

**VILLAGE OF FRANKLIN
SPECIAL COUNCIL MEETING
MONDAY, DECEMBER 9, 2019, 6 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 6:00 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Pam Hansen, Bill Lamott, Ed Saenz, Mike Seltzer, Mira Stakhiv
Absent: Brian Gordon
Also Present: Eileen Pulker, Village Clerk
Dan Christ, Village Attorney
Lance Vainik, Village Treasurer
Sarah Traxler, AICP, McKenna, Project Manager for the Task Force

Hansen welcomed Mr. Christ who was sitting in for John Staran and introduced Roger Fraser, interim Village Administrator, replacing Jim Creech whose resignation was to be effective on December 18, 2019. Fraser provided a brief background of his life in local government and included his growing up in Franklin.

III. ADOPTION OF AGENDA

Motion by Seltzer, seconded by Saenz to adopt the agenda, as presented.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: Gordon
Motion carried.

Hansen proposed several changes to the agenda: under **IX. NEW BUSINESS**, eliminate **E. Discuss Liquor License, Class C, for Ed Bosse of Tangerine Wine Tasting Room, Election Schedule for Possible Village Approval**; move item **F. Consider Possible Environment Consultant for the Village** after item **A. Discuss Task Force items: Business License Procedure; Code Enforcement; Fire Code Requirements; Building Code Requirements**; and eliminate **I. Consider Proposed Contract with a Compensation Specialist for the Village Administrator position**. (Stakhiv will be speaking to this matter in her report).

Motion by Seltzer, seconded by Saenz to amend the agenda, as presented.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: Gordon
Motion carried.

IV. MINUTES

A. Regular Meeting of November 11, 2019

Motion by Seltzer, seconded by Saenz to approve the Regular Meeting minutes of November 11, 2019, as presented.

Stakhiv had a question in the middle of page 8, about two (2) blank spaces following dollar signs. She thought a pre-approved dollar amount should be inserted.

Motion by Seltzer, seconded by Saenz to approve the Regular Meeting minutes of November 11, 2019, as amended.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: Gordon

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to his written submission for November and followed up on last month's residential burglaries. These cases were ongoing and Detective Sergeant Bastianelli was working closely with area departments. The department met with its health benefits administrator due to the proposed increase of costs. Options were presented and after discussions with the police unions and the insurance agents the officers voted to go with a different but similar plan which would be a cost savings to the Village. He met with the Village auditor who put together the cost projections between Franklin and Bingham Farms. She concluded that Bingham Farms owed Franklin more reconciliation monies. The Village was a victim of identity theft and fraud where the bank accounts were compromised. The Village did not suffer any losses as a result of this; however, he recommended that the Village change the bank account numbers. Pulker stated that she is in discussions with our banking representative and will share what the banks preference would be. Yesterday the Police Department participated with the Farmington Hills Police Department and Farmington Youth Association in the yearly holiday event, Heroes and Helpers.

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

Lance Vainik, Treasurer, referred to his monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending for a total of \$368,943.84. Vainik stated that the expenditures are generally consistent with the FY2019-2020 Budget. The Bills List for this month included a large entry of \$232,402.13 for road paving services paid to Cadillac Asphalt LLC. Vainik concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. The lists of account balances in the Council's packets were as of December 5, 2019 held at Level One Bank. A Balance Sheet was also provided from the interest bearing CDs held at Multi-Bank Securities. Replying to Hansen's inquiry about the Village's short term investments, Vainik replied that they were good.

VI. SUBMISSION OF CURRENT BILLS

Category	Amount
General	\$ 51,161.29
Maj Streets	\$ 3,930.58
Local Streets	\$ 4,779.25
Police	\$ 60,234.78

Garbage and Rubbish	\$ -
Building Dept	\$ 13,417.06
Street Project	\$ 232,402.13
Road Millage	\$ -
Pressure Sewer	\$ -
Tax Collection	\$ 3,018.75
Waste Water	\$ -
totals	\$ 368,943.84

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

Pulker clarified that the Michigan Municipal Risk Management bill was the quarterly payment for the Village’s Building and Liability Insurance premium. Police Chief Roberts clarified that CMP Distributors was the department’s supplier of bulletproof vests.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: Gordon

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

President Hansen explained the normal procedures for Public Requests and Comments. However, she suggested those in attendance who wished to address items already on the Agenda would have the opportunity to comment at that time.

