

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, May 13, 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, Judy Moenck, Mike Seltzer
Absent: Tom Morrow, Steve Rosenthal
Also Present: Amy Sullivan, Village Administrator
Daniel Roberts, Police Chief
Tony Averbuch, Fire Chief
Eileen Pulker, Clerk
Lance Vainik, Treasurer
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney
Elina Costello, Main Street Franklin

II. ADOPTION OF AGENDA

Motion by Moenck supported by Seltzer to approve the agenda for the May 13, 2013, Regular Village Meeting as revised.

Modifications to the agenda as submitted included the addition of IX – New Business – L – Resignation of Steve Rosenthal and removal of VII – Special Reports – D – Community of Character Presentation.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

III. MINUTES

A. April 8, 2013, Special Village Council Meeting

Motion by Seltzer supported by Moenck to approve the minutes for the April 8, 2013, Special Village Council Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

B. April 8, 2013, Regular Village Council Meeting

Motion by Seltzer supported by Hansen to approve the minutes for the April 8, 2013, Regular Village Council Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Tony Averbuch, Fire Chief: Averbuch referred to his submitted report and advised that annual apparatus testing is Monday through Wednesday this week on Normandy in front of the Kreger House. Discussion ensued regarding location with it being noted that in the past the church parking lot/street have

been utilized. Averbuch also noted that in addition to fire and police personnel, Village Administrator, Amy Sullivan attended the FEMA sponsored incident command training and scored 100% on the final exam.

Daniel Roberts, Police Chief: Roberts referred to his written report and advised there have been no residential burglaries since January, there were some incidents of mail box attacks and mail theft, and the recent homicide is technically still an open investigation as they are waiting on final lab results. Roberts noted he was proud of the way the fire and police personnel who responded handled the difficult and tragic homicide situation and requested Villagers to contact the Dept. if they see any suspicious activity related to mail boxes.

Lance Vainik, Treasurer: Vainik referred to his written report and noted the Bills List includes a large (monthly) entry for the curbside trash pickup and the list of account balances is as of May 10, 2013.

Elina Costello, Main Street Franklin (“MSF”): Costello provided a brief review of two recent MSF projects: 1) Mural: North side of Market Basket; gained a great deal of media coverage; great way to raise the awareness of Franklin; and 2) Preservation in the 21st Century Workshop: Well attended; valuable information; presentation material will be on the MSF website. Costello noted the next big project is the Design and Sustainability Guidelines with MSU which should be kicked off within the month and is anticipated to be completed in four (4) to six (6) months for which MSF has its half of the funding banked and is awaiting confirmation of the Village’s half.

V. SUBMISSION OF CURRENT BILLS

Motion by Gordon supported by Seltzer to approve the Bill’s List as submitted.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

TOTALS

General Administration	\$	14,607.42
Building	\$	4,586.47
Insurance	\$	37,195.62
Legal	\$	3,054.74
Police	\$	19,443.27
Pressure Sewer	\$	8,075.45
General Debt Service	\$	-
Major Roads	\$	3,047.03
Local Road	\$	8,261.31
Rubbish	\$	16,877.62
Trust & Agency	\$	8,388.02
Tax Fund	\$	-
Waste Water	\$	292.20
ALL FUNDS	\$	123,829.15

VI. PUBLIC REQUESTS AND COMMENTS

Kochensparger opened the meeting for public comments on non-agenda items.

- Bill Dwyer, Oakland County Commissioner, provided a brief update on County matters noting a new discount prescription program is in place, the budget for 2013-2015 is being developed and it appears

that the County is in great shape, the Public Services Committee, of which he is the Chair, is considering gun violence and related mental health issues and will be making recommendations to the full board by June 12th. Discussion ensued regarding gun violence considerations.

- Steve Rosenthal, Romany Way, noted that due to a business ownership he is pursuing which does not provide for him to hold public office, he will need to resign from Village Council. Rosenthal also thanked the Fire and Police Departments for their quick response to a fire incident at his home. Discussion ensued with Council Members expressing their sorrow over the resignation and wishing him good luck.

