

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, AUGUST 11, 2014 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: Brian Gordon, Jim Kochensparger, Judy Moenck, Tom Morrow, Ed Saenz, Mike Seltzer
Absent: Pam Hansen
Also Present: Jim Creech, Village Administrator
Daniel Roberts, Police Chief
Eileen Pulker, Clerk
Lance Vainik, Treasurer

II. ADOPTION OF AGENDA

Item **J. Consider the Appointment of Ed Saenz to Franklin 2020 committee** was added to **IX. NEW BUSINESS.**

Motion by Seltzer, seconded by Moenck to adopt the Agenda as amended.

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

Absent: Hansen

Nays: None

Motion carried.

III. MINUTES

A. Regular Meeting, July 14, 2014

Moenck stated that on page 3, under **IV. Reports of Village Officers and Agent, A. Special Report, Main Street... Design Guidelines**, the minutes list Ed Saenz, as being on the Franklin 2020 committee when in fact the Council had not appointed anyone. There was a relevant discussion and the consideration of Ed Saenz's appointment will be added to the agenda under **IX. New Business, J. Consider the Appointment of Ed Saenz as Council Representative to Franklin 2020.**

Motion by Seltzer, seconded by Gordon to approve the Regular Village Council Meeting Minutes for the July 14, 2014 as amended.

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

Absent: Hansen

Nays: None

Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Daniel Roberts, Police Chief, referred to and provided an overview of his submitted monthly report. He highlighted the two (2) burglaries that occurred during July: one in Franklin which has been solved and one in Bingham Farms which is still open. He reported that after many drafts the POAM contract has been verbally agreed upon and will be finalized soon. Referencing the recent

officer transitions, Morrow asked about the challenge of finding qualified and interested candidates for the police officer positions and the interview process.

Tony Averbuch, Fire Chief, was not at the meeting but Kochensparger relayed his message to the Council. The new ladder truck has arrived and invited all residents to come see it. Next week personnel from the plant will be in town to train the firefighters. Kochensparger asked the Council to refer to the Chief's written report.

Lance Vainik, Treasurer, referred to his submitted monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending. The expenditures are generally consistent with the FY2014-15 budget. It includes large entries for Tree pruning due to storm damage, for both major and local roads. The list provided of account balances is as of August 7, 2014 and held at Level One Bank. The Village has sufficient funds to meet its current and anticipated obligations.

Kochensparger asked if he knew the percentage of hazardous storm damage to scheduled normal tree removal. Vainik will investigate.

Barry Silverstein, Chairman of Main Street Franklin ("MSF"), gave the report for Katherine White, Executive Director. He detailed MSF's upcoming events: Gem of the Night, 9/13/14 6:30-9:30 PM, at Jane and Jesse Polan's home; Small Business Workshop, will be held in Franklin September 2-4, led by Scott Day from San Antonio, who will address the needs of the merchants; Merchant Mixer, 9/17, 5-6:30 PM, hosted by Glamour Puss and Event Bliss; 10/18-Franklinstein Frenzy, new activities will be added. MSF was accredited by the National Main Street Center in Chicago, scoring 10/10 and honored on 8/5/14 at an Oakland County ceremony.

Pat Burke, Franklin Ct., provided an update on the fundraising for Franklin 2020. She reported that Oakland County had no actual dollars to give but would provide MSF some advice regarding the project. She noted that she is still in discussion with FCA and Franklin Foundation and other stakeholders. White met with the Lamotts (Historical Society) to discuss some of their questions. The committee welcomes questions from anyone. She listed those members of the committee: Jim Creech, Bill Finnicum, Gayle Timmis, herself, Connie Ettinger, Frank Yanke, Cathy Watkins, and Katherine White. Following advice from FCA and Franklin Foundation and some private people, the committee will be sending out a community-wide mailing to solicit funds. Morrow asked whether there was any representation from the Franklin Foundation on the committee. Burke replied that as of yet, no, but she is in conversation with them. Saenz asked if there were any "citizens-at-large" on the committee, as suggested by Bill Lamott at the Workshop meeting. The answer was no, because she thought a large committee is difficult to work with, however, it was important to have input from as many residents as possible. She is hoping to do a presentation for FCA next week.

Mira Stakhiv, Cable Board Representative, reported that the Birmingham Area Cable Board Attorney sent a letter to the Comcast, with conditional approval, adding that by the September Village Council meeting there will be direction as to the appropriate response to the proposed Comcast Corporation/Midwest Cable, Inc. transaction.

V. SUBMISSION OF CURRENT BILLS

Motion by Seltzer, seconded by Saenz to approve the Bill's List as submitted.

