

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, AUGUST 12, 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 Pro Tem, Pam Hansen, at 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

**ROLL CALL**

Present: Brian Gordon, Pam Hansen, Judy Moenck, Ed Saenz, Mike Seltzer  
Absent: Jim Kochensparger (excused); Tom Morrow  
Also Present: Amy Sullivan, Village Administrator  
William Castro, Det. Lt. Police Dept.  
Eileen Pulker, Clerk  
Lance Vainik, Treasurer  
Eileen Harryvan, Executive Director, Main Street Franklin

**II. ADOPTION OF AGENDA**

Hansen requested a motion to excuse President Jim Kochensparger from the meeting and noted a typographical error on the agenda.

**Motion by Seltzer supported by Saenz to excuse President Kochensparger from the meeting.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**III. MINUTES**

**A. July 2, 2013, Special Village Council Meeting**

**Motion by Moenck supported by Saenz to approve the minutes for the July 2, 2013, Special Village Council Meeting as submitted.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**B. July 8, 2013, Regular Village Council Meeting**

**Motion by Seltzer supported by Saenz to approve the minutes for the July 8, 2013, Regular Village Council Meeting as submitted.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**IV. REPORTS OF VILLAGE OFFICERS AND AGENTS**

**William Castro, Det. Lt. Police Dept**, noted Chief Roberts is on vacation and referred to and provided an overview of the submitted monthly report and recent Dept. activity in the Village. Discussion ensued regarding a credit card fraud incident with Castro providing a description of that type of crime and noting the investigation is ongoing. Castro advised that part-time officer Krajewski tendered a letter of resignation which is effective next week and noted the Dept. is beginning the steps to fill this position and thanked Officer Krajewski for his years of service.

**Tony Averbuch, Fire Chief,** Sullivan noted that Chief Averbuch is out of the State on work related matters and Hansen referred to the submitted report.

**Eileen Harryvan Main Street Franklin (“MSF”)** advised that Vivian Carmody has accepted a position elsewhere and she has been appointed by the MSF Board as the interim Executive Director with Barry Silverstein stepping into the Board Chair position. Harryvan provided an overview of upcoming events focusing on the “Gem of the Night” fundraising event as well as the Historic Franklin Fund (“HFF”) raffle “Hole-in-One” fundraising event noting additional information can be found on MSF’s website or by contacting the Village Office. Hansen expanded on the overview of the “Gem of the Night” event noting it is a beautiful annual event for MSF which brought in revenue last year and encouraged all to purchase tickets. Lew Eads, upon request, expanded on the “Hole-in-One” overview noting that tickets will be limited to 325, will cost \$100.00, and are expected to sell quickly. Eads noted additional information will be posted on MSF’s website and can also be accessed by contacting the Village Office and further noted the HFF was initiated through MSF but as a separate non-profit partner to provide grants and community education.

**Lance Vainik, Treasurer,** referred to his written report and noted there are large entries for the pressure sewer semi-annual interest payment and auto liability insurance premiums and the list of account balances held at Level One Bank is as of Aug 7, 2013. Moenck requested the reference to Round-Up be removed from the description for the barricades as the Village will be able to use those in a number of ways.

#### V. SUBMISSION OF CURRENT BILLS

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

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

#### **TOTALS**

|                        |                      |
|------------------------|----------------------|
| General Administration | \$10,986.27          |
| Building               | \$ 7,325.43          |
| Insurance              | \$ 102,214.11        |
| Legal                  | \$ 1,472.00          |
| Police                 | \$ 27,362.29         |
| Pressure Sewer         | \$ 331,500.00        |
| General Debt Service   | \$ -                 |
| Major Roads            | \$ 20,367.84         |
| Local Road             | \$ 45,201.78         |
| Rubbish                | \$ 16,850.62         |
| Trust & Agency         | \$ 800.00            |
| Tax Fund               | \$ 110,414.29        |
| Waste Water            | \$ -                 |
| <b>ALL FUNDS</b>       | <b>\$ 674,494.63</b> |

#### VI. PUBLIC REQUESTS AND COMMENTS

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

- Mark Ziessow, Redfern, expressed concerns relative to the lack of work (hazardous tree removal and maintenance) being done by Dan’s Tree Service in his area of Franklin (South of 14 Mile Road, between Franklin Road and Telegraph) and noted street curve brush maintenance concerns

(overgrown) on River Drive. Sullivan advised that Dan's Tree Service is at about 80% completion Village-wide on the Hazardous Tree Removal Program and is working on other initiatives.

Discussion ensued regarding maintenance concerns with Sullivan advising she will look in to that.

