

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, NOVEMBER 14, 2011, 8:00 PM
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

I. CALL TO ORDER

The meeting was called to order by President James Kochensparger at 8:00 P.M. at the Franklin Village Hall, Franklin, Michigan.

ROLL CALL

Present: Lew Eads, Brian Gettel, Jim Kochensparger, Thomas Morrow, Steve Rosenthal, Mike Seltzer, Sherry Sparks,

Also Present: Amy Sullivan, Village Administrator
Eileen Pulker, Clerk
Patrick Browne, Police Chief
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney
Vivian Carmody, Administrator, Main Street Franklin

II. ADOPTION OF AGENDA

Motion by Seltzer supported by Eads to approve the agenda for the November 14, 2011, Regular Village Council Meeting as submitted.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

III. MINUTES

A. October 10, 2011 Regular Village Council Meeting

Motion by Seltzer supported by Eads to approve the minutes of the October 10, 2011, Regular Village Council Meeting as revised.

Morrow noted that “maneuvering” should be “managing” under New Business – A, and requested the minutes be revised accordingly.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Thomas Morrow, Treasurer: Morrow referred to his submitted report and noted that revised account balances are included in the packet.

Patrick Browne, Police Chief: Browne provided an update as to recent police activity in the Village and noted that during the month of October the Department responded to 210 calls for service, encouraged residents/businesses to sign up for the Oak. Gov. notification system for Franklin on the Village’s website so that they can receive notification alerts and crime prevention tips, and advised the Department is in the process of setting up a crime prevention advisory board. Discussion ensued regarding the notification system and private security in the Telegraph Road business area. Residents were encouraged to use their alarm systems and install good locks on doors and windows. It was suggested that an article regarding the notification system and crime prevention be included in the November issue of the Villager.

Tony Averbuch, Fire Chief: Kochensparger advised that Averbuch was out of town and referred to his submitted report.

Vivian Carmody, Executive Director, Main Street: Carmody provided a brief update, thanked the Chief and the Police Department, Connie Ettinger (Chair), FCA, merchants, and all who volunteered for

their support of Franklinstein, and advised the first façade grant recipient's renovation phase I is completed in what was formerly known as the Jones building and another property owner has requested a meeting regarding a façade improvement, Savvy Chic is opening up this week, and the Sip, Shop and Stroll is scheduled for December 15th.

V. SUBMISSION OF CURRENT BILLS

Morrow recused himself from deliberations/vote.

Motion by Gettel supported by Seltzer to approve the Bills List as submitted.

Discussion ensued regarding the Johnson Landscaping bill and Sullivan provided a breakdown and whether the Chloride expense was reimbursed by Southfield Township and Bloomfield Township.

TOTALS

General Administration	\$	32,139.95
Building	\$	4,803.68
Insurance	\$	34,608.39
Legal	\$	2,403.50
Police	\$	24,695.72
Pressure Sewer	\$	100.00
General Debt Service	\$	425.00
Major Roads	\$	13,748.16
Local Road	\$	12,047.46
Rubbish	\$	16,525.28
Trust & Agency	\$	5,600.00
Tax Fund	\$	8,891.17
Waste Water	\$	1,291.51
ALL FUNDS	\$	157,279.82

Ayes: Eads, Gettel, Kochensparger, Rosenthal, Seltzer, Sparks

Abstain: Morrow

Motion carried.

VI. PUBLIC REQUESTS AND COMMENTS

- Betty Lee Hepworth, noted she appreciates the attempt to do something with the website and suggested that Council consider the following: 1) Who is the intended audience, 2) How does the website differ from Main Street, 3) What does the audience want from the website, and 4) Equitable quick-click links.
- Niko Schultz, Evelyn Court, advised he is trying to get a stop sign installed on Evelyn Court (as it turns and heads up the crest) and has discussed this with Chief Browne and advised he is here tonight to ask Council how to proceed. Discussion ensued regarding location and process with Schultz being thanked for bringing this forward and advised the Police and Village staff will review and contact him. Schultz noted the Village is fantastic and the Police and Fire Departments have been wonderful to his family.
- **Marcia Gershenson, Oakland County Commissioner, District 17**, advised she will file a report on the stop sign application with the County.

VII. SPECIAL REPORTS

A. President's Report

Kochensparger encouraged residents to look at the updated website and provide feedback and noted there is a vacancy on the ZBA and requested interested candidates to contact the Clerk's office, the Finance Committee is considering the millage request, reminded Villager's that Village offices are closed on Fridays, and noted the Village is working with Huda on a use agreement and parking lot renovations and thanked Lamott for helping with this project.

