

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, JANUARY 13, 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, Pam Hansen, Jim Kochensparger, Judy Moenck, Tom Morrow  
Absent: Mike Seltzer, Ed Saenz  
Also Present: Amy Sullivan, Village Administrator  
Daniel Roberts, Police Chief  
Tony Averbuch, Fire Chief  
Eileen Pulker, Clerk  
Lance Vainik, Treasurer

**II. ADOPTION OF AGENDA**

**Motion by Morrow supported by Gordon to adopt the Agenda as presented**

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

**Absent: Saenz, Seltzer**

**Nays: None**

**Motion carried.**

**III. MINUTES**

**A. Special Meeting, December 9, 2014**

**Motion by Moenck supported by Gordon to approve the Special Village Council Meeting Minutes for the December 9, 2013 meeting as presented.**

**Ayes: Gordon, Hansen, Kochensparger, Moenck**

**Absent: Saenz, Seltzer**

**Abstain: Morrow**

**Nays: None**

**Motion carried.**

**B. Regular Meeting, December 9, 2014**

**Motion by Morrow supported by Moenck to approve the Regular Village Council Meeting Minutes for the December 9, 2013 meeting as amended.**

Clerk Pulker was advised to correct the voting block on IV – C.

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

**Absent: Saenz, Seltzer**

**Nays: None**

**Motion carried.**

Hansen requested clarification as to the process for considering minutes at a meeting for which one was not present with Staran advising, in general, there is a difference of opinion on whether it is appropriate to vote or abstain, however, the historical perspective in the Village has been to abstain.

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

**Daniel Roberts, Police Chief**, referred to and provided an overview of the submitted monthly report and noted December was a quiet month though officers did considerable vacation checks on homes. Roberts advised the Department is in the process of assembling its Annual Report and the Village ended up very well in terms of 2013 statistics for major crime in the Village with residential burglaries (home invasions) down to 4-5 whereas the previous year was 9. Regarding personnel matters, Roberts noted annual performance appraisals on all officers should be done by the end of the month and the Department is scheduling interviews for part-time officers as the two (2) part-time officers on the books will be moved to full-time to fill the two (2) full-time positions which will be open shortly. Roberts provided a station reconstruction update and related matters and noted it will take up to five (5) weeks for this to be completed. Morrow inquired as to how payment for the reconstruction will be handled with Roberts advising it will be covered under the Village's insurance through the Michigan Municipal Risk Management Authority (MMRMA). Discussion ensued regarding whether the form to request vacation checks of homes could be handled online or in a less cumbersome manner than turning in a written request as this might encourage more residents to request this valuable check. Roberts noted there is a security concern with managing this online and residents, in an emergency situation, can call the Dept. and request assistance with the checks over the phone. Discussion ensued regarding the succession plan for Det. Lt. Castro's soon to be vacated position with Roberts advising the officer who scored the highest on the Sergeant's exam will be promoted and is currently in training one day a week to assume that new role.

**Tony Averbuch, Fire Chief**, referred to his submitted written report and noted calls are progressively increasing with the statistics from last year showing the Department responded to over 500 calls (statistics will be in the January Report). Averbuch referred to an incident the Dept. responded to after a home's carbon monoxide detector triggered an alert and reminded Villager's to schedule furnace checks when the weather starts to turn cold to minimize the potential for a problem to arise during the very cold winter months.

**Lance Vainik, Treasurer**, referred to his submitted monthly report, noted the Bill's List includes a large entry for the Village's annual audit accounting expenses, and the list of account balances is as of January 10, 2014 held at Level One Bank.

#### **V. SUBMISSION OF CURRENT BILLS**

##### **Motion by Gordon supported by Hansen to approve the Bill's List as submitted.**

Discussion ensued regarding the Bond Refund for the Forest Drive Association with Sullivan advising there is no financial impact to the Village as the funds were collected from the Association and are held in an escrow account to be released to the contractor upon satisfactory completion of the project. Trustees considered at length the "compensation analysis – retainer/estimate" General Fund item with Sullivan noting this arose from a recommendation from the Personnel Committee to hire an independent contractor to do an analysis of wages and benefits for the Village Administrator position and is on the Bill's List as a pre-approval item, with Mira Stakhiv being selected to perform the analysis in her professional capacity. Discussion ensued regarding the process/venue for negotiating this agreement and associated out-of-pocket business expenses which would be appropriately reimbursable, with Mira offering to perform the analysis pro-bono. Moenck requested clarification as to the MI Deal annual dues General Fund item with Sullivan noting this program enables the Village to save considerable funds by accessing a consortium of businesses which have agreed to offer a lower rate of service to participating municipalities (e.g. lower phone and long distance rates).

**Ayes: Gordon, Hansen, Kochensparger, Moenck**

**Absent: Saenz, Seltzer**

**Abstain: Morrow**

**Nays: None**

**Motion carried.**

Discussion ensued regarding conflict of interest.

