

**VILLAGE OF FRANKLIN  
REGULAR VILLAGE COUNCIL MEETING  
WEDNESDAY, SEPTEMBER 17, 2018, 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 pro tem Mike Seltzer, at 7:00 PM at the Franklin Village Hall, Franklin, Michigan.

**II. ROLL CALL**

Present: Fred Gallasch, Judy Moenck, Ed Saenz, Mike Seltzer, Mira Stakhiv  
Absent: Brian Gordon (excused), Pam Hansen (excused)  
Also Present: Jim Creech, Village Administrator  
Eileen Pulker, Village Clerk  
Lance Vainik, Treasurer  
Chief Dan Roberts, Police Department  
John Staran, Village Attorney  
Ed Zmich, Project Engineer, Hubbell, Roth & Clark  
Elina Costello, DDS, Chairman, Main Street Franklin Board  
David Goldberg, Chairman, Planning Commission

**III. ADOPTION OF AGENDA**

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

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**IV. MINUTES**

**A. Special Meeting of August 8, 2018**

**Motion by Moenck, seconded by Saenz to approve the Special Meeting Minutes of August 8, 2018, as presented.**

Moenck questioned the wording and meaning of the last paragraph on page 1 which Pulker will revise.

Gallasch pointed out that in the middle of page 8 where the water situation was discussed; he noted that he had explicitly said that if the Village were to take on a project of that magnitude the Village should go out for bid requests for engineering. He thought this to be a very important comment which needed to be included in the minutes as it would be a very expensive job and the Village needed to get as competitive a rate as it could get.

**Motion by Moenck, seconded by Saenz to approve the Special Meeting Minutes of August 8, 2018, as amended.**

Stakhiv called a point of order. She questioned Staran if she would be allowed to vote even though she was not at this particular meeting. Staran answered in the affirmative.

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

## V. REPORTS OF VILLAGE OFFICERS AND AGENTS

**Dan Roberts, Police Chief**, referred to his monthly written report and had several comments about the Labor Day Round Up. There were no major concerns; however, parking was an issue as is the case every year and noted that no citations were written this year, even though many could have been. The Police Department will continue to work with the FCA leadership. Later this month the Department will participate in the FCA “after action” meeting. The biggest concern this year involved vendors and FCA leadership moving some of the Department’s Police signs that direct traffic (detour signs and barricades). This was a legal issue which, hopefully, would be discussed and remedied at this upcoming meeting. This was the first time since he was Chief there were no missing children (or parents). Speaking for the Fire Chief, there were a few medical emergencies but nothing major. Responding to a question about attendance, he commented that from his perspective he thought the parade attendance was down this year. This year the Department rented two Segways, which included an instructional class, and will probably do the same for next year’s Round Up. The Department received a Birmingham Area Cable Board (BACB) Grant for internet connectivity thanks to assistance of Stakhiv. Chief further reported that as a reminder, the Union contracts (Command and Officers) will expire at the end of the year and the representatives are ready to start the negotiations. He has spoken with Creech about some issues and added that Bastianelli and Wells are the representatives. Creech will represent the Village and President Hansen may want to participate in the discussions, as well. He has approved a large expenditure to send the newest Sargent, Sgt. Mydloski, to Staff and Command School run by Northwestern University for 2 weeks per month for 5 months, starting in January, 2019. The Troy Police Department will be hosting it, noting that partial cost was taken out of the Department’s forfeiture monies and he would be writing for a Michigan Municipal Risk Management Association (MMRMA) grant for the remaining cost. If possible, the part time officers would be filling in, in Mydloski’s absence. He reported that he has met with the new Bingham Farms Administrator, Ken Marten, and discussed some pertinent issues, such as the Special Assessment District. He believed Chief Averbuch also met with him for a couple of hours. Lastly, he had a comment about the Police Department’s stance on the downtown lighting issue, especially pedestrian lighting. He wanted to be clear and distinct stating that “From a public safety perspective, it’s always good to have well-lit walkways where pedestrians are walking.”

Referring to his report, Moenck questioned the notation of “assault”. Roberts could not comment on it as it was an active investigation and involves a domestic situation.

