

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JULY 10, 2017, 7 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, Tom Morrow, Mike Seltzer, Mira Stakhiv

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 Seltzer, seconded by Moenck to adopt the agenda, as presented.

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

Nays: None

Motion carried.

IV. MINUTES

A. Regular Meeting of June 12, 2017

Motion by Morrow, seconded by Seltzer to approve the Regular Meeting minutes for June 12, 2017, as presented.

Stakhiv had a question on page 13, under **X**.

RESOLUTIONS/ORDINANCES/PROCLAMATIONS, C. Consider an Ordinance to Repeal Chapter 1028, Road Right-of-Way Obstructions, etc.

Stakhiv questioned what was reported in the third sentence, “The Village would develop a policy....Village’s rights of way,” as she did not hear that at the meeting. Stakhiv stated that she had heard that the Village would handle this administratively using the previous statutory authority and therefore requested that the phrase, “...develop a policy which would handle this...Village’s rights of way.” and the last sentence, “The process would include an application...case by case.” be deleted. Her understanding of the discussion was that of a “repeal” not “develop a new policy”.

Motion by Morrow, seconded by Seltzer to approve the Regular Meeting minutes for June 12, 2017, as amended.

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

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to his written report and noted that during June there had been a slight increase in crime activity with automobiles, mostly in Bingham Farms in the Special Assessment District which is the commercial properties along Telegraph Road. Chief noted that Dodge cars and their navigation systems are the targets. Chief further explained that other than that it was a quiet month in Franklin. The Department requested and has received its annual grant money from the US Department of Justice for ballistic vests reimbursements.

Tony Averbuch, Fire Chief, was not in attendance and did not have any other comments on his report. However, he asked that President Hansen should mention last week's fire on Wing Lake and she reported that the department successfully handled it in a short amount of time and very professionally.

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 new FY 2017-18 Budget. The Bills List for this month includes a large entry for the FY2017-2018 Local Road Project for Engineering Services paid to Hubbell, Roth & Clark. Vainik added that the list provided of account balances is as of July 6, 2017. He concluded by saying that the Village has sufficient funds to meet its current and anticipated obligations. He commented about a later and separate discussion in the meeting concerning the moving of monies to another organization for investment purposes and to generate some income.

VI. SUBMISSION OF CURRENT BILLS

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

Morrow questioned the lack of an expenditure amount associated with Abilita. Creech commented that it was a misprint as the Village no longer has an association with it. Stakhiv noticed that the Comcast bill had not been reduced adding that she will follow up on this issue to make sure the bill is retroactively reduced by going directly to the Cable Board Executive Director. Stakhiv clarified that the Cable grant covers the internet portion of the bill and the amount of the grant request would be adjusted accordingly.

Moenck questioned the first quarter payment to Main Street Franklin when in fact Council had not received MSF's annual agreement but had authorized the payment. Hansen commented on a meeting with Main Street Oakland County Director John Bry, herself, Creech, and Yow, Main Street Franklin Director, regarding the commitments Oakland County was going to be making to the Village. Because of the timing of the meeting, it was decided that MSF would come back to Council at the August meeting for consideration. Moenck questioned if it would be more appropriate to postpone a vote since there was no formal agreement as was done last year.

TOTALS

| | | |
|----------------------------------|-----------|-------------------|
| General Administration | \$ | 14,442.85 |
| Building | \$ | 7,937.67 |
| Insurance | \$ | 46,724.64 |
| Legal | \$ | 1,224.75 |
| Police | \$ | 8,504.28 |
| Pressure Sewer | \$ | - |
| General Debt Service | \$ | - |
| 2017-2018 Road Project Bond Fund | \$ | - |
| Major Roads | \$ | 2,709.60 |
| Local Road | \$ | 10,838.39 |
| Rubbish | \$ | 14,881.70 |
| Trust & Agency | \$ | 600.00 |
| Tax Fund | \$ | - |
| Waste Water | \$ | 1,498.00 |
| ALL FUNDS | \$ | 109,361.88 |

Ayes: Gordon, Hansen, Seltzer, Stakhiv
Nays: Gallasch, Moenck, Morrow
Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

Hansen opened the meeting for public comments on non-agenda items, outlining the normal procedures. She commented that no decisions or agreement changes about the rocks would be made at this meeting, but it was important that the opinions of the residents be heard. She recommended that residents speak with the Village Administrator about their concerns.