Eileen Harryvan, Vincennes, had some concerns and questions about putting a water main under Franklin Road when the road was repaved. After reviewing several times the video of the Council meeting in which the wording of the ballot language was voted down by two (2) votes, she was not clear as to Lamott’s and Gallasch’s reasoning for their votes. She requested that each explain his “no” vote. Each responded. Seltzer proposed a Special Election be held to decide this issue and Stakhiv agreed that the ballot language needed to be clearer and the entire Village residents should have the right to vote on it.

VIII. SPECIAL REPORTS

A. President’s Report

1. Downtown Discussion/Franklin Road

Hansen provided a staff update on the Downtown Improvement Task Force. Members of the Task Force include Bill Lamott, John Bry from Oakland County, Jim Creech, Mike Seltzer, and herself. The committee was supported by the Village attorney and others to look through the Village codes, Ordinances, enforcement practices, and opportunities for property owners to improvement their property. The road project was finished for the current year, with the remaining stretch of Scenic to 14 Mile Road to be addressed later. Hubbell, Roth & Clark, the Village engineering firm, has been working with Tad Krear, owner of Land Design Studio and

Nowak and Fraus Engineers to propose a streetscape plan. It was hoped this would be in place by the spring.

B. Council Report

Saenz addressed the fact there hadn't been a report from Main Street Franklin since the resignation of its Executive Director. Interviews have been going on this month and the Board of Directors has invited Council to participate. Hopefully, there would be an update by the next meeting.

Regarding the proposed sidewalk on Franklin Road between Scenic and 13 Mile, Gallasch suggested Council be pro-active and notify those residents who would be directly impacted by the possibilities.

As part of the Personnel Report, Stakhiv also welcomed Roger Fraser to Franklin Village. Although approved in the November meeting, no funds were expended to this search for a manager. She has received two (2) bids (MML and GOV HR) for HR Consultants for a renewed search at the beginning of the next year for a Village Administrator. As part of the package she has negotiated a compensation review of the Village Administrator position. In the next couple of weeks the Personnel Committee would be making a recommendation. Saenz proposed that the committee might be able to take on that responsibility itself.

C. Administrator Report

Fraser did not have any comments.

D. Task Force Update. Sarah Traxler, McKenna Associates

Report was included in the New Business item, next in the Agenda.

IX. NEW BUSINESS

A. Discuss Task Force items: Business License Procedure; Code Enforcement; Fire Code Requirements; Building Code Requirements.

Traxler, project manager of the Task Force, referred to her Memorandum, Downtown Improvement Findings as of November, 2019, dated December 1, 2019. She identified the three (3) project areas: repaving and repair of Franklin Road between 12 ½ Mile to 14 Mile Roads, improve and upgrade the appearance of the downtown area defined as Franklin Road between Scenic and 14 Mile Road and add pedestrian access, and review and recommend strategies to support the downtown improvements. She expanded on the third (3rd) project area and listed the seven (7) adopted goals and relevant strategies.

Traxler explained that the early action plan for the Task Force was to evaluate and inspect the subject sites under the relevant codes, both interior and exterior of the buildings and the sites themselves, the summary of which was found in her memorandum.

Of the four (4) relevant codes, she noted that the Building Department was responsible for the Property Maintenance Code and Zoning Code; the Village Clerk administered the Business Licensing, and the Fire Department was responsible for the Fire Code. Each code had been analyzed and compared to those in other communities, particularly Lathrup Village, which was

known to be a strong comparison in terms of how it pro-actively administered and inspected properties. Also in her report, Traxler noted that perhaps a scheduled routine evaluation of the interior and exterior of the buildings would be beneficial, as they are presently performed on a “complaint basis”.

