

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 11, 2017, 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, Pam Hansen, Judy Moenck, Tom Morrow, Mira Stakhiv, Mike Seltzer (arrived at 7:02 PM)

Absent: Brian Gordon

Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Eileen Pulker, Village Clerk
Lance Vainik, Village Treasurer
Deanna Yow, Executive Director of Main Street Franklin
John Staran, Village Attorney

III. ADOPTION OF AGENDA

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

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

Absent: Gordon

Nays: None

Motion carried.

IV. MINUTES

Regular Meeting of August 14, 2017

Motion by Stakhiv, seconded by Seltzer to approve the Regular Meeting Minutes for August 14, 2017, as presented.

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

Absent: Gordon

Nays: None

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to his written report and noted that the Round Up was a success from a law enforcement perspective. There were a few incidents but were not as bad this year. As usual there were a few parking complaints, but again, not as bad as previous years. The department had a couple of personnel issues which he wanted to bring to the Council's attention. Officer Tom Goodroe was involved in an off-duty injury, while performing volunteer assistance to a local High School football team. Unfortunately, due to the nature of the injury and subsequent surgery he will be off work until December or longer. This is problematic because he

is a relatively new officer with very little vacation and sick time. Roberts had been working with Creech to identify other ways to provide him compensation until he returns to duty. Because of the situation, he wanted to alert Council of a possible increase in overtime expenses. Council was very supportive and had some possible suggestions which Roberts will explore. Another personnel issue was the hiring of new part time officers. Interviewing had been going on this week and would continue next week. He briefly addressed the Crestwood property, reporting that there was not anything new. Roberts had a conversation with one of the FBI's Lawyer and Forfeiture Specialist who concurred with that assessment that the legal process must run its course of a criminal case which meant the house would not change ownership for the next couple of years. If and when he heard more he would provide the Council with the most current information. Morrow inquired about the two (2) break-ins on 13 Mile Road with Roberts responding that these were the two (2) he had reported on at the August meeting.

Tony Averbuch, Fire Chief, was not in attendance but had submitted his monthly report to Council members. It was noted that as a member of the Federal Medical Response Team, he was down in Orlando helping with the recovery from Hurricane Irma. Hansen stated that she did not have the opportunity to talk about the report with the Chief.

Main Street Franklin, Deanna Yow, Executive Director, apologized for not having a written report for Council due to helping her daughter with her deployment. She reported on the successful Main Street Oakland County/Main Street Michigan joint training session held at the Franklin Community Church on August 17 and 18. She reported that several Council members (Hansen, Stakhiv, Seltzer), Clerk Pulker, and Gail Beke were present at the first day session. The second day was for new Main Street Directors. She congratulated all the FCA volunteers on a successful Round Up and was happy to have had a Main Street Franklin table where they were able to connect with community members and talk about volunteerism in the Village. Unfortunately, she had to report that there were three (3) retail spaces available in the downtown area. A 2-Day National Main Street Center Workshop will be held next week in Howell. MSF had been recommended by MSOC to attend. Frankenstein Frenzy was in the planning stages and she would have more information at the next Council meeting. Responding to Stakhiv's question, Gem of the Night may not be held this year. MSF has a gem, a Chair, and volunteers for the event but the location has yet to be determined. Moenck inquired about a possible completion date for the Slade House to which Yow responded that she was unsure of the time frame for the project.

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 General Debt repayment and a large entry to Hubbell, Roth & Clark for Road Project Engineering. Vainik added that the list provided of account balances, at Level One Bank, is as of September 7, 2017. He concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. Morrow questioned if the disbursements to the Library and to the Fire Department were 100% of their budgeted amount. Moenck clarified that the Library would be receiving more when more tax money was received. Moenck and Gallasch inquired about the amount for BS & A training for the new accounting software. Creech commented that the amount was part of the agreement. Gallasch noted his concern that every month there has

been a bill related to BS & A. Answering Hansen question, Creech stated that the Village would be getting a maintenance bill once per year. Under the Police, Gallasch also questioned why the trimming of an oak tree wasn't done by Johnson Landscaping. Creech responded with the pertinent details, among them cost and availability, for the choice of a different vendor. Stakhiv inquired about the Fire Department's usage of BP being under the Police Department report. Pulker explained that the Police Department is reimbursed each month by the Fire Department.

