

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, NOVEMBER 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, Jim Kochensparger, at 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

**ROLL CALL**

Present: Pam Hansen, Jim Kochensparger, Judy Moenck, Ed Saenz, Mike Seltzer  
Absent: Brian Gordon, Tom Morrow  
Also Present: Amy Sullivan, Village Administrator  
John D. Staran, Village Attorney  
Daniel Roberts, Police Chief  
Tony Averbuch, Fire Chief  
Eileen Pulker, Clerk  
Lance Vainik, Treasurer

**II. ADOPTION OF AGENDA**

President Kochensparger requested the agenda be amended to include consideration of the interior painting quotes for the police department under the Police Chief's report, reversing New Business with Unfinished Business, and adding consideration of a temporary sign permit for the Franklin Community Church under New Business.

**Motion by Moenck supported by Hansen to approve the amended agenda as stated by the President.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**III. MINUTES**

**A. Village Council: Special Meeting, October 1, 2013, Special Meeting, October 14, 2013, and Regular Meeting, October 14, 2013**

**Motion by Moenck supported by Seltzer to approve the Special Village Council Minutes for the October, 1 2013 and October 14, 2013, meetings as submitted, and approve the October 14, Regular Meeting Minutes as amended, striking the first motion relative to the President's appointment.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

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

**Daniel Roberts, Police Chief**, referred to and provided an overview of the submitted monthly report and recent activity in the Village and noted fire arms training has been completed for all officers, a new reserve officer has been added who will start training in the next couple of weeks, and requested Villager's to contact the Department if they see an older model, black Crown Victoria in the area. Chief Roberts advised the recommendation on the interior painting bid is to accept the lowest bid which is under the budgeted amount as all of the bidders have been satisfactorily vetted. Discussion ensued regarding the interior painting bids with it being noted taxpayer identification numbers will need to be a condition for payment and standard vendor forms (1099's) will need to be issued. Trustees requested

additional information relative to recent police activity with Roberts advising the bomb threat in the office building on Telegraph Road in Bingham Farms is believed to be from a disgruntled employee and the increase in citations is attributable to the addition of new staff as well as increased traffic from those using the alternate route for the 13 Mile Road closure east of Telegraph. Hansen inquired as to whether there is capacity in the current SAD contract with Bingham Farms to cover any increase due to influx of retail establishments with Roberts advising there is likely to be an increase in runs which they anticipate being able to manage but the statistics will be monitored and as soon as they show otherwise he will advise Council accordingly.

**Item IX. New Business, C.**

**#2013-99 Motion by Seltzer supported by Saenz to accept the low bid from Brush and Roll Painting and require that the contractor meet the IRS reporting requirements.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**Tony Averbuch, Fire Chief**, referred to his written submitted report and thanked the Village for the recent hazardous materials drop off event noting that any effort on the part of residents to drop off their hazardous waste is appreciated. Trustees inquired as to participation statistics with Sullivan noting the numbers were down, perhaps due to the inclement weather, but she will get back to Council on the final count. Moenck inquired as to the challenges associated with volunteer staffing with Averbuch noting licensure and certification are the same for volunteer fire fighters as full-time fire fighters and the level of interest diminishes somewhat once an interested candidate learns of the requirements. Additionally, Franklin is somewhat unique in that volunteer fire fighters do not have to live or work in the Village and there is attrition when a full-time position is found elsewhere. On the cost side it was noted there are fixed and variable costs with the Department providing apparatus training second to none in the State, monthly trainings, and financial assistance on medical response training/advanced life support training where applicable.

**Lance Vainik, Treasurer**, referred to his written report and noted the bills list includes a large entry for the semi-annual pressure sewer principal/interest payment and the list of account balances held at Level One Bank is as of November 6, 2013.