Roberts clarified that “Written Complaints” on his report generally mean “accidents”; however, he has seen an increase in identity theft reports, especially related to on-line purchases. So far this year mailbox theft has been low. He also clarified the term “Uttering and Publishing” under the heading “Felony Incidents” in his report.

**Tony Averbuch, Fire Chief**, was not present at the meeting but had submitted his monthly report to Council members.

**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 \$2,216,572.20. Vainik stated that the expenditures are generally consistent with the new FY 2018-19 Budget. The Bills List for this month included a large entry for Road Contract Asphalt services paid to Cadillac Asphalt LLC. There were a number of large expenditures going to the Franklin-Bingham Farms Fire Department and the Franklin Public Library, which were payments to each for the tax monies collected. He concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. The list of account balances was in the Council's packages as of September 12, 2018, held at Level One Bank. The balances held in interest bearing insured CD's at Multi Bank Securities, Inc., were included in the consolidated report which Council received.

Seltzer questioned the Southeastern Oakland County Resource Recovery Association (SOCCRA) payment, asking if the amounts provided were considered normal for the month and if they remained within the projected budget. Creech provided a brief background of the Village's arrangement with SOCCRA, including the average number of monthly users and expenditures which were included in the budget.

Creech answered Gallasch's inquiries that the U.S. Bank Trust N.A. was for bond debt payments and Michigan Education Savings Program was the Police Chief's escrow account for his son's college education in lieu of taking a pension.

Moenck's inquiries were about the several checks to BP Products North America and Wex Bank. Creech explained that they were for two (2) months of fuel for the Fire and Police Departments, some of which would be reimbursed by the Fire Department. Stakhiv requested that those accounts which needed more explanation be indicated with asterisks, i.e., re-imburement.

Stakhiv inquired about the check that went to Municipal Web Services. Creech noted that the July payment would be the last bill.

Replying to Moenck's inquiry about Corelogic; Creech stated it was for the service the county uses and are Michigan Tax Tribunal (MTT) settlements. It would be in the Bills List as often as there is a settlement from MTT, which wouldn't be more than quarterly.

Stakhiv was curious about the check to Catherine Watkins. Creech replied it was for services rendered and re-imburement for the purchase of grasses for the Rain Garden. Stakhiv confirmed that moving forward Johnson Landscape would be taking care of the Rain Garden.

## **VI. SUBMISSION OF CURRENT BILLS**

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

### **Bills List**

General	\$ 465,966.17
Police	\$ 91,888.37

Local Road	\$ 8,143.80
Major Road	\$ 9,092.00
Building	\$ 8,899.53
Garbage & Rubbish	\$ 15,244.90
Pressure Sewer	\$ -
Road Project Fund	\$ 1,429,657.19
Gen Debt	\$ 71,050.00
Road Millage Debt	\$ 110,650.00
Trust & Agency	\$ 600.00
Waste Water	\$ 1,443.30
Tax Collection	\$ 3,936.94
<b>TOTALS</b>	<b>\$ 2,216,572.20</b>

**Ayes:** Gallasch, Moenck, Saenz, Seltzer, Stakhiv

**Nays:** None

**Absent:** Gordon, Hansen

**Motion carried**

## **VII. PUBLIC REQUESTS AND COMMENTS**

None

## **VIII. SPECIAL REPORTS**

### **A. President's Report**

In President Hansen's absence, Seltzer read a text he had received from her regarding the approved ballot language regarding lighting. She has not seen any effort from the Village staff to educate or inform people about it. There should be a communications plan as it would not be fair to the residents if the Village did not explain what it was doing. Regarding this text message, Seltzer inquired if there was a plan in place.

Creech replied that some specific data was known and some still unknown which would be discussed later in the agenda.

Stakhiv suggested that a hard copy of the lighting ballot question be sent to the residents. Because the question was merely referencing the Charter to allow the Council to do it, Moenck stated that she didn't think Council wanted to be specific in any education. Seltzer supported Council being proactive in getting out correct information before misinformation started spreading, either with direct mail, on the website, and/or email blast. He provided a general explanation and reasoning for the passing of the proposal, referencing Chief Roberts' earlier comments about lighting being a safety issue which needed to be explored. Gallasch added that the public has no idea about the hurdles Council needs to jump over to do something; consequently for this reason he supported providing the public with an informational explanation as to why this issue was put on the ballot.