VII. SPECIAL REPORTS

A. President's Report

None.

B. Council Report

None.

C. Administrator's Report

Sullivan noted the Village is 3/4 through this fiscal year and is on track with the budget, she will be appearing before the Cable Board on Wednesday seeking funding for an online citizen engagement program, and the independent contractor survey of homes in terms of compliance with the recently passed right-of-way ordinance shows that 125 or approximately 10% of Village properties have some sort of violation. Sullivan advised she will be seeking direction from Council as to how it would like to proceed for those Villagers wishing to request relief.

VIII. PUBLIC HEARING

A. FY2013-2014 Proposed Budget

Sullivan provided a brief overview noting this budget would go into effect July 1, 2013 and the proposed levy remains the same for general fund, fire and library and a small increase for rubbish and debt service funds. Discussion ensued relative to process with Sullivan advising adoption of the budget as well as the required public hearing are on tonight's agenda which would then be posted online, printed, tax bills would be generated, and the new levy would go into effect July 1, 2013. It was noted that the proposed budget was posted online and copies were provided upon request.

- Fred Gallasch, Rosemond Drive, noted his long-time support of public safety and suggested Council consider allowing the Police Chief to hire one additional officer as at times there is only one officer on duty and the fire department's proposed levy is higher than what the Department requested. Discussion ensued regarding police department staffing levels with Chief Roberts advising the goal is to keep two officers on duty at all times and one sergeant per day and night shift, gaps are less frequent now that the department is fully-staffed, they try to schedule gaps at the least peak times, and supplement staffing when possible/necessary with part-time officers to reduce overtime costs. Regarding the voter approved millage increase Gallasch noted the intent was to keep police staffing secure and to grow the fund balance with the hiring of an additional officer being a good use for those funds and other budget expenditure reductions could offset the increased cost. Sullivan pointed out challenges associated with the millage increase expiring in three years. Regarding the proposed fire levy Sullivan advised the levy includes a minimal cushion to cover major event(s) that incur costs which would be passed through to the Village. Trustees discussed the fire levy with Kochensparger noting retaining a reserve in this fund was past practice.
- Bill Lamott, Scenic Drive noted in the past as property values grew and generated more revenue the fire fund grew a surplus, the millage was not increased to generate a surplus, this would be the second year in a row the Village has increased taxes, the Village is on the brink of realizing new revenue based on property values not millage increases with the increased construction in the Village, cable board fees should be looked at, debt service payments should be reviewed as some of the sewer bonds

will soon be paid off, and Council should consider spending the voter approved increased funds as it was specified it would be spent – police and growing fund balance. Regarding Main Street Franklin, Lamott noted this program is working for some and not for others, attempts have been made to have a dialogue with no success, allocating funding means another year of the status quo, and opined it is time to return this to solely local volunteer managed/driven. Lamott expressed concern over the MSU deliverables and appointed Trustees considering something as critical to the Village as the Master Plan update and urged Council to keep taxes at its current level.

- Eileen Harryvan, Vincennes Ave, noted as a resident who sees the positive changes daily she is requesting Council to fully-fund Main Street Franklin (MSF) (\$19,300) which would be a modification to the proposed budget. As the MSF Chair, she requests Council to fully-fund MSF as a review of past Council minutes indicates this was part of the original plan. Harryvan opined there is a lot of misinformation in the Village in terms of what MSF does and noted there are 4800 hours of Village service provided by MSF volunteers which is a considerable return on the Village's investment.
- Barry Silverstein, Cheviot Hills, noted in-kind services valued at approximately \$75, 000 is additional return on the Village's investment, the mural project and preservation workshop were great events, the Design Guidelines are resident driven as they will in part be based on input received from the charette, MSF is action, growth, education, community oriented, and requested an overview of the budget process as it comes to funding this line item.
- Dan Costello, owner Smile Builders, expressed his support of fully-funding MSF as it doesn't make sense to have a downtown that isn't well managed and suggested the energy going into discussions related to funding this line item each year could be diverted to positive community action.
- Pat Burke, Franklin Court, provided several quotes from Village documents which noted the genesis of, long-term commitment to, and process for MSF which included funding at specified levels to accommodate a persistent and sustained effort focused on downtown revitalization. Burke noted MSF has been limping along on less than \$20,000 and hasn't been funded with sufficient resources to enable it and the Village to see what can really be made to happen to benefit the Village. Regarding the proposed millage levy, Burke noted she is in support of the minimal increase.
- Steve Rosenthal, Romany Way, noted his support of funding MSF as it has had a direct positive impact on the Village and the value of property in the Village.
- Lew Eads, Franklin Court, noted the importance of Council understanding the motives behind those supporting and in opposition to MSF prior to considering the actual funding level. Eads reviewed those motives and requested Council to end the bullying and to restore funding to what was in place three years to five years ago (\$25,000 to \$50,000).