**V. SUBMISSION OF CURRENT BILLS**

**Motion by Seltzer supported by Saenz to approve the Bill's List as submitted.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**TOTALS**

General Administration	\$	16,989.84
Building	\$	8,771.27
Insurance	\$	35,532.52
Legal	\$	1,184.50
Police	\$	14,781.52
Pressure Sewer	\$	116,075.45
General Debt Service	\$	500.00
Major Roads	\$	9,768.38

Local Road	\$	9,025.62
Rubbish	\$	17,556.16
Trust & Agency	\$	10,968.45
Tax Fund	\$	2,528.26
Waste Water	\$	-
<b>ALL FUNDS</b>	<b>\$</b>	<b>243,681.97</b>

## VI. PUBLIC REQUESTS AND COMMENTS

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

- Mark Ziessow, Redfern, noted that Detroit Edison had come through the neighborhood removing trees but had not removed some of which will be problematic down the road with Sullivan requesting he provide more specificity to her so remedies can be considered/pursued.

## VII. SPECIAL REPORTS

### A. President's Report

None.

### B. Council Report

None.

### C. Administrator's Report

Sullivan noted the Village is on track with the budget.

## VIII. NEW BUSINESS

### A. Consider Metro Act and Bilateral ROW Telecommunications Permits for Fiber Technologies Networks. LLC

Sullivan noted Chris Martinez, Fiber Technologies Network (FTN), is present to address questions from the previous meeting. Martinez, thanked Sullivan for her support and guidance, thanked Council for the opportunity to address their concerns, and provided a brief overview touching on the following: FTN does not service residents – they are more of a carrier's carrier; contract with an anchor tenant 4G network carrier is in the works; proposed network going through the Village is aerial using existing Detroit Edison (DTE) power poles; any changes to existing poles would be vetted by DTE; tree trimming if necessary would be done by DTE with residents consulted for right-of-way access; no plan to lay network underground at this time; and his prior experience with communities in Oakland County and elsewhere. Discussion ensued regarding the potential for this as a wireless alternative for the Village, potential to lay underground in the Village Center if requested, life span of the fiber optic cables, and route/map.

**#2013-100 Motion by Saenz supported by Moenck to approve the Metro Act and Bilateral ROW Telecommunications permit for Fiber Technologies Networks, LLC for the Telegraph Road portion of the installation.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**#2013-101 Motion by Hansen supported by Moenck for Fiber Technologies Network to fully-investigate and provide to Council costs associated with laying the network underground in the Village Center area.**

Staran noted additional Village permits would be required before FTN could begin work with that being a good time to address the underground issue.

Fred Gallasch, Rosemond Drive, requested clarification as to whether FTN was pulling cable or putting up antennas with it being noted they are pulling cables and a discussion relative to antennas is not relevant at this time.

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**B. Consider Michigan Department of Environmental Quality (MDEQ) Stormwater Asset Management and Wastewater (SAW) Grant.**

Gary Nigro, Oakland Water Resources Commission (WRC), Assistant Chief Engineer and Tom Biehl, Hubbel Roth and Clark, provided an overview of the SAW Grant as well as the prepared grant application for the Village. It was noted the grant would be utilized to prepare an asset management plan for the Village's pressure sewer system which if awarded would enable the Village to increase the number of grinder pumps checked annually and more accurate long-term planning with the required 10% local match coming from the WRC Sewer system fund balance. Biehl noted the grant is strictly lottery based with up to 98 million in funds being awarded in the first year and opined it is a good program. Trustees considered costs to the Village if its application is not selected with it being noted the Village's cost would be preparation of the application, though that could be resubmitted the following year.

Fred Gallasch, Rosemond Drive, inquired as to whether there is the potential to be required to spend funds in additional work with it being noted there might be a few grinder pumps replaced earlier as opposed to later but there is not a significant cost and the benefits could be significant.

