motion by Harnisch supported by Lamott to move into Closed Session to discuss
the Privileged Communication transmitted to Council by the Village Attorney Regarding
Sewer Repair.**

Roll Call Vote:

**Ayes: Harnisch
Lamott
Saltzman
Schiano
Gallasch**

Motion carried

The closed session began at 10:07 p.m.

The Village Council reconvened at 10:25 p.m. and reopened the meeting to the public.

**#2009-28 Motion by Lamott supported by Saltzman to direct the Village Administrator and Village
Attorney to continue to pursue discussions and negotiations with the County in line with the
County's latest proposal and to bring back to Council for approval a tentative agreement if one is
reached.**

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

XIII. ADJOURNMENT

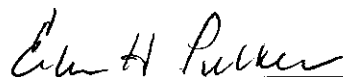
Motion by Schiano supported by Saltzman to adjourn the meeting.

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

There being no further business, the meeting adjourned at 10:30 p.m.

Respectfully submitted,

Lori Rich, Recording Secretary



Eileen H. Pulker, Clerk

H. Frederick Gallasch, President