VI. SUBMISSION OF CURRENT BILLS

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

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

Absent: Gordon

Nays: None

Motion carried.

Addressing Creech, Hansen opined that Council Members continue to have concerns and some serious questions about the benefits of BS & A system. She requested that he provide information about the advantage of this software and what Council can expect on the monthly financial sheets, at the next meeting.

VII. PUBLIC REQUESTS AND COMMENTS

Hansen opened the meeting for public comments on non-agenda items, outlining the normal procedures with no one from the public responding.

VIII. SPECIAL REPORTS

A. President's Report

Hansen acknowledged Patriot's Day, which is the annual observation day for the 2001 Terrorist attacks in the U.S. Stakhiv followed up on what Hansen had stated and provided a short heartwarming and personal speech honoring the 9/11 attacks. Hansen also recognized Marion Phillips, who had been an intern in the Village office and also acknowledged the Administrator and Village Clerk who took on supervising and mentoring this student, who is a junior at University of Michigan.

B. Council Report

Stakhiv informed residents that the Water Resource Commission has been sending out electricians and sub-contractor electricians trying to determine if electrical wiring needed to be put in between the new panels and the grinder pumps. This was the result of some of the original electrical systems failing. She recommended that when a new panel was installed WRC leave a notice for the residents advising them of this possible issue. Regarding the new road work, she and Gallasch have been advised by some residents that there were drainage issues that needed to be addressed in a proactive manner. Both she and Gallasch have discussed this with President Hansen. Gallasch added that they had also discussed whether the Village should add to the checklist of building requirements for new homes an item requiring appropriate drainage. Creech commented on the issue. Staran stated that this was not required to go to the Planning

Commission but the Council might want to use PC as a sounding board to get their input. Ultimately the Council would be making the decision of how to proceed.

#2017-71 Motion by Gallasch, seconded by Seltzer to ask the Planning Commission to consider adding to the Village Building requirements a review of the drainage for each new home and to have that as part of the Building Inspector's requirements.

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

Absent: Gordon

Nays: None

Motion carried.

C. Administrator Report

Other than his written report to the Council he did not have any additions.

D. Road Construction Update, Hubbell, Roth, and Clark, Village Engineers

James Burton, HRC Vice President, updated Council on the road program. A written report would be given to Council after this meeting. Phase One was on track and should be completed probably at the beginning of November. He complimented the residents on their patience and cooperation and that due to good communication, issues have been resolved very quickly. Because the program was on time and looking to be under budget, they were able to look at some options, such as, drainage improvements. Both Gallasch and Stakhiv had high praises for Brent Tarpinian, Field Manager, for his response time to the residents' concerns. Burton assured Council that they would not start a road they cannot top before the winter. The focus was on the finishing a road before another was started. To date, Burton and Tarpinian believed that two-thirds of Phase One was completed.

IX. UNFINISHED BUSINESS

A. Consider First Amendment to Pressure Sanitary Sewer Service Agreement.

#2017-72 Motion by Seltzer, seconded by Moenck to Resolve that the Village Council approves the First Amendment to Pressure Sanitary Sewer Service Agreement among the Village of Franklin, City of Farmington Hills, Robert Brody and Robertson Franklin Hills, LLC, as presented, to allow up to eight (8) single-family residential units on the subject property to connect to the Village's pressure sewer located along Inkster Road, subject to the obtaining of any necessary permits and payment of all applicable charges and fees by the property owner.

Jim Clarke, Robertson Brothers, provided Council Members with a handout. He reminded Council of the Cressbrook project on 14 Mile Rd. which the company developed. Clarke explained that what the company was envisioning for the site in Farmington Hills was a similar cluster development, with the same type of homes, with same size homes, and with the same preservation of approximately 50% of open space. The land is owned by Robert Brody who was interested in the concept Robertson Brothers presented. Clarke provided a brief history of Franklin's involvement and what his company was requesting as referenced in the packet Council received.

