

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 21, 2015, 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 Pam Hansen, at 7:01PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Pam Hansen, Fred Gallasch, Tom Morrow, Mike Seltzer
Absent: Brian Gordon, Jim Kochensparger, Judy Moenck
Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Chief Tony Averbuch, Fire Department
Eileen Pulker, Village Clerk
Lance Vainik, Treasurer
John Staran, Village Attorney

III. ADOPTION OF AGENDA

Hansen requested that under VII. SPECIAL REPORTS, A. NEXT Report, be deferred to November's meeting.

Motion by Morrow, seconded by Seltzer to adopt the Agenda, as amended.

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

IV. MINUTES

A. Regular Meeting of August 10, 2015

Motion by Seltzer, seconded by Morrow to approve the Regular Council Meeting Minutes for August 10, 2015 as presented.

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

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to and provided an overview of his submitted monthly Report, noting that crime is low. Chief Roberts added that the Labor Day Round Up issues were mainly about parking, particularly around the HUDA School, Romany Way, German Mill, and Bowden but no tickets were written even though "No Parking" signs were posted. The Police wanted to keep those areas open for the benefit of the Fire Department, in case of

an emergency. Chief Roberts has asked for a meeting with the leadership of the Franklin Community Association to re-evaluate the parking plan for next year and discuss the possibility of the use of a more powerful PA system that could address the crowd-at-large with announcements. Issues with the Bloomington Court Group Home which is owned by Pathways (in Birmingham) are still being addressed. Chief Roberts noted that thanks to the efforts of Mr. Staran and others, there was another meeting with the owners in an effort to persuade them to make changes in their operations as the numerous calls to the home are a huge resource drain to the Department. Chief Roberts added that hopefully, changes can be made and there will be a follow-through with these issues. As of today, the attorney for the owners has drafted a letter to the caregivers to see if some of the patients could be moved to a different location. Chief Roberts stated that he is in the process of obtaining three (3) quotes for painting the exterior of the Police Station and hopes to have them available before the next Council meeting, noting that his improvement was included in the department's budget. Chief Roberts reported that the Department has obtained unexpected forfeiture funds, adding that the Department wishes to use the funds to build a carport-type area for parking the patrol vehicles. Roberts further reported that preliminary discussions have begun with Countryside, the company that was involved with the renovations of the Kreger House.

Seltzer asked if there was any way to re-coup some of the monies expended on the group home to which Roberts noted some of the efforts put forth by Creech and Staran, in regard to this. The Chief and Staran also gave examples of why and how the Police would be involved.

Tony Averbuch, Fire Chief, referred to his monthly report and thanked Eileen Pulker, Village Clerk, for her email blast about September being National Preparedness month. Chief Averbuch stated the he will be presenting a program on Fire Safety and Emergency Preparedness at the Mobil Watch meeting, Thursday, September 24, at 7:30PM to which all are invited to attend.

Fred Gallasch stated that he attended the Annual Meeting of the Fire Department and complimented the Department on its fiscal responsibility in terms of its budget and setting monies aside to buy equipment. Gallasch also brought up the subject of how to recruit more volunteer firefighters, to which Chief Averbuch responded by explaining the qualifications and training commitment to the Department and its recent history of recruiting.

Main Street Franklin - Barry Silverstein, Chairman of the Board, introduced Courtney Miller, the new Executive Director of Main Street Franklin, highlighting her credentials. Miller updated the Council on the successful Gem of the Night, held on Saturday, September 12, 2015 with 65 attendees. Miller added that Up Coming events are: The Pebble Beach Golf Raffle with the drawing on October 24 at the Kreger House 6-7PM and the Social Media Workshop Series for Franklin Small Business was to begin September 16 but had to be cancelled. Instead, the series will start on October 14, 6-7PM at the Kreger House and the first session will be re-scheduled. Miller also noted that Saturday October 24 will be Franklinstein Frenzy starting at Noon.

Hansen asked Miller about her first impressions and future activities for Main Street, to which she replied that so far things were going well and she looked forward to future plans for marketing the program.

Hansen asked Pulker to address the Council and inform the public about the details for the Kreger House Fundraisers which would be coming up this weekend to which she provided a brief explanation of the project and upcoming activities.

Lance Vainik, Treasurer, referred to his submitted monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending. Vainik noted that the expenditures are generally consistent with the FY 2015-16 budget and that the monthly total appears to be high because it included Pressure Sewer Principle and interest fees as well as a large entry for the Local and Major Road's Rehab asphalt paving paid to Midwest Pavement Contracting. Vainik added that the list provided of account balances is as of September 17, 2015 and held at Level One Bank. The Village has sufficient funds to meet its current and anticipated obligations.

VI. SUBMISSION OF CURRENT BILLS

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

Creech requested that items be added to the Bills List: a payment of \$509.16 to Abilita; and the bond payment for the debt service of \$470,325 for the Pressure Sewer Bond that is due October 1, 2015 for which we did not receive a bill.

Motion by Seltzer, seconded by Gallasch to approve the Bill's List with the addition of a Pressure Sewer bond payment of \$450,000 (principle) plus \$20,325 (interest) and \$509.16 for Abilita.

Morrow noted that since there were only four (4) Council members available to vote on this matter, Morrow would abstain from the voting and he would sign the checks. Creech was asked if the money paid to Hopkins Burns Design Studio for the Village Hall restoration was eligible to be included in the Grant for reimbursement. Creech clarified that it was to be paid from the General Fund.

