

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, DECEMBER 12, 2016, 7:00 PM
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

I. CALL TO ORDER

The meeting was called to order by President Pam Hansen, at 7:00 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Brian Gordon, Pam Hansen, Judy Moenck, Mike Seltzer, Mira Stakhiv, Tom Morrow (arrived at 7:04 PM).

Absent: None

Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Eileen Pulker, Village Clerk
Lance Vainik, Treasurer
John Staran, Village Attorney

III. ADOPTION OF AGENDA

Motion by Stakhiv, seconded by Moenck to adopt the agenda, as presented.

Ayes: Gallasch, Gordon, Hansen, Moenck, Seltzer, Stakhiv

Absent: Morrow

Nays: None

Motion carried.

IV. MINUTES

A. Regular Meeting of November 14, 2016.

Moenck requested to strike on page 6, under **IX. PUBLIC HEARING**, 2nd paragraph, last sentence, "~~This year BYA will receive the funds.~~"

Motion by Seltzer, seconded by Gordon to approve the Regular Meeting minutes for November 14, 2016, as amended.

Ayes: Gallasch, Gordon, Hansen, Moenck, Seltzer, Stakhiv

Absent: Morrow

Nays: None

Motion carried.

B. Organization Meeting of November 21, 2016.

Motion by Seltzer, seconded by Moenck to approve the Organization Meeting minutes for November 21, 2016, as presented.

Ayes: Gallasch, Gordon, Hansen, Moenck, Seltzer, Stakhiv

Absent: Morrow

Nays: None

Motion carried.

(Morrow arrived at 7:04 PM)

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to his written report and noted that because of recent weather conditions the officers have been very busy with traffic accidents. With regards to crime, it has been very quiet. As a reminder to the residents and re-iterating the Clerk's email blast, he encouraged residents to fill out a "House Check Form" if going out of town for the holiday season. The form can be found on the website or at the Police Department. Officers will check on the house while the resident is away. He introduced our newest officer, Justin Wells who started November 28, 2016. Originally from here, he was a Deputy Sherriff for five (5) years in North Dakota. He and his wife have moved back to this area and he most recently worked part time in the Sylvan Lake Police Department. He will be on the night shift. Council members welcomed him.

Tony Averbuch, Fire Chief, was not in attendance, but had provided a written report.

Main Street Franklin, Deanna Yow, Executive Director, reported that the "Sip, Shop, and Stroll" event was very successful with a good turnout, and 17 merchants participating, despite the weather. She informed the Council that Main Street's application for the DIA's "Inside Out" program has been approved. There will be a meeting the first of the year to discuss details, such as; where on main street the masterpieces would be located. Installation will be from April to July. The number of pieces will be determined by the size of the pieces and the location. It is hoped that it would be coordinated with "Paint the Town", an event that MSF sponsored last year. Gallasch complimented and congratulated MSF for the "Sip, Shop, and Stroll" event. Morrow inquired about the Market Basket property and what role, if any, MSF was having in moving that project along. Yow updated Council on the recent activities. She also reported that before the "Sip, Shop, and Stroll" there had been a ribbon cutting ceremony for the official opening of Holistic Healer. Several Council Members had attended.

Lance Vainik, Treasurer, referred to his monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending. Vainik stated that the expenditures are generally consistent with the FY 2016-17 Budget. He also reported that the bills list included a large entry to Italia Construction Inc. for the Franklin Road crosswalk replacement. Vainik added that a list provided of account balances is as of December 7, 2016. He concluded by saying that the Village has sufficient funds to meet its current and anticipated obligations. With regards to an initial discussion at last month's meeting about insurance coverage for those funds that the Village currently holds at Level One Bank, he did some research and found that the Village is charged each month, which pays for additional coverage, but he would be getting more details when he speaks with the person who is in charge of handling our account. He has also spoken with the Treasurer at Bingham Farms about how that Village deals with the situation and shared that with the Council. He will explore options but at this moment Franklin is in good shape. Future discussions would be appropriate and he will speak with Creech if he deems it necessary for the Finance Committee to work with him on this matter.

VI. SUBMISSION OF CURRENT BILLS

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

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv
Absent: None
Nays: None
Motion carried.