John Panourgias, attorney representing several Franklin Village residents, referred to the letter he had sent to Council which was subsequently forwarded to Staran, regarding the removal of rocks and boulders pursuant to a notice sent to Franklin residents regarding the 2017-2018 Road Rehabilitation Program. He acknowledged Staran's recent response. Neighbors of those residents have also expressed an interest and concerns about this issue. He listed those concerns and several questions the residents and their neighbors had raised.

Robert Sklar, Woodlore Rd., acknowledged that these issues are the same as those of a few years ago and the situation had not changed. He was not aware of any accidents or safety concerns and had not heard any legitimate reasoning of why the Ordinance was repealed.

Marjorie Saulson, Scenic Hwy., stated that the placement of the boulders around the perimeter of her property was to prevent people from driving and/or parking on her property.

Robert Goodman, Willowgreen Dr., would like to understand the “public safety” aspect for making the decision to repeal the Ordinance. Personally, the placement of the boulders on his property was to keep people from sliding into the ditch, especially during the winter. In his opinion the boulders have prevented a more dangerous situation therefore, it was important that the residents understood what the Council’s position was and why. He opined that the engineers would probably agree that the location of the boulders, whether 1 ft. or now 2-3 ft. away from the road edge, would have no impact on the project of resurfacing and repaving the roads. On behalf of the residents, he requested help in understanding what was going on.

Staran provided a brief history of the last three (3) years involving around the rock/boulder issue in the Village and the safety of its residents and the public, including the adoption of an Ordinance and its subsequent suspension or moratorium. At the last meeting Council decided to repeal the Rocks in the Right of Way Ordinance and revert back to the status quo that existed before the Ordinance was in place and to allow the Village to administratively deal with rocks on a case by case basis. The approach that the Village has taken thus far, in coordination with the contractor of the new road project, has been to move the rocks back, not necessarily to the limit of the right of way as had been required by the repealed Ordinance but moved away at least 3 feet from the edge of the road. Creech commented on the various issues Council encountered with the enforcement of the original Ordinance. Staran stressed that the repeal of the Ordinance was not a change in the Council’s position as much as it was a softening of its position in its interpretation of it.

Answering Seltzer’s inquiry about how other communities manage their right of ways, Staran opined that other communities are stricter, with a few exceptions. There was a public discussion about the new road project and the location of rocks. Creech explained how the Village was dealing with the situation. Hansen requested that those residents who have concerns about the rocks should follow up with the Administrator.

Kevin Kelly, McKinney Rd., had concerns about the hairpin curve that trucks have to negotiate at the end of his street. He inquired whether it would be possible to widen the road at that point. Creech will follow up with the resident.

VIII. SPECIAL REPORTS

A. President’s Report

Hansen addressed the important issue of volunteers within the Village. She emphasized that Franklin runs on volunteerism which supports and benefits the entire Village. The different organizations in town were highlighted and are run by volunteers, as are the various Village Boards and Commissions, the Library, even the Police, which includes a reserve group, Mobile Watch, and the mounted division, and the Fire Department which has only two (2) paid positions and some off-shifts which are funded by the Fire Department. She encouraged residents to step up and become involved.

Seltzer suggested that the Village website have a section on its homepage entitled, “What makes Franklin Special” and include Hansen’s thoughts on volunteerism.