### **1. Downtown Discussion/Franklin Road**

Kim Etheridge, Project Manager, Michigan Department of Environmental Quality (MDEQ), was unable to attend this meeting due to Council's specific meeting date on the 3<sup>rd</sup> Monday; however, she will be at the October Council meeting. Moenck felt it critical that she be at the October meeting. Creech stated that he would reach out to her.

### **B. Council Report**

Seltzer stated that the Personnel Committee, he, Moenck, and Stakhiv, were in the process of employee evaluations for the Village. The mission was to specifically define all the various roles of the employees of the Village and to provide them with feedback and a review. All the information and notes would be turned over to an impartial consultant with the goal being to do this prior to the November election. He listed the reasons being that some of the employees had not been reviewed in 3-4 years, as well as, the fact that 2/3 of the Village staff (Administrator and Building Clerk) reports to the Village Council and 1/3 (Village Clerk) does not, which was an issue that had come up in years past. He referred to the defeat of the previous ballot proposal which would have provided for an appointed Village Clerk.

Seltzer continued by explaining that the Personnel Committee is revisiting the matter to see if that position had evolved over the years and was still a full time position which would subsequently be turned over to the HR consultant for recommendations. He also stated that he thought it was important to have all those answers before the November election so that whoever runs for that office would know if she/he would be retained on a full or part time basis. In the spirit of transparency and cooperation, the committee has decided to pursue this and make sure it was done before the November election.

Stakhiv, an HR Professional, stated that she wanted to agree to disagree, as some committee members took different positions. She applauded the committee's work on figuring out the different issues and with the help of Creech and Hansen; she would probably be able to work up an RFP proposal for the hiring of the needed HR consultant this week. After bids are received the process could begin. She was not as optimistic that all the work would be finished by this November and nor did she feel that it should be hinged on whether it would be done before this election or not. The process would take as long as it takes and the outcomes would be whatever the outcomes are. She opined that the election process of the Village Clerk was not as large of a component in the Clerk's duties as some people make it sound; it was only once every two (2) years. Daily and weekly job responsibilities were most important elements in the job descriptions. After spending a lot of time researching and working on numbers, she had sent Hansen a proposal on the Administrator's salary which Council might consider at next month's meeting, as well as looking at Village Clerk's and Building Clerk's salaries, all of which she would be discussing with Hansen. She was happy that the Personnel Committee was reviewing issues which would be referred to the HR consultants. Hopefully, they will come back with unbiased opinions. The outcomes could then be calmly discussed.

Moenck agreed with Stakhiv.

Stakhiv continued by confirming the BACB's grant to the Police Department for internet service and also noted that Mobile Watch would be co-hosting a presentation with the Library, being held

at the Library, Tuesday, September 25, 2018 featuring Bloomfield Township Officer Follman and his K9 Max.

Seltzer mentioned the Gem of the Night event, Saturday, September 29, 6:30 PM at his house which is an MSF fundraiser.

Saenz stated that Hansen had asked him to look into tools the Village could use to better communicate with the Villagers. He has spoken with the Police Chief who mentioned that the Department has a person who posts Police info on Face Book and other social media (Twitter). She works hourly and the Chief thought she might be open to more work. Saenz will look into this more as he thinks it might be very beneficial.

Moenck announced Oktoberfest, being hosted by the Friends of the Library on Friday, October 5 at 6:30 PM for which tickets are available. Moenck asked if anyone had any update about the closing of Bank of America at 13 Mile Road and Telegraph Road. Seltzer replied that it would close in December.

### **C. Administrator Report**

Creech reported that the repaving of the new parking lot was completed. Because of the lockout of Operating Engineers, the road project won't be moving forward until that was settled. The windows being rehabbed at Village Hall should be done by the end of this month as 2/3 of the project has been completed. He also reported that he had met and spoken with Ken Marten, new Village Clerk/Manager of Bingham Farms.