Kochensparger had questions regarding the 4 new computers. Creech explained that the Village consultants, Great Lakes Internet, provided the figures, and he, personally, checked prices on hardware. The primary cost is in the transfer of the data. Great Lakes has agreed to a limit on the pricing. This cost includes 2 workstations, a laptop, and a new server. Kochensparger had concerns about the storage back-up and data noting that he would like to discuss this matter at the next Workshop.

Ayes: Gordon, Kochensparger, Moenck Saenz, Seltzer

Absent: Hansen

Abstain: Morrow

Nays: None

Motion carried.

TOTALS

General Administration	\$ 13,965.89
Building	\$ 6,734.87
Insurance	\$ 51,471.74
Legal	\$ 1,334.00
Police	\$ 12,304.22
Pressure Sewer	\$ -
General Debt Service	\$ -
Major Roads	\$ 7,113.08
Local Road	\$ 6,774.28
Rubbish	\$ 17,600.00
Trust & Agency	\$ 5,000.00
Tax Fund	\$ 114,153.98
Waste Water	\$ 2,321.26
ALL FUNDS	<u><u>\$ 238,773.32</u></u>

VI. PUBLIC REQUESTS AND COMMENTS

Kochensparger opened the meeting for public comments.

- **Law Eads**, Franklin Ct., complimented the Fire Department. and Police Department. on their handling of a potential emergency at their home while they were on vacation. He recommended that all residents purchase a "Knox-Box", which would provide fire and police emergency access into a residence when the Villager is away and which minimizes potential for damage to the house.
- **Barry Silverstein**, Cheviot Hills, asked about the subject of MSF using space in the Kreger House for an office. This issue had been deferred from the last VC Workshop. Creech explained that it was his understanding that the subject would be postponed until

the Kreger House committee could meet and finalize the rules and procedures for use of the facility. Gordon asked that MSF send any information to the committee as to what they are proposing for their use for hours and days of the week. Burke reminded the Council that from the beginning, about 5 years ago, MSF was supposed use the Kreger House for office space.

VII. SPECIAL REPORTS

A. President's Report

Kochensparger complimented the Police Force and its new officers, stressing that they are very diligent.

B. Council Report

Morrow commented that the Workshop agenda had looked a lot like a regular Council Meeting agenda. He hopes that in the future the Workshop agenda will be reserved for those special topics that need more in depth discussions, as was the case in the past. He also gave a very positive commentary on the Police Retiree Medical Fund that the Village established several years ago.

Moenck asked the Village Clerk to recap the elections and the open positions. Pulker explained that Southfield Township accepted all of the petitions and affidavits and that the election will be run entirely by that office. She provided a report of who was running for what positions in the November 4, 2014 election. She also commended those who had agreed to run, as neighboring communities had not had the required amount of candidates to fill the positions available. Pulker was asked to provide the election information for the Village website.

C. Administrator's Report

Creech stated that the Forest Drive details have been resolved and he expects this item will be on the agenda of the September meeting. The Comcast transfer still needs to come before the Council for consideration. The snowplow bid is expected to go out this week and be awarded in September. The Fire Code and the first reading of the revisions to the Open Burning Ordinance will also be at the September meeting.

VIII. UNFINISHED BUSINESS

A. Consider Appointments to Village Boards and Commissions.

#2014-73 Motion by Morrow, seconded by Seltzer to confirm the appointments of Harold Stein, Dean Moenck, and Bruce Kueck to the Zoning Board of Appeals.

Ayes: Gordon, Kochensparger, Morrow, Saenz, Seltzer

Absent: Hansen

Abstain: Moenck

Nays: None

IX. NEW BUSINESS

A. Consider Franklin Branch Streambank Stabilization Project.

Ron Krause, Brookwood Lane, synopsised his desire to stabilize and restore the Franklin River banks. He introduced Matt Stone, Landscape Architect, who provided more details of the project and explained the process that will be followed.

#2014-74 Motion by Morrow, seconded by Seltzer to endorse the Franklin Branch Streambank stabilization plan as proposed.

Kochensparger clarified that the path of the river would not be altered, just the stabilization of its banks. Morrow commented that the project has obtained the consent of the Cressbrook Condominium Association, and permits from the Michigan Department of Environmental Quality, and the Oakland County Water Resources Commission. The homeowner was thanked for taking on this project.

Ayes: Gordon, Kochensparger, Moenck, Morrow, Saenz, Seltzer
Absent: Hansen
Nays: None

B. Consider Scheduling Hazardous Waste Day, for Saturday, September 6, 2014, 9AM to 1 PM.

#2014- 75 Motion by Seltzer, seconded by Gordon to approve the scheduling of the Household Hazardous Waste Day for Saturday, September 6, 2014, 9AM to 1 PM.