IX. NEW BUSINESS

A. Consider Proposed FY2013-2014 Budget

Motion by Gordon to approve the FY2013-2014 Budget as submitted.

Motion failed for lack of a second.

#2013-31 Motion by Seltzer supported by Moenck to amend the FY2013-2014 proposed Budget to include funding of Main Street Franklin at \$20,000 with the increase to be offset from a reduction in Council Contractual 101710 (Design Guidelines) line item.

Trustees discussed the merits of funding MSF and touched on the following:

- Community support
- Main Street successes

- Planning Commission's commitment to the downtown as evidenced in devoting two chapters to this issue in the Master Plan (residential and commercial development) with Main Street being the vehicle to bring that vision forward
- Prior years funding considerations
- Potential to fully-fund and offset increased cost
- Continued budgetary constraints

President Kochensparger advised Council that he will be recusing himself from the Main Street issue as he has a conflict of interest and noted he has been involved in MSF from its inception and it is continuing to evolve and is a good thing for the Village. Hansen noted there has been a dramatic change since 2006 with Council realizing its role in economic development which has resulted in a building of trust between "government" and merchants who appear excited, enthusiastic, and connected.

Ayes: Gordon, Hansen, Moenck, Seltzer

Absent: Morrow, Rosenthal

Abstain: Kochensparger

Nays: None

Motion carried.

Trustees continued to discuss the proposed budget and touched on the following:

- Kreger House increase - Village obligation after Certificate of Occupancy is issued; budget increase is an estimate; budgeting scenarios including retaining the status quo and amending as necessary after the building is operational; potential for revenue to offset increased cost; Bill Sheppard, Tudor, suggested keeping the Kreger line item as proposed, generating a methodology for revenue, and adjusting both expense and revenue accordingly at a later date; Lew Eads, Franklin Court, noted the process included a business plan which would enable forecasting which has yet to be provided by the Kreger team; Barry Silverstein, Cheviot Hills noted there is support of a volunteer group; Advisory Committee; Consensus to split the difference between the current and proposed funding levels resulting in a budgeted amount of \$3,500 for this line item.
- 2% increase for clerical positions (minimal after no raise for considerable time)
- Suggestion to add additional full-time police officer

#2013-32 Motion by Hansen supported by Moenck to amend the FY2013-2014 proposed Budget to include funding of Kreger House at \$3,500.00 instead of the proposed \$5,000.00.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

#2013-33 Motion by Seltzer supported by Gordon to adopt the FY2013-2014 amended proposed Budget to include the Kreger House line item funded at \$3,500, Main Street Franklin line item funded at \$20,000, and Council Contractual line item at \$3,000.

Discussion touched on the following:

- The Village is not levying the maximum fire millage
- General fund millage is the same as last year
- Debt service cushion is needed because of the uncertainty of retroactive tax tribunal decisions, however, these are dedicated funds so excess funds would reduce the final year's levy on the bond payment accordingly
- Cable Board fees are set as part of the inter-local agreement and that agreement provides for how a wide array of other responsibilities are met; Mira Stakhiv, Crestwood, Cable Board Representative

noted the value the Board brings to the Village and concurred the fees are set as part of the inter-local agreement.