### **D. Village Engineer Report**

Ed Zmich, Hubbell Roth & Clark (HRC), referred to the current project and updated the Council on a few points. The current work lock down has affected many projects but Franklin was fortunate in that the main paving had already been completed about a month ago. Restoration of lawns, shoulder areas, and brick pavers and the joint sealing of pavers were now being done, as was the crack sealing from Phase 1. Hopefully, all would be finished by Halloween. Small low areas or ponding areas in a few driveways were found which, unfortunately, Cadillac will have to repair when the labor dispute was resolved and work was re-started.

Responding to Gallasch's inquiry, Zmich stated that for all intents and purposes the repaving of the project was complete; only the restoration of certain areas needed to be completed, including those which had been restored 2 or 3 times. This situation will be discussed with the Road Committee.

Zmich stated that by his calculation the project was running \$2 million under the estimated original cost.

Stakhiv thanked Brent Tarpinian, Field Coordinator, for his speedy responses to the resident complaints and follow-up issues.

### **E. Village Clerk Report**

#### **1. Election Security**

Seltzer stated that President Hansen had asked for a report on Election Security from the Clerk to be presented prior to the November election.

Eileen Pulker, Village Clerk, referred to her written memo, "Election Security in Michigan", dated September 11, 2018 and highlighted some of the "measures" taken to administer and authenticate elections, which included: the education and certification of all election workers by the Secretary of State's Elections Division, all elections in Michigan are run uniformly, and the "Absent Voter Ballots are counted throughout the day". Michigan has spent \$11 million for security to better protect the Michigan's election system in preparation of the 2018 general election, including: "...none of the equipment was on-line during the course of the day" and "in Franklin, a connection is made to the secure Oakland County system at the end of the voting (period) to record the votes cast by each precinct.". The modems which send the information to the county "... are only capable (of) initiating a connection and transmitting data, not receiving connections or new instructions", and a county canvassing board scrutinizes and certifies each precinct's results as the "...ballot and voter numbers are cross-checked to make certain that everything adds up". Responding to Moenck's inquiry about the lack of ballots for some communities in Oakland County, Pulker explained that Sharon Tischler, Southfield Township Clerk, had requested more ballots; however, in some precincts "Test" ballots had had to be numbered and used so that they could be put through the voting machine. She noted that the downfall was in the weeks preceding the election when the County refused to print more ballots, even though the demand was high for absentee ballots already.

It is anticipated there will be a larger voter turnout for the General Election in 2018, bigger than the last gubernatorial election; so hopefully, the County will provide more ballots. Staran added that he had heard that there would be enough ballots for all registered voters in the county. Pulker answered Gallasch's question about the security and tracking of the unused ballots by saying that those ballots not voted are locked up in the same case with the ones which are voted and all are maintained for the entire period required, certainly until the election is certified by the Canvassers.

## **IX. NEW BUSINESS**

### **A. Consider Land Design Studio Proposal.**

Creech introduced Tad Krear, Landscape Architect and principal at Land Design Studio (LDS), who has worked with several Franklin organizations previously on local projects. Included in the Council packet was a letter of support and review of the proposal from Sarah Traxler, McKenna Associates (dated September 14, 2018), and a proposal by Mr. Krear, "Professional Land Planning and Landscape Architectural Services For: Village of Franklin Downtown Improvements", dated September 12, 2018. The proposal is not to exceed \$22,000. "His approach will streamline the process to begin and finish design timely with the Franklin Road project." Creech stated that he was also in support of Mr. Krear.

Moenck inquired about the history of this proposed project and Creech began by relating the Planning Commission's involvement and their spear-heading of it. Other proposals had been received which Stakhiv thought would have been advantageous to see for a comparison.

Krear provided a brief personal history, including his involvement with other Main Street communities and his preliminary approach to the project with a scope of work being on an hourly basis. There were two (2) components on his proposal: 1. Streetscape improvements and enhancements and, 2. Downtown improvements (vehicular circulation, parking, and pedestrian circulation). If LDS were retained he explained his strategy and tasks of how he would go about achieving the different goals: utilizing the different planning and design reports and studies the Village already had. Being on the Advisory Board of Main Street Oakland County, Main Street Oakland County would be working in the background by providing GIS and aerial mapping information. Meeting with Stakeholders would be an important element in this project and Stakhiv emphasized that he was presenting a “conceptual” plan and not a construction document.

