

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, MARCH 10, 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 Pro Tem, Pam Hansen, at 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Brian Gordon, Pam Hansen, Judy Moenck, Tom Morrow, Ed Saenz
Absent: Jim Kochensparger, Mike Seltzer
Also Present: David Murphy, Interim Village Administrator
John Staran, Village Attorney
Daniel Roberts, Police Chief
Tony Averbuch, Fire Chief
Kelda London, Village Deputy Clerk
Lance Vainik, Treasurer

III. ADOPTION OF AGENDA

Motion by Morrow seconded by Gordon to adopt the Agenda as presented.

Hansen proposed an agenda amendment. In Clerk Pulker's absence, President Pro Tem Hansen appointed Kelda London, acting Clerk for the duration of the meeting.

Motion by Morrow seconded by Moenck to adopt the agenda as amended.

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

IV. MINUTES

A. Special Meeting, February 4, 2014

Motion by Moenck seconded by Saenz to approve the Special Village Council Meeting Minutes for the February 4, 2014 meeting as presented.

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

B. Regular Meeting, February 10, 2014

Motion by Gordon seconded by Saenz to approve the Regular Village Council Meeting Minutes for the February 10, 2014 meeting as presented.

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

C. Special Meeting, February 26, 2014

Motion by Moenck seconded by Saenz to approve the Special Village Council Meeting Minutes for the February 26, 2014, meeting as presented.

Gordon noted that Mr. Morrow's name was omitted from the list of Ayes under **II. Adoption of Agenda. Motion by Moenck seconded by Saenz to approve the amended minutes of the Feb. 26, 2014 Special Village Council Meeting.**

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

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Daniel Roberts, Police Chief, referred to and provided an overview of the submitted monthly report and noted that each Council member should have received the Police Dept.'s proposed budget for 2014-15. It is flat in comparison to last year's budget. There was an increase in insurance costs but payroll has gone down due to a younger staff. Crime was down from this time last year however, neighboring communities are being affected by residential burglaries. The Department is still addressing hiring issues. Responding to inquiries about Detective Lt. Castro's retirement, he will be recognized next month (April) at the Police Department's Annual Awards Ceremony, as well as a promotion ceremony for Officer Bastianelli to Sergeant.

Tony Averbuch, Fire Chief, referred to his submitted written report and noted that the ISO Insurance Rating of the Franklin-Bingham Farms Fire Dept. has greatly increased/lowered from 6/9 to 4/8B. Since his tenure with Franklin he has worked tirelessly on this issue and hopefully in the Spring with further review and testing it will be lowered even more. This would translate into further reduction in fire insurance for homeowners. Gordon inquired about the Fire Dept.'s budget. Averbuch replied that it was in the process and after next week's meeting of the Fire Commission it will be presented to the VC in April.

Averbuch clarified that it is the residents' responsibility to contact their insurance carriers concerning the ISO Ratings. For those who live along Inkster, 14 Mile, and Telegraph Roads and between 13 Mile and Northwestern Hwy., proximity to fire hydrants may also affect fire insurance.

Lance Vainik, Treasurer, referred to his submitted monthly report, noted the Bill's List includes a large entry for \$26,325 for a semi-annual bond interest and principle to US Bank. The list of account balances is as of March 5, 2014 held at Level One Bank. Gordon asked for a clarification concerning the lease payment to Ford Motor Co. Moenck asked for clarification of the definitions of "Major Roads" and "Local Roads".

VI. SUBMISSION OF CURRENT BILLS

Motion by Moenck seconded by Gordon to approve the Bill's List as submitted.

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

TOTALS	
General Administration	\$ 30,222.07
Building	\$ 4,439.77
Insurance	\$ 51,351.64

Legal	\$	2,932.50
Police	\$	22,919.15
Pressure Sewer	\$	5,282.50
General Debt Service	\$	26,325.00
Major Roads	\$	7,411.05
Local Road	\$	5,851.05
Rubbish	\$	17,185.28
Trust & Agency	\$	1,500.00
Tax Fund	\$	-
Waste Water	\$	2,000.00
ALL FUNDS	\$	177,420.01

VII. PUBLIC REQUESTS AND COMMENTS

Hansen opened the meeting for public comments.

- Fred Gallasch, Rosemond Dr., inquired if there was a report from MSF concerning meeting locations, times, and subject matter as requested during Feb. 10 meeting. Hansen replied that Silverstein would address this subject but normally MSF would not comment through Council on such a request. He also questioned the amounts of the two (2) checks issued to David Murphy which were clarified by both Murphy and Morrow.

VIII. SPECIAL REPORTS

A. President's Report

Hansen commented on the search process for a new administrator. The application process will be open until April 5, 2014. She stated that Kathy Grinzinger, MML recruiter, is requesting to meet with the Council sometime after 4/5 but before the next VC meeting on April 14, 2014 to discuss and review the screened selected resumes. The meeting could be at a Workshop, before or during the next VC meeting.

B. Council Report

Morrow responded to a Villager's concern relative to Village rules on Solicitation. He asked that Murphy compare such rules of neighboring villages. Council might want to make some changes to the Municipal Code. How many requests does the Village receive for solicitation?

Gordon updated the Council on the Kreger House Committee activities, concerning the transition, policy, and operational issues. It is the committee's goal to be at the Workshop in April with some proposals for discussion purposes adding that there had been good progress.

C. Administrator's Report

Murphy consolidated and organized the list of those homeowners who are in violation of the ROW Obstructions. The VC can discuss this at its next Workshop.