She has personally met with the former Administrator, the Village Attorney, and the Building Official and discussed current property maintenance code administration and/or code enforcement. An important note to keep in mind was that those evaluations or visual inspections, if not tied to a building permit, should only be undertaken from public property, observed from the exterior of a building or site and only taken from the public right of way, sidewalks.

To move forward on the first four (4) goals of this project, Traxler included the Task Force’s recommendations for code improvement for Council to consider in the areas of Business Licensing, Fire Code, Property Maintenance Code, and Zoning Code. If these recommendations are approved the next step would be for her to meet with the Village Administrator, the Building Official, and the Village Attorney to discuss the necessary process to initiate the appropriate code amendments. The first three (3) recommended areas for improvement (Business Licensing, Fire Code, and Property Maintenance Code) are contained within the Village’s general Code of Ordinances and, therefore, would be code amendments that would be initiated and fully acted upon by the Village Council. The Zoning Code is required to be worked on through the Zoning Enabling Act and the local code by the Planning Commission which would hold a public hearing and make recommendations to the Village Council.

Seltzer stated he was supportive of the Village being pro-active on this matter.

Motion by Lamott, seconded by Seltzer to resolve that the Village Council authorize the village improvement task force to develop code change recommendations related to business licensing, fire code, property management code and zoning code with the objective of improving safety and the physical & visual aspects of properties in the village.

Gallasch requested that the subject of “safety” be an integral part of the motion.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: Gordon

Motion carried.

Hansen added that the hope was the Task Force would be communicating weekly with the Villagers about the process, along with a series of meetings with affected property owners and businesses.

F. Consider Possible Environmental Consultant for the Village.

Lamott reported that this subject had been discussed at the Legal Committee meeting. He has spoken with three (3) potential consultants who understand the concept about which the committee had decided. He recommended that a package be developed which defined what the Village wanted and sent out to environmental consultants. Clarifying Seltzer’s concerns, Stakhiv

who was in favor of sending out an RFP, defined a RFP (Request for proposal) and the process of solicitation through a bidding process for business proposals.

Motion by Seltzer, seconded by Lamott to put together an RFP to secure the services of an Environmental Consultant.

Fraser would write an RFP and present it to Council for approval.

Motion by Seltzer, seconded by Lamott to put together an RFP to secure the services of an Environmental Consultant for the Village of Franklin which would be viewed and approved by Council prior to distribution of the RFP, as amended.

Regarding the subject of water, Hansen expressed her intention of allowing Villagers to express their thoughts about the subject and how the Environmental Consultant would be involved. Gallasch added he has not felt comfortable with the information the State has provided. Therefore, he would like to have another intelligent view, interpretation of this matter, and what to do about it.

Stakhiv confirmed that the final ballot language for a May election was due February 11, 2020. This subject would be brought before Council at next month's meeting.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: Gordon

Motion carried.

Fraser stated he was a little concerned about the timing of getting information back from a potential Consultant if the RFP isn't going out until January, 2020. Hansen also expressed her concern and thought August might be a more appropriate time for a Village vote.

There was discussion of whether there should be either one (1) or two (2) questions on the ballot. The phrasing of the possible ballot language was discussed.

(7:00 PM - Seltzer left the meeting)

Pulker reported that the due date for the ballot language for a May election was February 11, 2020.

Hansen suggested that this item be placed on January's meeting agenda for more discussion, if needed.

Eileen Harryvan, Vincennes, commented that time was of the essence and she was disturbed that being a resident impacted by the water situation, she had not been notified about what was going on with this issue. She hoped Council would make the subject of water a priority and have the ballot language finalized for a May election and that the Environmental Study would be made public once it was complete.

B. Consider Proposals for the Sign Inventory for the Village.

Hansen remarked that Council had been provided with two (2) proposals.

Motion by Lamott, seconded by Stakhiv to approve the proposed Sign Inventory by Hubbell, Roth & Clark.