Stakhiv added that the Planning Commission had already paid HRC to do a Right of Way study, which Krear said would be used as a core for the streetscape.

Moenck wanted to know if Council was getting ahead of itself regarding lighting because it didn't know the outcome of the November vote and asked what would be the impact if a decision on this issue was postponed until after the public votes. Krear stated that since the proposal was based on hourly work, that item could be postponed.

Stakhiv suggested that a subcommittee for the downtown/plan development be established, consisting of: 1 resident, 1 HDC member, 1 PC member, 1 VC member, 1 merchant. The committee could work with Krear to work out details. Krear was in favor of such a plan as those members could report back to the various groups.

**Motion by Gallasch, seconded by Saenz to award the contract for the professional landscape services for the downtown to Land Design Studio for an amount not to exceed \$22,000.00.**

**Ayes: Gallasch, Saenz, Seltzer, Stakhiv**

**Nays: Moenck**

**Absent: Gordon, Hansen**

**Motion carried**

The proposal to establish a subcommittee will be put on next month's meeting agenda.

**B. Consider Demolition Application for 31600 Briarcliff.**

Creech introduced the subject of the demolition of the structures at 31600 Briarcliff; noting that the application and all the pertinent forms were in the Council packet and that the plan was to build a new residence on the large acreage property.

Andy Race, project manager with Thomas Sebold & Associates, was present. Stakhiv stated she was impressed that he had labeled every single tree on the property and this was the first time Council had ever seen this. Seltzer also commented this was a very complete package.

**Motion by Stakhiv, seconded by Saenz to approve the Demolition Application for the property located at 31600 Briarcliff.**

**Motion by Stakhiv, seconded by Saenz to approve the Demolition Application for the property located at 31600 Briarcliff contingent upon the Building Department confirmation during the demolition process that the septic tank(s) would be pumped, crushed, and filled with sand or removed, as amended.**

Race informed the Council there were four (4) wells, two (2) of which were abandoned with pulled permits from the county and the other two (2) which were still “active” and might be worth saving. Gallasch pointed out that the application only specifies “well abandonment” not that there were four (4) total and two (2) were not abandoned.

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**

**Nays: None**

**Absent: Gordon, Hansen**

**Motion carried**

### **C. Consider Main Street Franklin (MSF) Contract.**

Creech reviewed the changes reflected in the terms and conditions in the current document: deletion of the “transition to 501c3 organization” which had been granted, the year changed to reflect the new term of 2018/2020, there was an increase of funding to \$20,000 annually which would be paid at the beginning of the fiscal year subject to budget appropriation, and the term of the agreement would be for twenty-four (24) months.

Stakhiv stated that she was a fan of Main Street and its philosophy. However, there were several points about the agreement she was curious about including when had there been a discussion about an annual lump sum payment. Creech said that it was discussed during the budgeting process. Moenck clarified that there had been a discussion but there was no motion to agree to it. Stakhiv did not agree with a “lump sum payment” because employees are paid bi-weekly/monthly. An annual “lump sum payment” was not needed adding that she was not in favor of this provision.

Referring to the “lump sum payment” Costello responded that the appropriation from Council was not designated for the Executive Director’s salary but rather for most of MSF events which are scheduled for the beginning of the fiscal year (August- January) and require funding. Stakhiv reminded Costello that Council was paying MSF on a quarterly basis and those payments should be in the bank. Stakhiv also mentioned that she had not seen a budget in years and she had even gone online and had not found one there on the Main Street Franklin website. This made it hard to see the amount of MSF’s available funds. Costello said that there was a “projected budget” but had not brought it with her. Stakhiv listed documents which were usually presented when negotiating a contract: i.e. budget, work done in the past year(s), and future work plans. She, personally, was starting to question what the Village was getting in return for those ten (10) years of funding. Costello could only speak to the period during which she had taken over the responsibility of Main Street, therefore, the work plans for the year were based on the commitments of the contract. She said that she was prepared to document the events and accomplishments of the past year which have contributed value to the Village, and could speak to that, if Council so desired.