TOTALS	
General Administration	\$ 19,451.11
Building	\$ 6,143.09
Insurance	\$ 90,863.59
Legal	\$ 1,240.00
Police	\$ 17,108.93
Pressure Sewer	\$ -
General Debt Service	\$ -
Major Roads	\$ 23,259.53
Local Road	\$ 536.26
Rubbish	\$ 14,881.70
Trust & Agency	\$ 11,000.00
Tax Fund	\$ 2,025.07
Waste Water	\$ 131.88
ALL FUNDS	\$ 186,641.16

VII. PUBLIC REQUESTS AND COMMENTS

Harry Ellman, Treasurer of Main Street Franklin, directed his thoughts and suggestion about the FDIC insurance issue to the Treasurer.

VIII. SPECIAL REPORTS

A. President's Report

Hansen opened with comments about this being the first meeting of the new Council. She was pleased to report that there had been an 83% voter turnout for this last election. There was a mixed passage of the Charter amendments but it was important that the residents weighed in. She introduced the one new Council member, Mira Stakhiv, and expressed how appreciative she was to continue working with people whom she has spent the last 4 or 5 years on this Council.

B. Council Report

Mira Stakhiv expressed two (2) actionable concerns/requests: 1) The garbage pick-up that didn't happen today due to the snow: In the 32 years of her living in the Village this was the first time this has ever happened. This could have been taken care of later in the afternoon. She requested that the Administrator mention to the company that it was not acceptable for it not to pick up garbage. 2) Snowplowing: As part of her Mobile Watch duty she drove around the Village as she also wanted to see how the snow removal was going. At 1:30 PM she thought the plowing was inconsistent and unacceptable. In some cases, two (2) cars would not have been able to pass each other and in others there would be a street with only three (3) houses which was completely plowed. On Crestwood, which winds around and where she lives, half of the street was plowed

and half not. Gallasch supported her remarks on snow removal and Seltzer supported on the trash removal. Seltzer also remarked that he had finally visited the library, saw the renovation, and gave high compliments to not only the building but also staff. He encouraged residents to stop in and look at it. Gordon also commented about the trash removal. His concern was that the residents weren't given any notification until about 10-10:30 AM. He felt that the issue of communication with the company and to the residents was needed to be addressed so as to avoid future incidents with the trash receptacles and the snow plows. Gordon even suggested that the new owners of the garbage pick-up company come to a meeting and introduce themselves.

C. Administrator Report

Creech noted that at the Organizational Meeting a resident had addressed the Council about cell phone coverage and 911 service. He will invite an attorney knowledgeable in the industry to come to a Council meeting with an update on what changes had been in the industry since the Village last considered the subject in 2001. Staran assured the Council that the attorney in question represents different carriers, not one in particular, and would merely provide information, not a sales pitch.

D. Village Engineers, Hubbell Roth & Clark, Inc. on 2017/2018 Village Road Project

Tom Biehl, Hubbell, Roth & Clark, updated the Council on the proper approach to proceeding with the road program that the voters approved at the last election. Based on the increasing oil prices in the next year, which would push prices up, HRC's staff believe the appropriate approach to the program would be to break it up into two (2) phases: splitting the project over two (2) seasons. Referring to the map which was provided to Council, the majority of Phase I would be west of Franklin Road, plus one (1) subdivision on the east side and Phase II would be the east of Franklin Rd. Even though there would be two (2) phases, there would be only one (1) contract. Bids would be taken in mid-April and the Council could award Phase I to be done in 2017 and Phase II in 2018. By using this method the prices would be locked in, and if the prices come in unfavorable, adjustments could be made based on the bids for the two (2) phases. The firm has used a similar methodology with other communities and it seemed to work the best. The contract would be written in such a manner that if the contractor was very aggressive and finished all of Phase I in 2017 and wanted to tackle some roads slated for 2018 it would be at the discretion of the Village. They recommend that if Council found it appropriate it should proceed with the two (2) phase approach.

There was discussion concerning the scheduling of the work. Biehl also mentioned that it was hoped that government monies would be available for the project but that was not a certainty. Concerning Franklin Road, south of 13 Mile Road, he also suggested that Creech might want to contact the City of Southfield staff and discuss the possibility of a joint venture, noting that sometimes if two (2) communities join together on a project the possibility of funding is increased.

James Burton, Hubbell Roth & Clark, explained that staging was a major integral part of these projects. Gordon stressed that for him, getting as much of the entire project done in the first year would be advantageous and practical. Burton noted that a robust public education would be set up, whether it be through emails and/or letters and fliers to the residents, and public information meetings advising them of the project and its scheduling. All of this would occur with plenty of

time to take residents concerns into account and make some adjustments. Bond Council also needed to be consulted about the sequencing of the phasing of the bonds.

Gallasch stated that some residents were asking him specific questions about the project and suggested that there be meeting(s) to answer them. Burton assured him that in January or February he would address those residents' concerns before construction began.

