

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 11, 2013, 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, James Kochensparger, at 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

ROLL CALL

Present: Brian Gordon, Pam Hansen, Jim Kochensparger, Thomas Morrow, Mike Seltzer
Absent: Steve Rosenthal
Also Present: Amy Sullivan, Village Administrator
Daniel Roberts, Police Chief
Eileen Pulker, Clerk
Lance Vainik, Treasurer
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney
Eileen Harryvan, Main Street Franklin

II. ADOPTION OF AGENDA

Motion by Seltzer supported by Hansen to approve the agenda for the February 11, 2013, Regular Village Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Morrow, Seltzer

Nays: None

Absent: Rosenthal

Motion carried.

III. MINUTES

A. January 14, 2013, Regular Village Council Meeting

Motion by Seltzer supported by Morrow to approve the minutes for the January 14, 2013, Regular Village Council Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Morrow, Seltzer

Nays: None

Absent: Rosenthal

Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Daniel Roberts, Police Chief: Roberts referred to his written submission and provided a brief overview of recent police activity in the Village including two residential burglaries noting that the Department is working with other area departments who have experienced similar incidents and alert messages were transmitted via the OakGov system. Roberts advised the Department has identified a good candidate for the vacant part-time officer position and is in the process of conducting a background investigation. In addition, a property room outside audit was conducted by a certified property room specialist which went very well. The specialist will also be assisting with evidence destruction. Upon request Roberts provided a brief description of the couple involved in one of the residential burglaries (middle age white male with medium build, middle age white female, in a blue SUV).

Lance Vainik, Treasurer: Vainik referred to his written report and noted the bills list includes a large entry to Dan's Tree & Landscaping for the ongoing tree pruning/removal project, the list of account balances is as of January 30, 2013, held at Level One Bank, and the provided MERS Retiree Health Care Funding Trust Report showed nice appreciation for the 4th quarter which was driven by the market.

Morrow noted the significance of the \$62,000.00 going towards retiree health care costs which is above and beyond what the taxpayers have funded.

Eileen Harryvan, Main Street Franklin: Harryvan reminded as to the March 9th Chili Cook-Off noting more information can be found on Main Street Franklin's website and provided information relative to Village Center retail first floor space noting that of the 32% approximately 7% is vacant with a lot of that vacant for 3 years or more. Harryvan provided an overview of research done by Place Economics in Washington, D.C. on the economic impact to a community for vacant space noting the many areas impacted. Regarding the Van Every building, Harryvan reported that lease rates are higher than surrounding area commercial rates which could be a significant reason as to why it remains vacant. In summary, Harryvan noted the Village was the center of commerce for decades and has been changing and evolving for 150 years much of which was diligently pursued and done with foresight; thriving businesses did not negatively impact the historic character of the Village; decline in Village Center businesses drove the revitalization strategy as it was recognized that increasing the number of businesses will help existing and future businesses to succeed by increasing foot traffic; issue is too important to be driven by a vocal minority; and ending the divisiveness and finding common ground is the action to be pursued as all work together to keep Franklin vital for future generations.

Tony Averbuch, Fire Chief: The Fire Chief was not available for the meeting and as such, Kochensparger referred to Averbuch's written report.

V. SUBMISSION OF CURRENT BILLS

Motion by Gordon supported by Seltzer to approve the Bills List as submitted.

Ayes: Gordon, Hansen, Kochensparger, Seltzer

Nays: None

Abstain: Morrow

Absent: Rosenthal

Motion carried.

TOTALS

| | | |
|------------------------|-----------|-------------------|
| General Administration | \$ | 8,303.95 |
| Building | \$ | 10,413.21 |
| Insurance | \$ | 36,886.02 |
| Legal | \$ | 1,673.50 |
| Police | \$ | 16,138.69 |
| Pressure Sewer | \$ | 6,500.00 |
| General Debt Service | \$ | - |
| Major Roads | \$ | 7,701.59 |
| Local Road | \$ | 20,951.36 |
| Rubbish | \$ | 16,973.00 |
| Trust & Agency | \$ | 400.00 |
| Tax Fund | \$ | 636.60 |
| Waste Water | \$ | 327.16 |
| ALL FUNDS | \$ | 126,905.08 |

VI. PUBLIC REQUESTS AND COMMENTS

Kochensparger opened the meeting for public comments on non-agenda items requesting comments on agenda items be brought forth when the item is being considered.