**#2013-102 Motion by Moenck supported by Seltzer to approve the Resolution Authorizing the Michigan Department of Environmental Quality (MDEQ) Stormwater Asset Management and Wastewater (SAW) Grant Agreement.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**D. Consider Scheduling a Public Hearing for the Plan Year 2014 Community Development Block Grant (CDBG) Funds at the December 9, 2013 Village Council Regular Meeting.**

Sullivan provided a brief overview noting in the past Council had split funding between Birmingham Youth Assistance and Birmingham Area Seniors Coordinating Council and Center (BASCC) and then switched to alternating funding when the program funding requirements changed. Discussion ensued as to whether public input is welcome or whether the decision has been made as to where the funds will be allocated with Sullivan advising the purpose of the public hearing is to obtain input on allocation of the funds in general; the recommendation as outlined in her memorandum was strictly based on past Council action.

**#2013-103 Motion by Saenz supported by Seltzer to schedule a public hearing for the programming of Plan Year 2014 CDBG funds at the December 9, 2013, Village Council Regular Meeting.**

Hansen noted she has long tried to direct the funds towards a Village project but there are significant restrictions on use of the funds and she is comfortable with the BASCC option. Sullivan advised she will be investigating use of the funds for a Village project in the 2015 plan year though due to the restrictions she is not hopeful.

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**E. Consideration of a Temporary Sign Application for the Franklin Community Church**

Sullivan apologized for the last-minute inclusion of this material and provided a brief overview of the request noting this is to promote Christmas Eve service.

**#2013-104 Motion by Seltzer supported by Moenck to approve the Temporary Sign Application for the Franklin Community Church to promote Christmas Eve service as submitted.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**IX. UNFINISHED BUSINESS**

**A. Consider Personnel Policy Revisions**

Sullivan provided a brief overview. Discussion ensued regarding current and proposed provisions for at-will employees.

**#2013-105 Motion by Seltzer supported by Seltzer to approve the personnel policy revisions subject to non-inclusion of the proposed language relative to establishing an appeals process for termination of non-union personnel.**

Discussion ensued regarding the proposed change to the work week hours (32 as opposed to 40) with Sullivan advising paid time off would be prorated and qualifying personnel would be benefit eligible at 32 hours as opposed to the prior 40 hours. Trustees consider financial implications and noted Council would control via the budgeting process. Sullivan noted the Affordable Care Act may impact benefit eligibility.

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**B. Consider Short-Term Road Rehabilitation Project**

Sullivan provided a brief review/overview noting Council had requested time to review the specific roads and she along with HRC has been investigating other remediation strategies. Biehl provided additional detail as to other potential strategies noting they are aesthetic in nature; they do not address structural issues and have associated challenges. Trustees discussed the pros and cons of the timing of the preparation of the bid specifications (now, spring or the following year), bond implications (timing; repairing roads that will be removed when roads are redone), and Villager complaints (Sullivan noted one individual has raised concerns on one road). Biehl noted best pricing is typically obtained in the first half of the season and the average life span of a mill and overlay is 7 to 10 years and the Village is at year 13.

Mark Ziessow, Red Fern, inquired as to whether construction in the Village has impacted the deterioration with it being noted the roads have simply deteriorate due to age as is typical for roads with open ditches as opposed to curb and gutter.

**#2013-106 Motion by Saenz supported by Seltzer to authorize HRC to design and prepare the bid specifications for the Short-Term Road Rehabilitation Project.**

**Ayes: Hansen, Saenz, Seltzer**

**Absent: Gordon, Morrow**

**Nays: Kochensparger, Moenck**

**Motion failed.**

**C. Consider Municipal Credit and Community Credit Contract for FY – 2014**

**#2013-107 Motion by Moenck supported by Seltzer to approve the Municipal Credit and Community Credit Contract for FY 2014 as submitted.**

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

**X. ADJOURNMENT**

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

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

**Absent: Gordon, Morrow**

**Nays: None**

**Motion carried.**

There being no further business, the meeting adjourned at 9:15 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

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Eileen H. Pulker, Clerk

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James Kochensparger, President