Biehl remarked that in the past there had been concerns about cul-de-sacs which would be addressed. With regards to drainage in the Village, he reminded Council that this was not a "drainage program", but they would be cognizant of where driveway culverts have heaved up. As part of this program those culverts would be dropped down to allow the water to flow. HRC would appreciate the Village notifying them about where such situations were located.

Hansen clarified that with bids going out mid-March, a community meeting should be in early March. The Village would then look for other vehicles to notify Villagers, such as, the Clerk's email blast, the website, and fliers with periodic updates.

IX. NEW BUSINESS

A. Consider PA 152 Exemption.

Creech explained Act 152 and the penalty if the Village did not act upon it.

#2016-107 Motion by Morrow, seconded by Seltzer to approve the Annual Exemption Option as set forth in 2011 Public Act 152, the Public Funded Health Insurance Contribution Act, as follows:

RESOLUTION – EXEMPTION

RESOLUTION TO ADOPT THE ANNUAL EXPEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT.

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows;

1. Section 3 – "Hard Caps" Option – limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
2. Section 4 – "80%/20% Option – limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
3. Section 8 – "Exemption" Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Village of Franklin has decided to adopt the Annual Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Village Council of the Village of Franklin elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by Adopting the Annual Exemption option for the medical benefit plan coverage year January 1, 2017 through December 31, 2017

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: None

Nays: None

Motion carried.

B. Consider Historic Study Committee Representation and Composition of the Committee.

Creech gave an overview of the issue and reminded Council that at the October meeting the Council denied the Demolition Application of the large red Barn at Franklin Farms. In the same motion Council directed an Historic Study Committee be formed to evaluate and determine whether this barn should be put into the Historic District. He stated that Gary Roberts, Chairman of the Historic District Commission, sent an email, dated November 17, 2016 to Eileen Pulker, Village Clerk; Amanda Davis, HDC Consultant; Eileen Harryvan, member of HDC; and himself, requesting that Council formally appoint such a committee. Members of the committee would be Roberts, Davis, Harryvan, a member of the Historic Society, and a Council member.

There was a discussion if this committee would be considering properties other than the barn at Franklin Farms. Hansen posed the question if Council wanted to pursue a broader scope than the designated barn.

Staran provided a brief history of the Study Committee, its purpose, and the process which it must follow according to Franklin's Ordinance as it reads now. In the past there had been a permanent standing committee which met regularly, but Council subsequently disbanded it, amended the Ordinance to the way it reads now. If needed, it would be an Ad Hoc committee.

Motion by Morrow, seconded by Gallasch to appoint an Historic District Study Committee comprised of Gary Roberts, Eileen Harryvan, Amanda Davis, one Village Council member to be determined here today, and one Historic Society member to be chosen by the Historic Society, with a term of this committee to be twelve (12) months which can be extended by vote of the Council.

Moenck expressed her desire to limit the scope of the committee to be the barn. She thought it could be for twelve (12) months but would function case by case. Suggestions could/would be brought before the Council for a recommendation and then be referred to the committee to study. Gallasch clarified that the committee could bring suggestions to the attention of the Council.

Staran explained the process and that the final decision to add properties to the Historic District would be with the Council. He emphasized the importance of being "pro-active" as opposed to being "reactive".

#2016-108 Motion by Morrow, seconded by Seltzer to amend his previous motion to appoint an Historic District Study Committee comprised of Gary Roberts, Eileen Harryvan, Amanda Davis, one Village Council member to be determined here today, and one Historic Society member to be chosen by the Historic Society, with a term of this committee to be twelve (12) months which can be extended by vote of the Council, to include that the Historic District Study Committee would be authorized to review the Franklin Farms barn. Any additional reviews would be solely at the referral from the Village Council.

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: None

Nays: None

Motion carried as amended.

#2016-109 Motion by Stakhiv, seconded by Seltzer to appoint Gallasch to the Historic District Study Committee.

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: None

Nays: None

Motion carried.

X. RESOLUTIONS/ORDINANCES

A. Consider Ordinance to Approve the Editing and Inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances (first reading).

#2016-110 Motion by Moenck, seconded by Seltzer to approve the Editing and Inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances (first reading).

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: None

Nays: None

Motion carried.

XI. ADJOURNMENT

Motion by Gordon, seconded by Stakhiv to adjourn the meeting.

Ayes: Gallasch, Gordon, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: None

Nays: None

Motion carried.

There being no further business, the meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President