B. Council Report

None

C. Administrator Report

Creech provided a road project update and pointed out that a work calendar can also be found on the Village website. Creech commented that BS &A training will begin week after next. There might be a few Budget amendments to separate some of the revenues into greater details, but there wouldn't be any changes to the overall budget numbers. Gallasch suggested the Finance Committee meet and discuss this. Creech continued commenting that at the August meeting Council should have the Farmington Hills agreement regarding the sewer tap. Creech concluded by reporting that the state grant monies for the windows have been released and should be used before September 30, 2018, adding that he anticipated that the project would be done next spring.

Stakhiv inquired about the Code Enforcer report which she had previously requested. Creech stated that the Building Clerk was still working on the report and he would try to get something to the Council by the end of this week. Hansen suggested that this be part of the Administrator's monthly report and include the central issues on which the Enforcer is working. Creech noted that he would introduce the Code Enforcement Officer at the next meeting.

IX. NEW BUSINESS

A. Consider New Radar Speed Sign Purchase.

#2017-53 Motion by Morrow, seconded by Seltzer to approve the purchase a new solar power radar speed sign from All Traffic Solutions, Inc. for a cost not to exceed \$5,750.00.

Chief Roberts explained why he chose the lower of the two (2) bids, its advantages, such as when Officers have to go to court, and the fact that recently the Department was able to borrow such a sign from Bloomfield Township and utilize its capabilities. Council received copies of the three (3) bids. Roberts noted that Creech had informed him that there would be Act 51 money available for the purchase. He also noted that portable units were more expensive.

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

Nays: None

Motion carried.

B. Consider Police Chief Compensation.

#2017-54 Motion by Gallasch, seconded by Stakhiv to increase the salary of the Police Chief to \$82,000 per year beginning July 8, 2017.

Stakhiv commented on the review conducted by the Personnel Committee, adding that she had provided extensive research on the issue and commented on the process she used.

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

Nays: None

Motion carried.

C. Consider Village President Appointments to Planning Commission.

#2017-55 Motion by Seltzer, seconded by Gallasch to consider President Hansen's re-appointments of David Goldberg and Rajaei Abbass to the Franklin Village Planning Commission each to terms expiring in July 2020.

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

Nays: None

Motion carried.

D. Consider Appointments to Historic District Commission.

#2017-56 Motion by Moenck, seconded by Seltzer to re-appoint Garrett Keais to serve on the Franklin Village Historic District Commission for a term expiring in July 2020.

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

Nays: None

Motion carried.

E. Consider Appointments to Zoning/Sign Board of Appeals.

#2017-57 Motion by Seltzer, seconded by Gordon to re-appoint Bruce Kueck and Dean Moenck to serve on the Franklin Village Board of Zoning and Sign Appeals for a term expiring in July 2020.

Gallasch noted the vacancy on the ZBA Board and detailed the Board's important responsibility to the Village. He asked that a Villager consider volunteering for the position. Hansen also commented on its important role.

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

Nays: None

Motion carried.

F. Consider Investment Agreement with Multi Bank Securities (MBS).

Mr. Kipp began his presentation by stating that about a year ago the Council inquired about the concentration of the Village's money: whether it was safeguarding its funds, and secondarily if the Village was earning any interest on it. Kipp assured Council that the money was well safeguarded with the current vendor; however, there was additional insurance available if the Village was able to utilize short-term bank's CDs that carry FDIC insurance. Kipp explained that the challenge was that FDIC has a ceiling, so to utilize the protection, multiple CDs were necessary from various banks. The Village would need to have relationships with a variety of banks to accommodate its funds which could become unwieldy, especially if the investments matured at various times. Kipp pointed out that Bingham Farms and other municipalities have had a relationship with Multi-Bank Securities (MBS) which has relationships with many different

banks. Kipp further explained how MBS worked with investment portfolios and was very positive that the Village's goals of safety, liquidity, and yield could be accomplished by using MBS and suggested that in the beginning the Village slowly invest its monies, with the possibility of increasing it.

Gordon had questions focusing on liquidity, especially the minimum amount required for investing and the importance of timing when the Village would need funds.