Seltzer requested Hubbell, Roth & Clark, the Village engineers, to give their expert opinion on the matter. Stakhiv stated that she was looking into the future and how this would benefit Franklin residents and preserve everything the Village has. Burton stated that an additional tap (totally 8) into the sewer system would not have an impact on Franklin's system or residents. He further explained how the capacity of the system was originally formulated. Moenck addressed her questions about fees to Creech.

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

Gallasch opposed the motion as he saw no benefit to Franklin, only to Farmington Hills and the builder.

X. NEW BUSINESS

A. Consider HRC Plan for Potential Lighting and Pathway Plan.

David Goldberg, Chairman of the Planning Commission, provided background to the Council, referring to HRC's letter (August 10, 2017) of a proposal for a Sidewalk and Lighting Baseline Study and Franklin Road Corridor Master Plan.

Planning Commission was requesting budgeted funds of \$10,500 for this project.

Gallasch stated that he was in favor of this project and suggested that a liaison from the Historic District Commission also be involved and connected to the Planning Commission in order to provide valuable input. Goldberg acknowledged that the amount was within PC's budget but following Hansen recommendation, he wanted to advise Council that this project was moving forward.

#2017-73 Motion by Seltzer, seconded by Stakhiv to approve Hubbell Roth & Clark's proposal for Professional Engineering Services (Sidewalk and Lighting Baseline Study and Franklin Road Corridor Master Plan) as stated in the August 10, 2017 letter, in the amount of \$10,500.

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

B. Consider Vendor for New Website.

Marion Phillips, Intern from University of Michigan who worked on this project, gave a narrative of the process and presented her findings and recommendations. After much research, it was her opinion, supported by Creech, that the project be awarded to Revize from Troy, Michigan. Morrow pointed out that Revize was a lower and better price per feature than MuniWeb, who currently is the website provider. Gallasch inquired about training, to which Phillips stated that there would be a one (1) day in-person training which was included in the package. Moenck was

interested in the “search” capabilities of the new website and what references Phillips had contacted. Digitization of documents was discussed and the comparison between Revize and MuniWeb, the Village’s current web provider. Stakhiv informed Council that she, Creech, and Phillips would request a Municipal Support Services Grant from the Birmingham Area Cable Board to rebuild the new website.

#2017-74 Motion by Morrow, seconded by Seltzer to award/authorize Revize of Troy to construct a new Village website for an amount not to exceed \$9,800.00 which includes the \$150/month maintenance costs the first year.

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

Absent: Gordon

Nays: None

Motion carried.

C. Consider Main Street Franklin Agreement.

Hansen explained that this item had been postponed from August’s meeting.

Motion by Seltzer, seconded by Moenck to approve Main Street Franklin Letter of Agreement, through June 30, 2018.

Moenck questioned Yow if she had any reservations with the agreement in accomplishing 100% of the agreement. Yow stated that meeting the fundraising goal might be questionable, as MSF cannot control donations. Yow noted that Costello, MSF Board Chair, was in full agreement with the document. Stakhiv pointed out some typos in the document: Page 1, under **Organization**, first line, insert “written” after “Provide”. The line should read, “Provide *written* regular updates to Village Council...”. After the last bullet point, “Meet with the Village Manager...”, strike the word “*Manager*”. It should read, “Meet with the Village *Administrator*...”. Gallasch requested that financial updates be provided. On page 2, under **Section 2. The Village agrees to:** after the bullet point that starts, “Coordinate a monthly meeting...”, in the second sentence, strike the word “*manager*”. It should read “*Administrator*”. Referring to the phrase, “in-kind services” on page 1, under **Organization**, 3rd bullet point, Moenck asked Yow to clarify what that phrase meant. Yow gave an example of the development of MSF’s new website which had been donated and was an offset on its budgetary expenses. Moenck confirmed that it did not mean that it was a trade-off of “volunteer hours” and “fundraising”. According to Yow, “Volunteer hours” are monetized for MSF’s reporting for Main Street Oakland County but it was not considered “fundraising”.