B. Council Report

None.

VIII. PUBLIC HEARING

A. Reprogram Plan Years (PY) 2008, 2009, 2010 and 2011 Community Development Block Grant (CDBG) Funds

Kochensparger opened the Public Hearing at 8:27 P.M. with no one from the public responding.

Sullivan provided a brief introduction noting the Hearing is to receive written and verbal comments on the reprogramming of PY 2008 -2011 CDBG funds as follows: \$2,010 from PY 2008 from Senior Center to Housing Rehabilitation; \$4,000 from PY 2009 from Senior Center to Housing Rehabilitation; \$4,000 from PY 2010 from Senior Center to Housing Rehabilitation; and \$4,000 from PY 2010 from Senior Center to Housing Rehabilitation.

Kochensparger closed the Public Hearing at 8:28 P.M.

B. Program PY2012 Community Development Block Grant (CDBG) Funds.

Kochensparger opened the Public Hearing at 8:28 P.M. with no one from the public responding.

Sullivan provided a brief introduction noting the Hearing is to receive written and verbal comments on the programming of PY 2012 CDBG funds to Senior Services.

Kochensparger closed the Public Hearing at 8:28 P.M.

IX. NEW BUSINESS

A. Consider Reprogramming Plan Years (PY) 2008, 2009, 2010, and 2011 Community Development Block Grant (CDBG) Funds.

Sullivan provided a brief overview noting that two (2) separate actions are required: One to reprogram PY 2008-2011 and the other to program PY 2012.

#2011-119 Motion by Morrow supported by Gettel to approve the Community Development Block Grant reprogramming recommendation for Program Years 2008, 2009, 2010, and 2011 as follows and authorize the Village President to sign the application and submit the documents to Oakland County:

**\$2,010 from program year 2008 from Senior Center to Housing Rehabilitation
\$4,000 from program year 2009 from Senior Center to Housing Rehabilitation
\$4,000 from program year 2010 from Senior Center to Housing Rehabilitation
\$4,000 from program year 2011 from Senior Center to Housing Rehabilitation**

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

B. Consider Programming PY2012 Community Development Block Grant (CDBG) Funds

#2011-120 Motion by Morrow supported by Gettel to approve the Program Year 2012 Community Development Block Grant application in the approximate amount of \$5,000 as follows and authorize the Village President to sign the application and submit the documents to Oakland County.

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
172160-731712	Senior Services	\$5,000

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

C. Consider Finance Committee Recommendation for Millage Ballot Proposal

Morrow provided a brief recap of the recommendation noting the Committee considered a number of different approaches and, after considerable discussion and compromise, decided to recommend separate millage proposals for fire and police services which would increase the fire millage by .5414 mills taking it back to the amount set in the Charter and a proposed police services millage for up to .4 mills for four (4) years running through 2015.

Discussion ensued regarding the proposed language for the police services millage recommendation especially as it pertains to the ballot title wording and language referencing the General Fund fund balance. Trustees noted goals/concerns regarding transparency, clarity, intent, incorporating feedback from the community, pros and cons of proposed language, Charter limitations on a separate dedicated police millage, General Fund impact and use, and additional information to be provided on website, informational meeting, and perhaps mailing.

#2011-121 Motion by Seltzer supported by Eads to accept the Finance Committee recommendation for a Millage Ballot Proposal with Proposal A changed to Special Millage for Police Services and General Fund and Proposal B as submitted, as follows:

BALLOT QUESTIONS

PROPOSAL A

Special Millage for Police Services and General Fund

Shall the Village of Franklin be permitted to increase its authorized millage rate for a term of 4 years, 2012 through 2015, by up to 0.4 mills (\$0.40 per \$1,000.00) on the taxable value of real and personal property in the Village to provide funding for police services and partially restore the Village's General Fund balance? Required millage rollbacks have reduced the Village's charter-authorized general tax rate, from which police services are funded, from 3.5 mills to 2.7248 mills. If voters approve this proposal and if the Village decides to levy the full amount of the additional millage, an estimated \$114,847.00 in additional revenue will be raised in the first year of levy.

Do you approve this Proposal?

Yes

No

PROPOSAL B

Special Millage For Fire Protection Services

Shall the Village of Franklin be permitted to increase its authorized millage rate by up to 0.5414 mills (\$0.5414 per \$1,000.00) on the taxable value of real and personal property in the Village to provide funding for fire protection services? Required millage rollbacks have reduced the Village's charter-authorized tax rate for fire protection services from 1.5 mills to 0.9586 mills. If voters approve this proposal and if the Village decides to levy the full amount of the additional millage, an estimated \$153,907 in additional revenue will be raised in the first year of levy.