Moenck pointed out that a substantial change is the length of the contract and asked Costello to address the issue of 1 year vs. 2 year. Costello said that Council's 2-year commitment would go a long way toward conserving energy and efficiency of the Main Street organization. At the end of each year a lot of attention and time is spent on the issue of contract renewal. The two (2) year commitment would improve MSF's ability to deliver on its commitment. Moenck also questioned MSF's ability to accomplish all the "bullets" in the contract and inquired as to why the organization would sign up for all of them. Based upon the history of the last couple of years, she didn't see MSF's ability to accomplish them. She also stated that she felt that the enormity of the list was overwhelming, ambitious and aggressive, especially with a limited volunteer base and no Executive Director. Moenck wanted to make sure all those things were doable and achievable. Costello acknowledged that it was ambitious; however, she took on this position because she knew they needed to be accomplished for MSF to be successful. For the public's education, she offered to expound on some of the "bullet" points, including the extensive work the Board had done on the job description of an Executive Director, which was up for approval at the next MSF Board meeting, after which it would be posted, and the setting up of a committee which would be interviewing prospective candidates. In the opening paragraph of the Letter of Agreement with the Village, Moenck would like to see added an indication of MSF's "commitment" to the Village to maintain its designation of being a "501c3 Organization"; i.e., that the IRS Form 990 was filed annually and never in jeopardy, etc. and the budget was made transparent. She felt these elements were critical when fundraising was involved and if they were ever jeopardized, fundraising would be impacted. Seltzer remarked this could be easily integrated into the document. Responding to Moenck's inquiry, Costello explained what MSF's expectation involving "Access to office equipment..." and what the Village would be regularly providing.

Ed Saenz, Liaison for MSF, questioned Costello if MSF would be able to post a budget on the website or Facebook for the public. Costello noted that presently the budget was a draft document and the budget preparation was difficult without a dedicated person taking on the responsibility.

Seltzer stated that the Village Council, in general, supported MSF and expressed his personal opinions and support of the new agreement.

Costello answered Gallasch's questions regarding the new Executive Director's salary: (\$25,000.00) for 50 weeks/year, paid bi-weekly based on a 20-30 hour week. He remarked that this was similar to the contract from a couple years ago with some slight modifications. It seemed to him that if MSF had made all of these accomplishments some of these "bullet" points would be omitted, as they are no longer needed. Costello gave examples of those items which have been restored and those which were on-going. Gallasch's final question dealt with the amount of money MSF raised on its own last year. Costello stated she did not have the answer but could obtain it for him.

Saenz had some specific questions regarding the details in the agreement. Was MSF agreeable to adding a conditional line to the agreement that if it loses the 501(c) (3) designation it would lose the funding from the Village to which Costello replied "yes". Was MSF agreeable to a one (1) year agreement instead of two (2) year contract. Saenz acknowledged that concessions needed to be made.

**Motion by Saenz, seconded by Moenck to approve the Main Street Franklin Agreement with some modifications: if MSF lost its 501(c) (3) designation, the Village funding would cease; the term “bi-annual renewal” would be replaced with “annual renewal”; and the addition that the budget would be transparent, as required, and posted for regular public access.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

Costello announced some upcoming fundraisers: Gem of the Night on September 29 and Franklinstein Frenzy on October 27, 2018.

**D. Consider DPW Contract Extension.**

**Motion by Moenck, seconded by Stakhiv to extend the Public Works Services agreement with Johnson Landscaping per the proposal provided until 6/30/2019.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**E. Consider Grass Cutting and Landscape Services Extension.**

**Motion by Moenck, seconded by Saenz to extend the contract for Grass Cutting/Landscaping services with Johnson Landscaping until 6/30/19.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**F. Consider the Municipal Credit and Community Credit Contract for FY 2019.**

**Motion by Stakhiv seconded Saenz to Approve the Municipal Credit and Community Credit Contract for FY019, for a total of \$3,116.00 in Municipal Credit funds and \$4,237.00 in Community Credit funds to be transferred to Birmingham Next.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**G. Consider an Amendment to the Municipal Credit and Community Credit Contract for FY 2018.**

**Motion by Moenck seconded by Saenz to Approve the Amendment to the Municipal Credit and Community Credit Contract for FY2018, for a total of \$276.00 in Community Credit funds to be transferred to Birmingham Next.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**