#2017-75 Motion by Seltzer, seconded by Moenck to approve Main Street Franklin Letter of Agreement, through June 30, 2018, as amended.

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

Absent: Gordon

Nays: None

Motion carried.

Hansen reminded Council and residents that Seltzer was the liaison to Main Street Franklin.

D. Consider Metro Act Permit Application for Verizon.

#2017-76 Motion by Morrow, seconded by Seltzer to Resolve that the Village Council approves the Metro Act, Bilateral Permit received from MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services, to install fiber-optic facilities in the public right-of-way, received on August 17, 2017.

Gallasch pointed out the maps of the proposed access which had been provided to Council were unreadable, due to lack of color distinctions. Staran explained that the company would be stringing fiber optic lines using existing poles or burying the cables where poles were not available in the Right-of-Ways. Gallasch confirmed that Verizon was obligated to restore any and all property they disrupt. According to Creech, monies from the Metro Act was approximately \$14,000 and was put into Major and Local Roads for maintenance. Stakhiv pointed out with Morrow and Staran concurring that once Franklin opted into the Metro Act the Village was legally obligated to approve this permit.

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

E. Consider Zoning/Sign Board of Appeals Appointment.

#2017-77 Motion by Morrow, seconded by Moenck to approve the re-appointment of J. Bennett Donaldson to the Board of Zoning and Sign Appeals with a term expiring July 2020.

Gallasch supported this candidate and emphasized his excellent qualifications. Hansen provided a brief statement as to why he had not been originally reappointed and subsequent application of a new Board Member. Staran suggested Council consider appointing an “alternate” member of the ZBA as authorized under the Zoning and Enabling Act. He added that no other board was eligible for such a designation. Morrow opined that Donaldson should be re-appointed at this meeting and the other candidate could be approved as an “alternate” at the next meeting. At Creech’s suggestion, Staran would review the Village’s By-Laws, and the procedures for the Zoning/Sign Board of Appeals.

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

F. Consider Snow Plowing Bid.

#2017-78 Motion by Morrow, seconded by Seltzer to award the contract to Johnson Landscaping, Inc. for Snow Removal Services.

Gallasch questioned the addition of plowing of Rosemond Lane which was a private road, as was Franklin Park Court, according to Morrow. The map illustrating such was a mistake and needed to be corrected.

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

XI. PROCLAMATIONS/ORDINANCES/RESOLUTIONS

A. Friends of the Franklin Public Library Local Governing Body Resolution for Charitable Gaming Licenses.

#2017-79 Motion by Moenck, seconded by Stakhiv to approve the Local Governing Body Resolution for Charitable Gaming Licenses for the Friends of the Franklin Public Library as follows:

That the request from the Friends of the Franklin Public Library, County of Oakland, asking that they be recognized as a nonprofit organization operating in the community, for the purpose of obtaining charitable gaming licenses, be consider for approval.

Stakhiv provided a brief background of the Library fundraising activities: a one day Oktoberfest with a raffle. Staran explained the state rules governing charitable gaming licenses. Stakhiv and Moenck noted that they are both on the Library Board of Directors, but are not part of the Friends of the Franklin Public Library which is a 501 (c) 3.

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

B. Consider an Ordinance to Amend Sections 1268.19 and 1268.28 of Chapter 1268 Supplementary Regulations, of Part Twelve, Title Four of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Regulate Construction Fencing, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (first reading).

#2017-80 Motion by Moenck, seconded by Stakhiv to accept in the first reading of the Ordinance to Amend Sections 1268.19 and 1268.28 of Chapter 1268 Supplementary Regulations, of Part Twelve, Title Four of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Regulate Construction Fencing, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

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

Motion carried.

- C. Consider an Ordinance to Approve the Editing and Inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances (second reading).**

#2017-81 Motion by Gallasch, seconded by Seltzer to accept the second reading of the Ordinance to approve the editing and inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances.

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

Absent: Gordon

Nays: None

Motion carried.

XII. ADJOURNMENT

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

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

Absent: Gordon

Nays: None

Motion carried.

There being no further business, the meeting was adjourned at 8:58 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President