Currently, he is gathering information pertinent to the budget.

With regards to the subject of Solicitors, Staran suggested that the issue of Municipal Code, Chapter 860 Peddlers and Solicitors be discussed at a Workshop.

D. Planning Commission Progress Report, Master Plan Revisions, Connie Ettinger, Chairman

Ettinger reported on the Master Plan revisions, noting that all meetings are open to the public and encouraged public input. At the moment the PC is a little under budget. She explained the process the PC has followed. Chapter 6 which deals with the Village Center - Commercial will be discussed at its next meeting, Wed. March 19, 2014 at 7:30 P.M. The schedule has been revised so the Public Hearing is

tentatively scheduled for September, and depending on the public input the VC will receive the finished product for its approval either in October or in November.

E. Birmingham Area Cable Board Annual Report

Elaine McLain, Chairman of the Cable Board introduced Cathy White, Executive Director to the VC. She gave an overview of the Cable Board for those new VC members and presented the Annual Budget, Annual Report, and Audit Report.

In Mira Stakhiv's absence, as the Franklin Cable Board Representative, Pam Hansen reported that there was not an updated report.

Morrow asked for comments on the budget: \$25,000 Legal Fees (legal counsel on all telecommunications issues), \$50,000 Capitol Reserve (for the future truck and was recommended by the auditors), and \$83,000 Net Income (excess franchise fees which could be returned to the communities as grants).

IX. NEW BUSINESS

A. Consider Road Right of Way ("ROW") Obstruction Appeals

Natalie and Geoff Robinson, 26061 Hawthorne Dr., stated that they have lived at this location since 2011. They added that the rocks around the border of their property are to mark it as private property, thus preventing the dog walkers and vehicles from cutting across their front lawn to get from Woodlore to Hawthorne and damaging the grass. Some vehicles are parked on the grass on a daily basis. Photos were given to the VC to illustrate the problems.

It is their opinion that Hawthorne Dr., being a wide road, does not obstruct any emergency vehicle going down it. Cost of moving the rocks is also an issue.

Hansen explained the procedures that the Village Council adheres to when hearing the Right Of Way Appeals.

The subject of the parking situation during a public event, such as the Round Up, was addressed. There was a discussion about whether this was more of a Law Enforcement issue than a safety issue. Murphy will speak with the Police Chief in regards to it.

#2014-19 Motion by Saenz seconded by Gordon to deny the request for a variance to the Road ROW Ordinance for 26061 Hawthorne Dr. The deadline for compliance is June 15, 2014.

Ayes: Gordon, Hansen, Moenck, Saenz

Absent: Kochensparger, Seltzer

Nays: Morrow

Motion carried.

B. Consider Civic Event Permit application for the 6th Annual Franklin Community Center Barn Raising, June 7, 2014.

John Pulker spoke on behalf of the organizers. There will be no closing of streets but police officers, some of whom are volunteers, will position themselves at major intersections for safety reasons. He commented on the temporary wooden A frame sign used for the Pancake breakfast associated with the 5K Run, Walk, and Dog walk, which will be held in the Fire Department as in past years.

#2014-20 Motion by Morrow seconded by Saenz to approve the Civic Events Permit and Temporary Sign Application for the "Kreger Barn Raising" Fund Raising Event scheduled for June 7, 2014.

Ayes: Gordon, Hansen, Moenck, Morrow, Saenz

Absent: Kochensparger, Seltzer

Nays: None

Motion carried.

C. Consider Planning Commission Recommendation for Proposed Re-Zoning of .72 Acres/W. side of Telegraph, S. of 13 Mile Road – Franklin Commons LLC, Lot 73, TF24-08-205-002 from R-2 Medium Low Density Residential to R-O Restricted Office District.

David Murphy, Interim Village Administrator, suggested this issue be postponed as the owner of the property and a representative from the Helman Woods Homeowner Association had not been notified this item would be on tonight's agenda, and thus, were not present.

#2014-21 Motion by Morrow seconded by Saenz to postpone the Proposed Re-Zoning of .72 Acres/W. side of Telegraph, S. of 13 Mile Road – Franklin Commons LLC, Lot 73, TF24-08-205-002 from R-2 Medium Low Density Residential to R-O Restricted Office District until the next meeting.

Ayes: Gordon, Hansen, Moenck, Morrow, Saenz

Absent: Kochensparger, Seltzer

Nays: None

Motion carried.

X. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

A. Consider an Ordinance to Amend Chapter 1464, Flood Hazard Areas, of Part Fourteen, Title Six of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Amend All Chapters, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (*second reading*)

#2014-22 Motion by Gordon seconded by Moenck to adopt an amendment to Chapter 1464, Flood Hazard Areas, of Part Fourteen, Title Six of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan to Amend All Chapters, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

Murphy summarized the amendment, emphasizing that it deals with minor updates and revisions of the Village's current Ordinance. The approval process of permits will skip the Planning Commission and now will go directly to the Village Council. It also sets fees through a resolution rather than the Ordinance.

Ayes: Gordon, Hansen, Moenck, Morrow, Saenz

Absent: Kochensparger, Seltzer

Nays: None

Motion carried.

XI. ADJOURNMENT

Motion by Morrow seconded by Saenz to adjourn the meeting.

Ayes: Gordon, Hansen, Moenck, Morrow, Saenz

Absent: Kochensparger, Seltzer

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 9:10 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President Pro Tem