Do you approve this Proposal?

_____ **Yes**

_____ **No**

Discussion continued regarding process and future dissemination of related information including need for transparency and inclusion of information at both a summary and detailed level.

- Barry Silverman, Cheviot Hills Drive, questioned whether the proposal for the police services millage is transparent when it is labeled for police and also includes the general fund noting the language as presented may invite controversy.
- Dominick Schiano, Oakleaf Lane, commended Council on the process, noted transparency is critical, information presented at both the summary and detail level is necessary, and urged Council to rethink the wording of the police services millage.
- Fred Gallasch, Rosemond Drive, noted that funds in excess of what would be provided to the police department will be used to solidify the general fund budget with Council having discretion over how those excess funds would be allocated and opined it would be nice to know how those excess funds would be spent.
- Amie Saltzman noted this is a difficult situation and it looks peculiar when Council cuts funds in one area and increases another and with excess funds going to the general fund, assurances are needed as to how those funds will be allocated.
- Jessie Polan, formerly of Willowgreen Ct., inquired as to how much of the general fund budget is consumed on the police department with it being noted that police funding represents about 2/3 of the General Fund expenditures.
- Al Beke, Colony Hill, inquired as to whether it would be possible to have a dedicated police services millage with it being noted this would require amending the Charter.

Discussion ensued regarding transparency, clarity, importance of open dialogue with community members, potential to structure an SAD for police services, means of earmarking funds, General Fund line item allocations, values, millage options, community support considerations, and value/benefits of Main Street with it being noted the Committee tried to craft a proposal that was straightforward and responsive to comments received and with the motion amended to reflect a change in title to special millage for police services and General Fund.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

D. Consider DPW Mutual Aid Agreement

Sullivan provided a brief introduction noting this is similar to the building official mutual aid agreement with the Village able to voluntarily offer and request DPW assistance in an emergency.

#2011-122 Motion by Seltzer supported by Sparks to approve the DPW Mutual Aid Agreement as submitted.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

E. Consider Scheduling Public Hearing for Proposed Village Election Change to Even Year November.

Pulker provided a brief overview noting the recommendation to move to a November even year election will result in cost-savings for the Village as there will be no stand-alone Village election and the Township would cover election costs as well as run the election for the Village. Discussion ensued with it being noted that moving to the November even year timing could potentially increase voter turnout.

#2011-123 Motion by Eads supported by Seltzer to adopt the resolution as follows:

**RESOLUTION SCHEDULING PUBLIC HEARING
ON WHETHER TO CHANGE THE VILLAGE'S
REGULAR MUNICIPAL ELECTION DATE**

WHEREAS, the Hammerstrom Election Consolidation Law, 2003 PA 298 et seq, as amended, requires villages to hold their regular municipal elections on the even-year November general election date, or alternatively, on the September primary election date in odd-number years; and

WHEREAS, on September 13, 2004, the Franklin Village Council resolved to hold the Village's regular municipal election on the September primary date in odd-number years commencing in 2005; and

WHEREAS, Section 642a(6) of the Michigan Election Law, MCL 168.642a(6), authorizes a village council that resolved to hold its regular election on the odd-year September primary election date to later, by resolution, change its regular election to the even-year November general election date; and

WHEREAS, the Franklin Village Council believes changing the Village's regular election date from the odd-year September primary election date to the even-year November general election date will benefit the Village by saving costs (because Southfield Township will conduct the November general election at no cost to the Village); eliminating duplication of effort and duties by the Village and Township clerks; reducing time spent by the Village Clerk on elections and related recordkeeping; and improving voter turn-out.

THEREFORE, the Franklin Village Council resolves:

1. The Village Council shall hold a public hearing during the Village Council's December 12, 2011 regular meeting on the issue whether to change the Village's regular municipal election from the odd-year September primary election date to the even-year November general election date. After the public hearing, the Village Council shall deliberate and decide whether to change the election date (If a resolution to change the election date is not adopted, the Village's regular municipal election will continue to be held on the odd-year September primary election date).
2. The Village Clerk shall give notice of the public hearing in accordance with MCL 168.642.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

F. Consider Personnel Committee Recommendation for Revisions to Personnel Policy

Sullivan provided a brief introduction noting the recommendation is to utilize an addendum to the Personnel Policy to be distributed to employees impacted by the temporary closing of the Village Office and Police Department one day a week.