**TOTALS**

General Administration	\$	29,775.64
Building	\$	6,637.39
Insurance	\$	51,323.66
Legal	\$	667.00
Police	\$	15,372.60
Pressure Sewer	\$	-
General Debt Service	\$	450.00
Major Roads	\$	13,665.34
Local Road	\$	13,915.34
Rubbish	\$	17,185.28
Trust & Agency	\$	51,439.13
Tax Fund	\$	-
Waste Water	\$	37.22
<b>ALL FUNDS</b>	<b>\$</b>	<b>200,468.60</b>

**VI. PUBLIC REQUESTS AND COMMENTS**

Kochensparger opened the meeting for public comments.

- Fred Gallasch, Rosemond Drive, referenced the Dec. 9, 2013 Special Meeting Minutes and requested whether the motion is correct in that the Village will be paying to relocate the rocks on the Kent property with Sullivan answering in the affirmative and noting the Village moved the rocks to the current location during the last road project. Moenck noted she inquired as to the accuracy of this motion prior to the meeting. Gallasch inquired as to whether Council has decided on a process to replace the Village Administrator with Sullivan advising this will be included in her report later on the agenda.

**VII. SPECIAL REPORTS**

**A. President's Report**

Kochensparger advised Sullivan is in the final stages of accepting a job in another municipality, noting Amy has done a great job and will be helping with the transition including compiling a detailed job description - essentially streamlining the position to make it easier for her successor and providing notes from her perspective from her time in the Village. President Kochensparger noted he would like to see more Villagers interested, involved, and participating in Village governance and would welcome input on how to encourage more involvement in general.

**B. Council Report**

Morrow expressed concern regarding snow removal and noted an apology is in order for the poor job the Village has done in terms of timely snow removal on all Village roads. His personal belief is that this is not consistent with the current contract and he will be seeking to include timely snow removal on all streets including dead ends and cul-de-sacs in the next contract. Upon request, Sullivan noted the Village has received complaints as well as positive feedback on its snow removal and the level of snowfall this year makes it difficult to compare to prior years.

**C. Administrator's Report**

Sullivan advised that tentatively her last date will be February 14<sup>th</sup>, she has asked the League to put together a search proposal, and is in contact with a possible interim manager. Discussion ensued regarding search process, benefits of using a professional outside search agency, budget concerns,

potential to bid items such as background checks separately, and procedure, with Mira Stakhiv suggesting the possibility for the League to advertise the position with Council reviewing responses and turning the search over to the League then, if necessary. Fred Gallasch opined this is out of order to discuss as it was not an agenda item and notice has not been provided to the public. Sullivan suggested she compile the job description, obtain a proposal from the MML (including a partial search if possible), and similarly contact other agencies she is requested to contact, and bring the results to Council for consideration at its next meeting. Sullivan also noted these types of positions are posted on the League's website which the Village used for the search for the Executive Director for Main Street. Staran advised that only special meetings limit what can be discussed to what was noticed to the public; Council can legally consider and take action on any matter that comes before it at a regular meeting without having that as a specific agenda item. Morrow expressed appreciation to Sullivan for alerting Council as to her intent to move on so early in the process and helping to ensure a smooth transition.

## VIII. NEW BUSINESS

### A. Consider Franklin Community Center (Kreger) Council Advisory Committee

Sullivan provided a brief overview noting the recommendation is for Council to establish a Council Advisory Committee focused on the operations and maintenance of the buildings and related matters as specified within the Franklin Community Center Resolution which will assist in the transfer of management from the Kreger Team to the Village. Discussion ensued regarding the purpose and membership of the proposed committee and prior committee (formed to oversee/make recommendations on policy related matters), timing, Kreger House status, and benefits to the Village of contemplating logistical questions associated with operations and maintenance of the facilities. Hansen noted considering this at a workshop meeting with the Kreger Team present would enable all Council members to understand the history and discuss how it would like to move forward in terms of ongoing management.

**#2014-05 Motion by Hansen supported by Moenck to consider the Franklin Community Center (Kreger) Council Advisory Committee at Council's next workshop meeting.**

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

**Absent: Saenz, Seltzer**

**Nays: None**

**Motion carried.**

## IX. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

### A. Consider an Ordinance to Amend Chapter 1462, Dumping and Soil Removal, of Part Fourteen, Title Six of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Dumping and Soil Removal Regulations, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (*first reading*).

Sullivan provided a brief overview noting the intent is to streamline the permitting process on matters that will not have an impact on drainage and is something she has wanted to do since coming on board. Similarly, streamlining the process for Flood Plain matters will be on the February agenda.

**#2014-06 Motion by Moenck supported by Gordon to approve in first reading an amendment to Chapter 1462, Dumping and Soil Removal, of Part Fourteen, Title Six of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Dumping and Soil Removal Regulations, Repeal Conflicting Ordinances, and Prescribe a penalty for Violations, as submitted.**

Discussion ensued regarding how this is handled in other communities with it being noted this change would bring the Village more in line with its neighbors. Hansen inquired as to potential impact on another ordinance with Staran advising there would be no impact at all.

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

**Absent: Saenz, Seltzer**

**Nays: None**  
**Motion carried.**

**X. ADJOURNMENT**

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

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

**Absent: Saenz, Seltzer**

**Nays: None**

**Motion carried.**

There being no further business, the meeting adjourned at 9:00 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

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Eileen H. Pulker, Clerk

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James Kochensparger, President