- Slight increase in rubbish was anticipated as part of a 5 year contract

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

B. Consider Membership in the Oakland County Tactical Training Consortium (Oak-Tac)

Upon request, Chief Roberts provided a brief overview noting that Oak-Tac is a grant funded organization which ensures that all departments/agencies jointly responding to major incidents are trained and equipped to the same standards. Discussion ensued regarding other communities with Roberts advising he is not aware of any other communities that have not joined or aren't in the process of doing so.

#2013-34 Motion by Seltzer supported by Gordon to adopt the Resolution to Approve Binder Agreement between the Village of Franklin and the Oakland County Tactical Training Consortium (Oak-Tac), as follows:

The Franklin-Bingham Farms Police Department has provided the Village Council with documentation whereby the Department would become official members of the Oakland County Tactical Training Consortium (Oak-Tac). The Department has already been involved with the organization, and many of the police officers have participated in no-cost training offered by Oak-Tac. The Oak-Tac group has moved forward by creating bylaws and inter-local agreements for all agencies involved. There will be no additional cost or liability incurred by the Village. The documents were reviewed and found to be acceptable by Village Attorney John Staran. The Village's involvement in Oak-Tac makes trained personnel from other Oakland County police agencies available to be deployed to Franklin and/or Bingham Farms in an emergency. The Village's participation in this inter-agency agreement also qualifies the Department to receive federal and state grant funding for equipment and training.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

C. Consider Sealed Bids for Sale of Used Police Vehicle

Clerk Pulker advised that two (2) sealed bids were received with the higher bid being from an agency that has bought vehicles from the Village before. Discussion ensued with Chief Roberts noting the higher bid was considerably more than the last vehicle sold.

#2013-35 Motion by Moenck supported by Seltzer to accept the bid from Chicago Motors Inc. for the sale of the 2009 Ford Crown Vic. in the amount of \$4,007.00.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

D. Consider Hazard Mitigation Plan Adoption

Sullivan provided a brief overview noting adoption is mandatory to maintain eligibility for FEMA hazard mitigation grant funding, the plan recognizes potential hazards, and prioritizes the Village Administrator's focus on specified action items aligned to the Plan yet does not obligate the community to implement.

#2013-36 Motion by Seltzer supported by Moenck to adopt the Oakland County Hazard Mitigation Plan, as follows:

WHEREAS, the mission of the Village of Franklin includes the charge to protect the health, safety, and general welfare of the people of the Village of Franklin; and

WHEREAS, the Village of Franklin is subject to flooding, tornadoes, winter storms, and other natural, technological, and human hazards; and

WHEREAS, the Oakland County Homeland Security Division and the Oakland County Local Emergency Planning Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Hazard Mitigation Plan that reviews the options to protect people and reduce damage from these hazards; and

WHEREAS, the Village of Franklin has participated in the planning process for development of this Plan, providing information specific to local hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing the draft Plan; and

WHEREAS, the Oakland County Homeland Security Division (HSD), with the Oakland County Local Emergency Planning Committee (LEPC), has developed the OAKLAND COUNTY HAZARD MITIGATION PLAN (the "Plan") as an official document of the County and establishing a County Hazard Mitigation Coordinating Committee, pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44 CFR 210.6); and

WHEREAS, the Plan has been widely circulated for review by the County's residents, municipal officials, and state, federal, and local review agencies and has been revised to reflect their concerns.

NOW THEREFORE BE IT RESOLVED by the Franklin Village Council that:

1. The Oakland County Hazard Mitigation Plan with section (s) of the Plan specific to the Village of Franklin is hereby adopted as an official plan of the Village of Franklin.
2. The Village Administrator is charged with supervising the implementation of the Plan's recommendations, as they pertain to the Village of Franklin and within the funding limitations as provided by the Village of Franklin or other sources.
3. The Village Administrator shall give priority attention to the following action items recommended in portions of the Plan specific to Franklin.
 - a. Acquire equipment to boost radio communication
 - b. Seek funding for purchase of a generator

Passed by the Franklin Village Council on May 13, 2013.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

E. Consider Franklin Community Center (Kreger) Advisory Committee Report

Sullivan referred to the submitted report and noted it includes the Advisory Committee Report and an overview of policy items determined to need additional Council consideration by Council's Finance and Legal committees. Discussion ensued relative to the completeness of the Advisory Report and the goal of an executable plan.