- Eileen Harryvan, Vincennes, requested the Village to reiterate to Villagers the State Leash Law.
- Hunter McDonald, Franklin Park Drive, noted Franklin Park Drive at 13 Mile Road is severely overgrown and needs to be cut back to alleviate a dangerous condition and requested additional information as to whether there have been incidents or accidents relative to stones in the right-of-way ("ROW"). McDonald advised he has stones in the ROW to alleviate the need to fix his lawn when cars veer off and tear the turf up. Sullivan noted the program is preventative in nature with notice provided which includes the means to request a variance so extenuating circumstances can be considered.

## **VII. SPECIAL REPORTS**

### **A. President's Report**

None.

### **B. Council Report**

Moenck publicly acknowledged and thanked the volunteers in the Village who have now moved on to other pursuits: (Zoning Board of Appeals – Joe Roisman and J. Hailey; Planning Commission – Al Beke; Historic District Commission – Mary Ann Liut and Pat Burke).

### **C. Administrator's Report**

None.

### **D. Special Reports**

#### **1. Gun Violence in Oakland County, Commissioner Bill Dwyer**

As Commissioner Dwyer was not in attendance this item was not considered.

#### **2. Joint Senior Services Committee Report**

Bob Borgon, President, Birmingham Area Senior Services Commission ("BASCC") and Renee Cortright, its Executive Director, referred to the submitted Joint Senior Services Committee ("JSSC") Report and provided a power point outlining JSSC goals/tasks, budget/funding, and phase 1 (short-term; extended hours; additional equipment, etc.) and phase 2 (long-term) recommendations. Borgon and Cortright noted challenges associated with uncertainty relative to the school district's plans for the current facility as well as funding and that there is a potential to seek a dedicated millage/bond for phase 2. The JSSC recommendation is to reach an agreement as to funding for phase 1 by June 1, 2014 and that a small official workgroup be established focused on this issue. Discussion ensued regarding the Midvale facility, school district, potential millage, Bloomfield Township senior program, potential and associated challenges to partner with other senior centers, and participation rate with it being noted that Birmingham has indicated it anticipates including phase 1 funding in its budget and other municipalities understand the need but are not yet sure how to address funding.

Fred Gallasch, Rosemond Drive, noted the importance of providing clarity regarding the participation rate prior to seeking funding.

Hansen noted Sullivan, as the Village's representative for this, would welcome the participation of Villagers who have an interest in this matter.

## **VIII. UNFINISHED BUSINESS**

### **A. Consider President's Appointment to Planning Commission**

Hansen provided a brief overview and noted that President Kochensparger has requested his recommendation to appoint Bob Wilke to the Commission be reconsidered.

**#2013-73 Motion by Seltzer supported by Moenck to confirm President Kochensparger's appointment of Bob Wilke to the Planning Commission.**

**Ayes: Gordon, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: Hansen**

**Motion carried.**

Bob Wilke, Roberts Drive, provided a brief overview of his and his family's service to the Village and noted he moved to the Village 25 years ago and is looking forward to sharing insights gained from his travels as well as organizations he has worked with now that he is back in the country for the foreseeable future. Trustees thanked him for his participation and for stepping up to serve the Village in this capacity.

**IX. NEW BUSINESS**

**A. Consider Demolition Permit Application for 25670 River Drive**

Craig Kallen, Brooklyn Custom Homes, advised he was here on the Applicant's behalf, appeared before the Historic District Commission last month and requested the Demolition Permit be released. Trustees questioned whether all is in order as the Checklist has items not checked off and the Application is not signed by the Building Official. Discussion ensued regarding project, timing, the Village's due diligence, precedent setting concerns, and how to move forward.

**#2013-74 Motion by Saenz supported by Gordon to approve the Demolition Permit Application for 25670 River Drive subject to a fully completed, signed Application and Checklist being received, appropriate approval of the Building Official.**

**Ayes: Gordon, Hansen, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: Moenck**

**Motion carried.**

**B. Consider Civic Event Permit Application for "Round Up", on Monday, September 2, 2013, 10:00 A.M. to 4:00 P.M., including banner over Franklin Road, sponsored by the Franklin Community Association ("FCA").**

Hansen introduced this item and referred to the Application in the packet.

**#2013-75 Motion by Moenck supported by Seltzer to approve the Civic Event Permit Application for "Round Up", on Monday, September 2, 2013, including banner over Franklin Road as requested by the FCA.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**C. Consider Civic Event Permit Application for Dorchester Hills Neighborhood Picnic, September 8, 2013, 1:00 P.M. to 4:00 P.M.**

Hansen introduced this item and referred to the Application in the packet.