Stakhiv compared and thoroughly analyzed the proposals from HRC, Giffels Webster, and Nowak & Fraus Engineers and found HRC had provided 90% of what Giffels Webster had proposed at a much reduced cost. In addition, HRC was more familiar with the Village than the other two (2).

Gallasch was concerned about some signage in the Historic District which was not historically appropriate. Lamott explained the process for determining the appropriateness of a sign; however, that was not part of the scope of the proposals. Lamott also confirmed that the survey was for the entire Village, not just the downtown. Chief Roberts agreed with Stakhiv's assessment and added that standardization was one of the reasons for such an inventory. Responding to Hansen's inquiry, Roberts felt this enforcement of signs needed to remain with the Police Department, not the Village Administration.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv

Nays: None

Absent: Gordon, Seltzer

Motion carried.

D. Discuss Amending Procedures to List Public Comments Sooner on the Agenda.

According to Hansen, the process of changing the order of the agenda items would be to adopt a new rule for Council.

Motion by Stakhiv, seconded by Saenz to move PUBLIC REQUESTS AND COMMENTS to V. in the Council agenda, between MINUTES and REPORTS OF VILLAGE OFFICERS AND AGENTS.

Fraser recommended they be placed after the **MINUTES** which would be the end of those items which were exclusively the Council's business.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv

Nays: None

Absent: Gordon, Seltzer

Motion carried.

Pulker will change the Council procedures.

C. Consider Civic Event Permit Application for the Crafts & Cocoa Event by the Franklin Historical Society, Sunday, December 15, 2019 from 4:00 to 6:00 PM.

Motion by Stakhiv, seconded by Lamott to approve the Civic Event Permit Application for the Crafts & Cocoa Event by the Franklin Historical Society, Sunday, December 15, 2019 from 4:00 to 6:00 PM.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv

Nays: None

Absent: Gordon, Seltzer

Motion carried.

E. Discuss Liquor License, Class C, for Ed Bosse of Tangerine Wine Tasting Room, Election Schedule for Possible Village Approval.

This item was removed from the agenda.

G. Consider Schedule for Village Meetings in 2020 for Village Council, Waste Water Board. Planning Commission, Zoning/Sign Board of Appeals, and Historic District Commission.

Motion by Stakhiv, seconded by Gallasch to approve the Schedule for Village Meetings in 2020 for Village Council, Waste Water Board, Planning Commission, Zoning/Sign Board of Appeals, and Historic District Commission.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv

Nays: None

Absent: Gordon, Seltzer

Motion carried.

H. Consider PA 152 Exemptions.

Motion by Stakhiv, seconded by Lamott to approve the Resolution to Adopt the Annual Exemption Option as set forth in 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv

Nays: None

Absent: Gordon, Seltzer

Motion carried.

I. Consider Proposed Contract with a Compensation Specialist for the Village Administrator position.

This item was removed from the agenda.

J. Consider Scheduling Special Meetings on December 16, 2019 at 6:00 PM and January 6, 2020 at 6:00 PM.

It was clarified that these meetings were for the purpose of meeting with the Engineering firm (Nowak & Fraus) which was hired to do the Downtown Streetscape. Hansen explained that at the Special Meeting on December 2, 2019, it was determined that the committee as a whole would meet which required scheduling some Special Meetings that would be posted through proper

notification. If there was a quorum it was a “Special” Meeting and if no quorum it was a “Committee” meeting. The public would be informed and invited and stakeholders would be notified of this.

Motion by Gallasch, seconded by Stakhiv to schedule Special Meetings on December 16, 2019 at 6:00 PM and January 6, 2020 at 6:00 PM.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv
Nays: None
Absent: Gordon, Seltzer
Motion carried.

IX. ADJOURNMENT

Motion by Lamott supported by Saenz to adjourn the meeting.

Ayes: Gallasch, Hansen, Lamott, Saenz, Stakhiv
Nays: None
Absent: Gordon, Seltzer
Motion carried.

There being no further business, the meeting was adjourned at 7:15 PM.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President