#2013-37 Motion by Seltzer supported by Moenck to postpone consideration of the Franklin Community Center (Kreger) Advisory Committee Report.

Discussion ensued relative to additional consideration by Finance and Legal committees with Sullivan advising all agenda items go to Finance and Legal automatically.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

F. Consider Civic Event Permit Application for Mak-A-Dream

Sullivan noted this is the second year for this one day event. Discussion ensued regarding insurance with Pulker advising that will be obtained prior to the event.

#2013-38 Motion by Gordon supported by Seltzer to approve the Civic Event Permit for Mak-A-Dream.

Discussion ensued with it being noted the event was brought to the Village by Mak-A-Dream and Lisa MacDonald is running the Boot Camp portion.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

G. Consider Civic Event Permit Application for Wylie Groves High School Senior Skip Day

#2013-39 Motion by Seltzer supported by Gordon to approve the Civic Event Permit for Wylie Groves High School Senior Skip Day.

Discussion ensued regarding insurance with Staran noting the Village's insurance would be in place and the school would have similar insurance which Clerk Pulker will verify prior to the event.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

H. Consider Civic Event Permit Application for Franklin Community Association Farmers' Market

#2013-40 Motion by Moenck supported by Seltzer to approve the Civic Event Permit for Franklin Community Association Farmers' Market.

Discussion ensued regarding ending date with John Pulker affirming the event is scheduled to end no later than Oct. 13th.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

I. Consider FY2012-2013 Budget Amendments

Sullivan provided a brief overview and noted concerns relative to the tri-annual septic permit fees.

#2013-41 Motion by Seltzer supported by Gordon to amend the FY2012-2013 budget, 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.

Revenues

- 000656 – Police fines: Increase revenue account to a new total of \$12,800 (original \$10,800).
- 000692 – Cablecast Board Grant: Increase revenue account to a new total of \$3,000 (original \$2,000).

Expenditures

- 101902 – Website expenses: Increase expense account to a new total of \$3,000 (original \$2,000).
- 102704 – Administrative salaries: Decrease expense account to a new total of \$112,725 (original \$117,950).
- 102705 – Group Insurance: Increase expense account to a new total of \$17,289 (original \$7,089).
- 854963 – Transfer to Waste Water Fund: Increase expense account to a new total of \$7,350 (original \$0).
- 865910 – Liability Insurance and bonds: Decrease expense account to a new total of \$25,000 (original \$30,000).

Account	Old Amount	New Amount	Difference
000656	\$10,800	\$12,800	\$2,000
000692	\$2,000	\$3,000	\$1,000
		Revenue sub total	\$3,000
101902	\$2,000	\$3,000	\$1,000
102704	\$117,950	\$112,725	(\$5,000)
102705	\$7,089	\$17,289	\$10,200
854963	\$0	\$7,350	\$7,350
865910	\$30,000	\$25,000	(\$5,000)
		Expense sub total	\$8,550
		Net Deficit to FB	\$5,550

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 Major Street Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2012-2013 Major Street Fund Budget with funds coming from the appropriation of other funds.

Expenditures

- 463818 – General Maintenance: Decrease expense account to a new total of \$16,700 (original \$25,200).
- 465818 – Winter Maintenance: Increase expense account to a new total of \$43,500 (original \$35,000).

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 Pressure Sewer Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2012-2013 Pressure Sewer Fund Budget with funds coming from the appropriation of other funds.

Revenues

- 000664 – PS on capital charges: Decrease revenue account to a new total of \$15,000 (original \$20,000).

Expenditures

- 875823 – Legal Expenses: Decrease expense account to a new total of \$0 (original \$500).
- 875827 – Service Fees: Increase expense account to a new total of \$500 (original \$0).
- 905991 – Pressure sewer – Principal Payment: Decrease expense account to a new total of \$524,000 (original \$535,000).