- **Elaine McLain, Chairman, Birmingham Area Cable Board (BACB):** McLain provided an overview on funding and the Interlocal Agreement as it pertains to the administrative grant being returned to the Village, noting the BACB has provided responsible oversight with positive results. Discussion ensued regarding 2006 Public Act 490 and the grant (amount and uses).
- **Bill Meade, Franklin Road,** the manager of the Van Every house, Meade noted that LaSpezia is closing due to family reasons, they are dealing with a large number of prospects considering leasing space, the economic environment still poses real concerns making it difficult for some to move forward, they are working hard looking for retail tenants, and have provided substantial rent reductions in the past.

VII. SPECIAL REPORTS

A. President's Report

Kochensparger, regarding home invasions (residential burglaries) noted Village government and the Police Chief are talking about new approaches/tactics, noted the public is also a partner in this regard and reminded Villagers of measures the community can take including reporting suspicious activity, turning on alarms, and stopping newspapers and such when out of town.

B. Council Report

Gordon noted the Finance Committee considered the budget amendments.

C. Administrator's Report

Sullivan provided a brief update on the budget (on track) and tree removal project (ongoing). Discussion ensued regarding the tree removal project (resident feedback and completion date) with Sullivan advising there are no specific deadlines for project completion however full payment is not provided until the project is complete and concerns have been raised by some needing assurance their street would be included as well as concerns from those who raised initial concerns. Morrow noted the feedback on his street has been positive.

VIII. NEW BUSINESS

A. Consider Village Council Trustee Appointment

Kochensparger provided a brief introduction noting that four (4) people had applied for this appointment and offered those who had applied an opportunity to speak prior to opening the floor for nominations.

- **Fred Gallasch, Rosemond Drive,** advised he would like to rejoin Council and noted he makes tough, logical decisions and has a long history with the Village which helps illuminate decisions.
- **Mira Stakhiv, Crestwood Drive,** advised she has taken an active interest for two (2) years in Village government, has lived in the Village for twenty-nine (29) years, been an active community volunteer for 20 years, and has a good perspective of what goes on in the Village which combined with her passion, business background/knowledge, makes her an asset to the community if she is appointed to this position.
- **Bill Sheppard, Tudor,** advised he has lived here for two (2) years and had the opportunity to be present at a couple of Village meetings, he would bring a business sense to the appointment as high-lighted in his resume, and would do his best to maintain the positive reputation the Village has.
- **Judy Moenck, Meadow Drive,** advised this is a bittersweet consideration due to the character and passion for the Village of the man (Lew Eads) who vacated the position, high-lighted her business experience and Village of Franklin appointments/volunteer efforts, and noted she is vested in Franklin and will continue to be so no matter the outcome of this appointment.

Kochensparger opened the floor for public comments and then for nominations.

Motion by Seltzer supported by Hanson to appoint Judy Moenck to the vacant Council Trustee seat.

Discussion ensued with Trustees thanking those who applied for the appointment and acknowledging how fortunate the Village is to have, again, so many qualified and capable individuals in the Village interested in filling this position. Trustees thanked all who applied and Dr. Fred Gallasch specifically for his many years of service with Morrow requesting him to consider the vacant Deputy Treasurer appointment.

Ayes: Gordon, Hansen, Kochensparger, Morrow, Seltzer

Nays: None

Absent: Rosenthal

Motion carried.

Clerk Pulker administered the oath of office to Judy Moenck who then joined the meeting in progress.

B. Consider Civic Events Permit Application for the “Kreger Barn Raising” Fund Raising Event – 5K Run, walk, dog walk and pancake breakfast on June 8, 2013

Clerk Pulker provided a brief overview noting the Fire Dept. has approved, a temporary sign application is included, the installation date on the temporary sign application will be changed to May 18th and encouraged all to mark their calendars for this event.