**#2013-76 Motion by Seltzer supported by Moenck to approve the Civic Event Permit Application for Dorchester Hills Neighborhood Picnic, September 8, 2013, 1:00 P.M. to 4:00 P.M.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**D. Consider Franklin Community Association (“FCA”) request for Village Pathway Study**

Hansen referred to the overview provided in the packet and Sullivan provided a brief historical perspective noting the FCA has requested Village pathways to be revisited and suggesting that an appropriate course of action might be to first put together a proposal and then either engage public input at Council or refer the proposal to the Planning Commission which would hold a public hearing and make a recommendation to Council. Hansen noted the proposal would be conceptual and would include specifications/potential costs and the Village has a wealth of prior information to assist in this regard. Discussion ensued regarding process and obtaining public input.

**#2013-77 Motion by Saenz supported by Gordon to consider how to address the request by the FCA to pursue a Village Pathway Study.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

Discussion continued regarding the venue to receive public input and whether it would be appropriate to form a Council subcommittee tasked on this issue or consider at Council’s next workshop. It was noted Council has moved away from the subcommittee model, workshop sessions are open to the public, and this item should be the sole item on the workshop agenda. It was also suggested there would be a benefit to delegate someone to review some of the historical data to assist Council during its deliberations.

Pat Burke, Franklin Ct, noted she is a proponent of pathways and reminded Council that MSU’s Small Town Design Committee working with MSF has this aspect in motion for the Village and is currently synthesizing comments received from Village residents, many of which were pathway related, as well as the Master Plan and Charette, and will be bringing the results to the Village in mid-September to garner feedback. Eileen Harryvan, Vincennes, noted many residents south of 13 Mile Road commented they would like to get downtown safely. It was noted while Council is charged with looking beyond the Village center, information gleaned from MSU’s report could be of benefit to the Village as a whole. Burke also noted concerns she has relative to walkability and noted the Village needs to improve walkability.

Sullivan advised she will put together a memorandum summarizing this discussion and add to the next Council workshop agenda, Tuesday, September 3rd, for further consideration.

**E. Consider Scheduling Parliamentary Procedure Workshop**

Hansen introduced this item noting the proposal is to engage an expert in this area to provide a workshop on parliamentary procedure in the fall for Trustees as well as all Board and Commission members. Discussion ensued regarding timing, location, and potential attendance with the consensus being to schedule this for October 14th, 6 -7:30 P.M. at an appropriate location based on confirmed attendance responses.

**F. Consider FY 2013-2014, Budget Amendment, Rain Garden**

Sullivan provided a brief overview of the change orders/amendment which incorporates additional costs as well as cost reductions with Wayne County most likely covering half as part of the grant as the changes are construction related. Discussion ensued regarding the budget amendment, Act 51 non-motorized pathway funding, concerns relative to the gap between the end of the pavers and the concrete, and cars veering into the Rain Garden.

**#2013-78 Motion by Gordon supported by Seltzer to accept the Budget Amendment relative to the Rain Garden as submitted.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**G. Consider Main Street Franklin (“MSF”) Agreement Renewal**

Hansen noted this contract was put in place last year. Sullivan provided a brief overview noting this is an annual agreement with no substantive changes. Discussion ensued regarding MSF reports with it being noted MSF monthly reports are more updates for informational purposes and the required quarterly reports are more focused on return on the Village’s investment.

**#2013-79 Motion by Gordon supported by Seltzer to approve the renewal of the MSF Agreement as submitted.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**X. ORDINANCES/RESOLUTIONS/PROCLAMATIONS**

**A. Consider an Ordinance to Amend Section 695.03 of Chapter 695, Fireworks, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Prohibit the Ignition, Discharge or use of Consumer Fireworks between the hours of 12 Midnight and 8 A.M. or Between the Hours of 1 A.M. and 8 A.M. on New Year’s Day, Repeal Conflicting Ordinances and Prescribe a Civil Fine for Violations. (*second reading*)**

**#2013-80 Motion by Moenck supported by Seltzer to adopt an Ordinance, in the second reading, to Amend Section 695.03 of Chapter 695, Fireworks, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Prohibit the Ignition, Discharge or use of Consumer Fireworks between the hours of 12 Midnight and 8 A.M. or Between the Hours of 1 A.M. and 8 A.M. on New Year’s Day, in accordance with State law.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

**XI. ADJOURNMENT**

**Motion by Gordon supported by Moenck to adjourn the meeting.**

**Ayes: Gordon, Hansen, Moenck, Saenz, Seltzer**

**Absent: Kochensparger, Morrow**

**Nays: None**

**Motion carried.**

There being no further business, the meeting adjourned at 9:28P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

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Eileen H. Pulker, Clerk

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Pamela Hansen, President Pro Tem