Account	Old Amount	New Amount	Difference
000664	\$20,000	\$15,000	(\$5,000)
		Revenue sub total	(\$5,000)
875823	\$500	\$0	(\$500)
875827	\$0	\$500	\$500
905991	\$535,000	\$524,000	(\$11,000)
		Expense sub total	(\$11,000)
		Net	(\$6,000)

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 Waste Water Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2012-2013 Waste Water Fund Budget with funds coming from the appropriation of other funds.

Revenues

000485 – Tri-annual septic permits: Decrease revenue account to a new total of \$0 (original \$4,500).
 000800 – Transfer from General Fund: Increase revenue account to a new total of \$7,350 (original \$2,850).

Kochensparger reviewed the proposed changes prior to calling the vote.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

J. Consider West Nile Reimbursement

Sullivan provided a brief overview noting the resolution is needed for the Village to be reimbursed for expenditures related to mosquito control.

#2013-42 Motion by Gordon supported by Seltzer to authorize the Village Administrator to seek reimbursement from Oakland County for the purchase of mosquito control torpedoes and insect repellent, for West Nile prevention in the amount of \$491.10.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

K. Consider Wireless Application Fee

Sullivan provided a brief overview noting due to changes in the Zoning Enabling Act related to cellular towers, the Village’s Wireless Fee schedule needs to be amended to reflect the new facility application limit of \$1,000. Sullivan also noted the Wireless Ordinance will be referred to the Planning Commission.

2013-43 Motion by Hansen supported by Moenck to amend the Wireless Fee schedule application fee from its current amount to \$1,000.00 for all wireless facility applications to be in compliance with State law.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

L. Consider Resignation of Trustee, Steve Rosenthal.

#2013-44 Motion by Seltzer supported by Moenck to accept the resignation of Trustee Steve Rosenthal with regret.

Trustees discussed the vacancy with Pulker requested to post it on the website and to include a resolution recognizing Steve Rosenthal's contributions to the Village at the next Council meeting.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

X. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

A. Consider An Ordinance to Amend Sections 1246.02, Referral by Council to Planning Commission and 1246.03, Powers and Duties of the Planning Commission of Chapter 1246 Amendments of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Regulate Proposal Submissions for Zoning Text or Zoning Map Amendments, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (second reading).

#2013-45 Motion by Moenck supported by Hansen to adopt the Amendments to 1246.02, Referral by Council to Planning Commission and 1246.03, Powers and Duties of the Planning Commission of Chapter 1246 Amendments of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to Regulate Proposal Submissions for Zoning Text or Zoning Map Amendments, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations in the second reading.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

B. Consider An Ordinance to Amend Section 1268.29, Screening, of Chapter 1268 Supplementary Regulations, of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Regulate Protective Screening Whenever Development, in an RO-1 or C-1 District, Abuts a Residential District, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations (second reading)

#2013-46 Motion by Seltzer supported by Gordon to adopt the Amendment to Section 1268.29, Screening, of Chapter 1268 Supplementary Regulations, of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to Regulate Protective Screening Whenever Development, in an RO-1 or C-1 District, Abuts a Residential District, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations in the second reading.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

C. Consider An Ordinance to Amend Section 1262.02, Parking Development Regulations, of Chapter 1262, Off-Street Parking and Loading, of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Regulate Parking Development for

three (3) or more vehicles, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations (second reading)

#2013-47 Motion by Moenck supported by Seltzer to adopt the Amendment to 1262.02, Parking Development Regulations, of Chapter 1262, Off-Street Parking and Loading, of Part Twelve of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to Regulate Parking Development for three (3) or more vehicles, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations in the second reading.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

XI. ADJOURNMENT

Seltzer expressed concern over the negative comments lobbed towards those Trustees who are appointed which he opined is appalling and insulting though it won't break his spirit. Seltzer also noted Trustees' work countless hours each week to the betterment of the Village, try to be mindful and respectful of different opinions, and can't be responsible for how or why a vacancy was created. Gordon echoed his concerns and noted Trustees are in place because the Village's process was followed.

Motion by Seltzer supported by Gordon to adjourn the meeting.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Seltzer

Absent: Morrow, Rosenthal

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 10:25P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President