#2011-124 Motion by Eads supported by Seltzer to adopt the Addendum to the Personnel Policy Manual as submitted.

Discussion ensued with it being noted that returning to a 5-day work week would simply require undoing the addendum and language will be clarified to ensure the addendum references the reduced 4-day work week.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

G. Consider Village Calendar of Meetings for 2012

#2011-125 Motion by Gettel supported by Eads to approve the Village Calendar of Meetings for 2012 as submitted.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

H. Discussion on Village Web Site & Main Street Franklin

Sparks advised she requested this be added to the agenda and read a statement expressing her concerns with the website especially as it relates to branding and quick links as follows:

“I have lived in Franklin OVER 20 years.

What I always loved and still love about Franklin is that in such close proximity to communities that succumbed to subdivisions and uniformity, Franklin had the vision and foresight to protect its woods, fields, and open spaces.

Franklin has remained a high quality, desirable place to live in spite of economic downturns, invasive chain stores that have sprung up all around us, and periodic attempts by outsiders to try to circumvent our historic authenticity and fundamental character.

Franklin combines casual elegance with intelligent sophistication. Like New England towns that *whisper* timelessness and *refuse* to fall prey to flash in the pan trends that appear and disappear, Franklin has remained true to itself.

Franklin is NOT AFRAID of change OR progress, as some accuse us. We just understand who and what we are. We understand what makes us *different* from other communities, and we *fight fiercely* to protect what drew each of us to live here.

This is why I put the new Franklin Village GOVERNMENT website on the agenda for this evening. If we are not vigilant as a community, trendy changes we have worked so hard to counteract can SUBTLY alter our landscape and change who we are. Soon the Franklin we love and know could disappear and this can happen *one branding message at a time*.

The village government represents ALL aspects of our community. Its website should reflect not JUST the shopping district message, but Franklin merchants AND residents - as well as - ALL OUR groups, organizations, services, and resources.

The message “EXPERIENCE IT” does not respect our cemetery. It does not take seriously the roles our police force and firefighters play, and even worse, it does not respect or grasp the essence of our villagers *who already live here*.

“EXPERIENCE IT” is a generic phrase that could apply to the Somerset Mall, the downtown Birmingham shopping district, as well as Plymouth, Northville, or

Rochester. It definitely does **NOT** capture the essence of the Franklin Village *government*.

This past summer during a village council meeting, a trustee made a motion that the whole Franklin village including the *village government* should adopt the merchants' logo AND branding message as its own.

The response was overwhelmingly strong *in opposition*, and as a result, council did not even vote on the motion. Residents understood that WHILE the merchants ARE an *integral* and *valuable* part of our **village government**, they are not the ONLY part.

The village government is an entity in and of itself and needs to portray itself, on our website, and everywhere else, as such.

Let's deliberate viewpoints and hear from those of you in attendance at our meeting this evening. THANK YOU."

Discussion ensued regarding the pros/cons of the website.

- Al Beke, Colony Hill, wondered whether the website was redone to have a better website or simply to have a new one and noted the website has some difficulties with formatting/structure and equitable quick-links and inquired as to when the website improvements will be fully done.
- Diane Lake, Crestwood, noted the logo was never meant to be associated with or used by Village Government but was for Main Street and could be used by other community groups if they wished and while marketing the Village will be a focus of the website, it doesn't necessarily have to be in the most profound spot, the top of the home page.
- Pat Burke, Franklin Court, noted the logo on the website is not the logo used by Main Street Franklin, the website has to be welcoming, inviting and embrace every aspect of Franklin and opined the website is terrific.

Discussion ensued regarding the website and brand with it being noted the website is a work in progress, a few minutes/agenda are not included, navigation will never be perfect for all, desire is to be user friendly and a communication tool, pros/cons of website logo, website logo v. Main Street brand, and suggestions/comments will be taken under consideration.

X. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

I. Consider an Ordinance to Amend Chapter 1480, International Property Maintenance Code, of Title Eighteen, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Adopt the 2009 Edition of the Code and Amendments Thereto, to Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (*First Reading*).

Sullivan provided a brief overview.

#2011-126 Motion by Morrow supported by Eads to approve in First Reading an Ordinance to Amend Chapter 1480, International Property Maintenance Code, of Title Eighteen, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Adopt the 2009 Edition of the Code and Amendments Thereto, to Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

Discussion ensued regarding the update with Staran advising as the code is updated it is necessary for the Village to make corresponding changes to its ordinances.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

XI. ADJOURNMENT

Motion by Rosenthal supported by Eads to adjourn the meeting.

Ayes: Eads, Gettel, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 9:27 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President