**Nays: None**

**Absent: Gordon, Hansen**

**Motion carried**

**H. Consider Metro Act Right of Way Permit Extension for KEPS Technologies, Inc. d/b/a ACD.net.**

**Motion by Moenck seconded by Stakhiv to Approve the Resolution for KEPS TECHNOLOGIES, INC., d/b/a ACD.net METRO ACT PERMIT EXTENSION as follows:**

**RESOLUTION TO APPROVE  
KEPS TECHNOLOGIES, INC., d/b/a ACD.net  
METRO ACT PERMIT EXTENSION**

**WHEREAS**, KEPS Technologies, Inc., d/b/a ACD.net constructed or desires to construct telecommunications facilities within the Village's right-of-ways; and

**WHEREAS**, pursuant to the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Public Act 48 of 2002 ("Metro Act"), as amended, a provider using or seeking to use public right-of-ways for its facilities must obtain a permit from the Village; and

**WHEREAS**, KEPS Technologies, Inc., d/b/a ACD.net applied for a METRO Act permit for its facilities in the Village's right-of-ways; and

**WHEREAS**, the Village approved a 5-year unilateral METRO Act permit for ACD.net on November 6, 2013 that is due to expire on November 6, 2018; and

**WHEREAS**, KEPS Technologies, Inc., d/b/a ACD.net has requested a 5-year extension of its METRO Act permit to November 6, 2023.

**NOW, THEREFORE**, the Village Council of the Village of Franklin, resolves:

1. To approve KEPS Technologies, Inc., d/b/a ACD.net ("ACD.net") application to extend the previously approved METRO Act unilateral permit ("Permit:") issued to KEPS Technologies, Inc., d/b/a ACD.net for 5 years to November 6, 2023, and such approval is subject to all terms and conditions set forth in the Permit and this Resolution.
2. The approval is conditioned upon KEPS Technologies, Inc., d/b/a ACD.net providing an updated route map of the facilities located within the Village right of ways; and a certificate of insurance as required by the METRO Act, as amended.

3. Once the updated route map and certificate of insurance are submitted, the Village Administrator shall be authorized to sign the Permit Extension attached as Exhibit A on behalf of the Village and directs the Clerk to send the executed Permit Extension, along with this Resolution to KEPS Technologies, Inc. d/b/a ACD.net.
4. The Clerk shall notify the METRO Authority of the approval of the Permit Extension including the date the Application for extension was received and the date it was approved.

Staran stated that this was an extension of the permit that the Council had approved five (5) years ago; it would continue the status quo. There was a discussion explaining the purpose of this request noting that the State of Michigan regulates all of the permitting and the funds are provided to the Village each year based on the miles of roads within the Village. Seltzer stated that Council had no basis to deny the request.

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**I. Consider Scheduling the Community Development Block Grant (CDBG)  
Public Hearing, on October 8, 2018.**

**Motion by Moenck, seconded by Saenz to schedule the Community Development Block Grant (CDBG) Public Hearing, on October 8, 2018.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**J. Consider Scheduling the Organization Meeting, on Monday, November 19,  
2018, 8:00 PM.**

**Motion by Stakhiv, seconded by Saenz to schedule the Organization Meeting on Monday, November 19, 2018, at 8:00 PM.**

Due to it being the week of Thanksgiving, Pulker questioned if there would be a quorum available for the meeting. Staran opined that the meeting should be called to order and if not enough members were present; the meeting would be adjourned immediately.

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**X. ORDINANCES/RESOLUTIONS**

**A. Consider Oakland County Hazard Mitigation Plan Resolution.**

Creech stated this had been requested by Fire Chief Averbuch. Stakhiv requested that this be postponed until next month when the Fire Chief would be available to explain the significance of it. Staran added that there was no requirement that action be taken on it this month.

**Motion by Stakhiv, seconded by Moenck to postpone consideration of the Oakland County Hazard Mitigation Plan Resolution until next month.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**

**Nays: None**

**Absent: Gordon, Hansen**

**Motion carried**

**B. Consider the Resolution in Support of Wireless Facility and Infrastructure Development.**

Creech explained this was a resolution put forth by the Planning Commission and reviewed by Staran.