Motion by Morrow supported by Seltzer to approve the Civic Events Permit and Temporary Sign Application for the “Kreger Barn Raising” Fund Raising Event scheduled for June 8, 2013.

Discussion ensued regarding the change in the sign installation date and event details with it being noted administratively the application itself will be corrected.

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

Nays: None

Absent: Rosenthal

Motion carried.

C. Consider Appointment of President Pro Tem

Kochensparger opened the floor for nominations and provided a brief overview of appointment responsibilities.

Motion by Seltzer supported by Moenck to nominate Pam Hansen for President Pro Tem.

Seltzer nominated Pam Hansen due to her experience in similar meeting settings. Morrow, acknowledging that perhaps the position is ideally filled by an elected Trustee, nominated Seltzer who thanked him for the opportunity but declined the appointment.

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

Nays: None

Absent: Rosenthal

Motion carried.

D. Consider Appointment of Deputy Treasurer

Morrow noted that Dr. Gallasch would be the best candidate for this appointment. Discussion ensued regarding appointment process and other potential appointments with it being noted that posting the opportunity would be consistent with prior Council actions. Administration was requested to post the opportunity on the website with the appointment to be considered at the next Council meeting.

E. Consider Appointment to the Liquor Control Committee

Kochensparger introduced this item noting that currently only Steve Rosenthal is on the Committee. Morrow and Gordon expressed their interest in being appointed with Pulker advising that three (3) members was how many members the Committee previously had.

Motion by Seltzer supported by Hansen to appoint Trustees Morrow and Gordon to the Liquor Control Committee.

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

Nays: None

Absent: Rosenthal

Motion carried.

F. Consider FY2012-2013 Budget Amendments

Sullivan provided a brief overview. Discussion ensued regarding the amendments with it being noted additional unanticipated revenue is attributable to the BACB grant.

Motion by Morrow supported by Gordon to accept the budget amendments to address the Birmingham Area Cable Board (BACB) administrative grant, change in Kelda's salary allocation, increase in Building Department revenue, increase in Engineering revenue, increase in Engineering expenses, and increase in Liability Insurance expense as follows:

GENERAL FUND

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's Fiscal Year 2012/2013 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2012-2013 General Fund Budget with funds coming from the appropriation of other funds.

Revenue

000627 – General & Admin Assessment: Increase revenue to a new total of \$15,750 (original \$12,000).

000680 – Miscellaneous: Increase revenue account to a new total of \$21,328 (original \$1,000).

Expenditures

102704 – Administrative salaries: Increase expense account to a new total of \$119,700 (original \$115,950).

| Account | Old Amount | New Amount | Difference |
|---------|------------|------------|------------|
| 000627 | \$12,000 | \$15,750 | \$3,750 |
| 000680 | \$1,000 | \$21,328 | \$20,328 |
| | | | |
| 102704 | \$115,950 | \$119,700 | (\$3,750) |
| | | Net | \$20,328 |

BUILDING FUND

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's Fiscal Year 2012/2013 Building Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2012-2013 Building Fund Budget with funds coming from the appropriation of other funds.

Revenue

000476 – Building permits/plan review: Increase revenue account to a new total of \$68,000 (original \$50,000).

000475 – Engineering Income: Increase revenue account to a new total of \$9,000 (original \$250).

Expenditures

000830 – Engineering Consulting fee: Increase expense account to a new total of \$9,000 (original \$500).

000910 – Insurance and bonds: Increase expense account to a new total of \$6,200 (original \$5,000).

| Account | Old Amount | New Amount | Difference |
|---------|------------|------------|------------|
| 000476 | \$50,000 | \$68,000 | \$18,000 |
| 000475 | \$250 | \$9,000 | \$8,750 |
| | | | |
| 000830 | \$500 | \$9,000 | (\$8,500) |
| 000910 | \$5,000 | \$6,200 | (\$1,200) |
| | | Net | \$17,050 |

Discussion ensued regarding the grant.

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

Nays: None

Absent: Rosenthal

Motion carried.

IX. ADJOURNMENT

Motion by Seltzer supported by Morrow to adjourn the meeting.

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

Nays: None

Absent: Rosenthal

Motion carried.

There being no further business, the meeting adjourned at 8:51 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President