Ayes: Gordon, Kochensparger, Moenck, Morrow, Saenz, Seltzer
Absent: Hansen
Nays: None
Motion carried.

C. Consider Civic Event Permit Application for Dorchester Hills Neighborhood Association Subdivision Family Picnic/BBQ on Village Green, Sept. 7, 2014.

#2014-76 Motion by Moenck, seconded by Saenz to approve the Civic Event Permit Application for Dorchester Hills Neighborhood Association Subdivision Family Picnic/BBQ on the Village Green, September 7, 2014, as submitted.

Ayes: Gordon, Kochensparger, Moenck, Morrow, Saenz, Seltzer
Absent: Hansen
Nays: None
Motion carried.

D. Consider Sealed Bids for Used Police Vehicle.

Chief Roberts recommended that the Village take the highest bid.

#2014-77 Motion by Seltzer, seconded by Gordon to accept the highest bid listed for the Used Police Vehicle, the 2011 Ford Crown Victoria.

Ayes: Gordon, Kochensparger, Moenck, Morrow, Saenz, Seltzer
Absent: Hansen
Nays: None
Motion carried.

E. Consider Fee for Solicitor Permit Application.

Creech recommended a \$75 fee.

32014-78 Motion by Gordon, seconded by Morrow to set the fee of \$75 for a Solicitor Permit Application.

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

Absent: Hansen

Nays: None

Motion carried.

F. Consider Appointment of Road Administrator.

G. Consider Appointment of Tree Administrator.

#2014-79 Motion by Morrow, seconded by Seltzer to approve the appointment of Jim Creech, Village Administrator, as the Village Road Administrator and Tree Administrator.

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

Absent: Hansen

Nays: None

Motion carried.

H. Consider Appointment of Designated and Alternate Representation to the Alliance of Rouge Communities (ARC).

Creech explained that in the past the Environmental Engineer from HRC has been the alternate. He as Village Administrator would be the primary representative.

#2014-80 Motion by Morrow, seconded by Seltzer to approve the appointment of Jim Creech, Village Administrator as the Alliance of Rouge Communities Designated Representative and Karyn Stickel from Hubbell Roth and Clark, Village Engineers, to be the Alternate.

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

Absent: Hansen

Nays: None

Motion carried.

I. Consider Scheduling Arbor Day, August 29, 2014.

#2014-81 Motion by Morrow, seconded by Moenck to schedule Arbor Day Celebration for August 29, 2014.

Creech explained that the Village must plant a tree and have a photo published in the newspaper. The question is whether the matching money from the Tree Grant can be used in conjunction with the planting of the new tree.

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

Absent: Hansen

Nays: None

Motion carried.

J. Consider the Appointment of Ed Saenz to Franklin 2020 committee.

#2014-82 Motion by Moenck, supported by Seltzer to appoint Ed Saenz to represent the Village Council on the Franklin 2020 committee.

Moenck described Franklin 2020 as a project and initiative, supported and actually driven by Main Street Franklin, to build design guidelines for the Village that will then be codified and turned into something the Planning Commission and Village Council can work with across the Village.

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

Absent: Hansen

Nays: None

Motion carried.

X. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

A. Consider an Ordinance to Amend Section 666.02, of Chapter 666 Peace Disturbances of the Village of Franklin, Oakland County, Michigan, to Modify Regulations Relating to Construction Hours, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (*second reading*).

#2014-83 Motion by Seltzer, seconded by Moenck to adopt, in its second reading, the Ordinance to Amend Section 666.02, Peace Disturbances of the Village of Franklin, Oakland County, Michigan, to Modify Regulations Relating to Construction Hours, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

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

Absent: Hansen

Nays: None

Motion carried.

B. Consider an Ordinance to Amend Section 1250.03(b), Special Approval Uses, of Chapter 1250. Single Family Residential Districts, of Part 12 Planning and Zoning Code of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Regulations Relating to Churches (*first reading*).

#2014-84 Motion by Morrow, seconded by Gordon to adopt, in its first reading, the Ordinance to Amend Section 1250.03(b), Special Approval Uses, of Chapter 1250, Single Family Residential Districts, of Part 12 Planning and Zoning Code of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Regulations Relating to Churches (*first reading*).

Creech explained that the need for such an ordinance is for the educational use of the Franklin Church. He continued with brief details of the proposed “driving school” the church would like to hold.

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

Absent: Hansen

Nays: None

Motion carried.

XI. ADJOURNMENT

Motion by Seltzer, seconded by Moenck to adjourn the meeting.

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

Absent: Hansen

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 8:55P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President