David Goldberg, Planning Commission Chairman, stated this was similar to the one requested at the May meeting which dealt with Comerica Bank regarding the parking access and improvements. This plan would be to communicate with AT&T and Verizon with the Council's authorization and support. The Planning Commission subcommittee had done extensive research and vetting but to no avail because the carriers have not released any information about what it would take to fix the Village's problem(s). Hopefully, this resolution would carry more weight and the carriers would release the information needed by the Village in order to make an educated decision.

**Motion by Moenck, seconded by Stakhiv to approve the Resolution in Support of Wireless Facility and Infrastructure Development, as follows:**

**RESOLUTION  
VILLAGE OF FRANKLIN, OAKLAND COUNTY, MICHIGAN  
RESOLUTION OF THE VILLAGE COUNCIL  
IN SUPPORT OF WIRELESS FACILITY AND INFRASTRUCTURE DEVELOPMENT**

**WHEREAS**, the Planning Commission adopted a Master Plan in accordance with Public Act 33 of 2008, as amended, the Michigan Planning Enabling Act, which documented the need to improve wireless voice and data transmission and communication service for residents, business, and government operations in the Village;

**WHEREAS**, the Planning Commission convened a Wireless Committee to study the wireless environment in the Village and to consider the character and feasibility of different wireless communications facility and infrastructure options;

**WHEREAS**, the Wireless Committee is unable to access proprietary information of wireless carriers to fully form recommendations on placement, character, and potential regulatory barriers to future wireless communications facilities and infrastructure within the Village;

**AND WHEREAS**, the Planning Commission has generally found that the future development of wireless infrastructure and facilities is consistent with the Master Plan and may protect the public health, safety, and welfare for residents needing access to emergency services.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Council of the Village of Franklin supports the efforts of the Planning Commission to invite interested wireless service providers to investigate the feasibility of developing additional or enhanced wireless facilities and infrastructure and to recommend modifications to Village regulations that the wireless service providers consider to be regulatory barriers to such development.

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**C. Consider Resolution to Accelerate Forfeiture of Abandoned Property.**  
**Motion by Moenck, seconded by Gallasch to approve the Resolution to Accelerate Forfeiture of Abandoned Property, as follows:**

**RESOLUTION TO ACCELERATE FORFEITURE  
OF ABANDONED PROPERTY**

**WHEREAS**, the governing body of the Village of Franklin determines that parcels of abandoned tax delinquent property exist;

**WHEREAS**, abandoned tax delinquent property contributes to crime, blight, and decay within the Village of Franklin;

**WHEREAS**, the certification of tax delinquent abandoned property as certified abandoned property will result in the accelerated forfeiture and foreclosure of certified abandoned property under the general property tax act and return abandoned property to productive use more rapidly, thereby reducing crime, blight, and decay within the Village.

**THEREFORE, BE IT RESOLVED** that the Village of Franklin hereby notifies residents and owners of property within the Village that abandoned tax delinquent property will be identified and inspected and may be certified as certified abandoned property under the certification of abandoned property for accelerated forfeiture act and subject to accelerated forfeiture and foreclosure under the general property act.

Moenck inquired if the Village had any properties which were behind in tax payments for a year or more. Creech explained this document outlined the acceleration of the foreclosure process from three (3) years to two (2) years. Answering Moenck, Staran projected that the Village, like other communities, did have such properties. This was a law designed to give municipalities an additional tool to deal with blight in the neighborhood due to vacant or abandoned properties. If Council approved this resolution it would enable the Village to start the process of identifying and investigating those properties to see if they qualify for acceleration.

**ROLL CALL:**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**  
**Nays: None**  
**Absent: Gordon, Hansen**  
**Motion carried**

**XI. ADJOURNMENT**

**Motion by Stakhiv seconded by Saenz to adjourn the meeting.**

**Ayes: Gallasch, Moenck, Saenz, Seltzer, Stakhiv**

**Nays: None**

**Absent: Gordon, Hansen**

**Motion carried**

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

Respectfully submitted,

Gail Beke, Recording Secretary

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Eileen H. Pulker, Clerk

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Michael Seltzer, President Pro Tem