Morrow commented that after meeting with Charles Kipp, Sr. Vice President of MBS, the Finance Committee was comfortable with the organization. However, he was concerned that not enough due diligence had been done and he personally was uncomfortable with making a decision at this meeting as he has done his own analysis and has a different proposal. He continued by explaining what the Finance Committee had requested from MBS.

Hansen directed the Council to separate the two issues: the proposed motion as stated in Creech's memo dated July 7, 2017 and the amount of the proposed investment.

Stakhiv commented on her positive involvement with MBS through the Cable Board.

Vainik clarified that this would be in addition to the Village's relationship with Level One Bank.

Morrow noted that the Finance Committee had vetted and recommended MBS. Originally the committee requested an investment plan from the Treasurer and Administrator which had not been provided, therefore, the committee had not been able to make a recommendation of how much to invest.

#2017-58 Motion by Seltzer, seconded by Gordon to invest available funds with Multi-Bank Securities in an investment ladder conforming with the Village investment policy in amounts and maturities recommended by MBS and decided by the Village.

Ayes: Gordon, Hansen, Seltzer, Stakhiv

Nays: Gallasch, Moenck, Morrow

Motion carried.

Moenck wanted it to be noted that the three (3) dissenting votes were members of the Finance Committee as they do not think this was appropriate for the Village. Regarding a specific amount for the investments, Morrow stated that no information or proposal had been given to the committee.

Hansen continued the discussion by asking key questions centered around the process of deciding a specific amount of available funds which could be invested, where, and when. Creech explained the normal procedure but which was different for Franklin due to the Treasurer's professional restrictions. Gallasch, member of the Finance Committee would like to know what the plan was, how much money, and from what account it was coming, and what were the expected expenditures from the individual accounts. He also was interested about how the relationship with Level One Bank would be affected.

There was a discussion as to the responsibility of the Finance Committee regarding this issue. Morrow clarified what the committee had done and re-iterated what it could not do due to the lack of information. Hansen proposed that the Finance Committee bring an acceptable plan back to the Council at next month's meeting. She directed Creech and the Treasurer to prepare such a document for the Finance Committee.

Charles Kipp, MBS Vice President, introduced himself and gave a presentation on the firm, emphasizing those scenarios which might be pertinent to Franklin. There was a discussion as to who would have the authority to work directly with Kipp as the Village's "Point Person". There was a question of whether the position and function of the Treasurer permit these additional responsibilities. Staran will research this query.

G. Consider SOCRRA Hazardous Waste Collection.

#2017-59 Motion by Seltzer, seconded by Gallasch to authorize the Village Administrator to enter into negotiations to formulate an agreement with SOCRRA to make the hazardous household waste disposal and recycling available to Franklin Village residents.

Gallasch inquired about the Village's commitments. Creech identified specifics and compared them to having a one day event in the Village. Hansen summarized and clarified the current contract for Franklin's scheduled Hazardous Waste Day on September 13, 2017 which had been approved at the last meeting. However, due to major construction SOCRRA would not be available until after the beginning of next year. Final decision on the one day event in September would be at the August Council meeting.

Ayes: Gordon, Hansen, Moenck, Seltzer, Stakhiv

Nays: Gallasch, Morrow

Motion carried.

Creech will confer with the Fire Chief about the necessity of having the Hazardous Waste day this year. Different methods of communication with the residents promoting the event were discussed.

X. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

- A. Consider an Ordinance to Amend Section 1230.05 of Chapter 1230, Historic District, of Part Twelve, Title Two of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Specify the Period of Validity of Historic District Commission Approvals, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (second reading).**

#2017-60 Motion by Moenck, seconded by Seltzer to Approve an Ordinance to Amend Section 1230.05 of Chapter 1230, Historic District, of Part Twelve, Title Two of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Specify the Period of Validity of Historic District Commission Approvals, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations in its second reading.

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

XI. ADJOURNMENT

Motion by Moenck supported by Gordon to adjourn the meeting.

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

There being no further business, the meeting was adjourned at 9:22 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President