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

General Administration	\$	65,574.76
Building	\$	5,999.02
Insurance	\$	43,838.17
Legal	\$	736.00

Police	\$ 17,630.10
Pressure Sewer	\$ 278,046.13
General Debt Service	\$ -
Major Roads	\$ 40,972.60
Local Road	\$ 48,414.29
Rubbish	\$ 17,854.60
Trust & Agency	\$ 12,000.00
Tax Fund	\$ 368,007.54
Waste Water	\$ -
ALL FUNDS	\$ 899,073.20

VII. PUBLIC REQUESTS AND COMMENTS

Bill Dwyer, Franklin's representative on the Oakland County Commission Board, provided the Council with a written report. Dwyer summarized the main points, as follows:

- Roads - Funding has been a main focal point. A \$2 million one-time allocation to purchase road equipment to help repair the potholes, etc.;
- Economy - Unemployment rate has improved. It is at 4.1% in April 2015 which is below Michigan's 5.4% and the national average of 5.4%;
- Budget - The Budget is balanced and last week a three (3) year rolling budget was approved, through 2016-2018. Oakland County decreased its tax millage and now has the lowest rate in the state;
- Health/Personal – The County has excellent programs including the Oakland County Board of Commissioners' -Coast2Coast Rx Card which is a free prescription discount card available for County residents as well as a Discount Dental Program;
- A new proposed animal shelter for the County will be constructed on the County main campus next to the Sheriff's Administration building.

Hansen inquired as to the requirement to participate in the Health Programs. Dwyer explained that it is a discount for any and all residents of the County and that phone numbers for information will be on the Village web site.

VIII. SPECIAL REPORTS

A. NEXT Report

Report will be presented at the November Council meeting.

B. President's Report

Hansen introduced and gave a brief background of the practice of notification of a Council member's absence. Gallasch continued the discussion noting what the Village Charter states. Staran confirmed the wording and noted that no one person has the authority to excuse a member. Hansen stated that she would like to formalize the procedure of documenting absences.

Motion by Gallasch, seconded by Morrow that in future Council Meetings that following Roll Call Council makes a motion to excuse or not excuse a missing Member.

Ayes: Hansen, Gallasch, Morrow, Seltzer

Absent: Gordon, Kochensparger, Moenck

Nays: None

Motion carried.

Hansen complimented the FCA on a successful Round Up adding that she especially enjoyed the inclusion of the music by Cass Tech High School in the parade.

C. Council Report

None

D. Administrator Report

Creech stated that although NEXT was not able to be at this meeting he had a flyer from them about the Health Expo and Flu Shot Clinic that will be held Tuesday, September 29, 10 AM to 1 PM. Creech mentioned other activities in the Village: Gem of the Night and FCA's Round Up. Creech also noted that, on the following day, he and Kelda will be going to Independence Township to look at their operations and building department software. Creech reported that he, too, has been asked by Mobile Watch to speak before the group.

IX. NEW BUSINESS

A. Consider Demolition Application for the property at 25305 Canterbury Road.

Brian Leith, co-owner of Luxe Homes, Birmingham, MI which will be demolishing the existing home and constructing the new one, was present to answer any questions.

Creech stated that the application is complete and included in the Council's packet was a letter from Bill Dinnan, Building Official, indicating his recommendation to approve the application subject to two (2) conditions: List of Vehicles Used During Demolition and All Utilities Shut-off Notices. It is his understanding that the entire site will be cleared, including the pool.

#2015-65 Motion by Seltzer, seconded by Gallasch to approve the demolition application for the property at 25305 Canterbury Road.

Gallasch confirmed and emphasized that since the new house would be larger than the original, only those trees in the footprint of the new house would be removed and every precaution would be taken to protect the others during demolition and construction.

Mickey Nemer, neighbor, confirmed with Leith that the wooded area of this property would be completely dead wooded.

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

B. Consider Civic Event Permit Application for Main Street Franklin’s “Franklinstein Frenzy”.

#2015-66 Motion by Gallasch, seconded by Seltzer to approve the Civic Event Permit Application for Main Street Franklin’s “Franklinstein Frenzy” on October 24, 2015, between 12 Noon and 5 PM.

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

C. Consider FY2015-2016 Budget Amendments (Major & Local Roads).

Creech referred to his memo to the Council, dated 9/18/15 and introduced the budget amendments relating to the street project that originally was budgeted to bridge 2014/2015 into 2015/2016. The construction took place entirely in 2015/2016.

#2015-67 Motion by Seltzer, seconded by Gallasch to approve the budget amendments for FY 2015-2016, as follows:

MAJOR STREET

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village’s Fiscal Year 2015/2016 Major Street Fund indicates an account where a budget amendment is required. We resolve that the following budget amendment be made to the 2015-2016 Major Street Fund Budget with funds coming from the appropriation of other funds.

Expenditures

202-451-818 – Road & Street Construction: Increase expense account to a new total of \$50,000 (original \$30,000).

LOCAL STREETS

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village’s Fiscal Year 2015/2016 Local Street Fund indicates an account where a budget amendment is required. We resolve that the following budget amendment be made to the 2015-2016 Local Street Fund Budget with funds coming from the appropriation of other funds.

Expenditures

203-451-818 – Road & Street Construction: Increase expense account to a new total of \$60,000 (original \$50,000).

Morrow suggested that Creech inspect the roads and pot holes and report back to Council at the next meeting that the pot holes had been filled.

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

X. ORDINANCES/RESOLUTIONS

- A. Consider Ordinance to Amend Sections 1256.02 through 1256.04 of Chapter 1256 C-1 Commercial District of the Codified Ordinances of the Village of Franklin Oakland County, Michigan, to Modify Regulations Concerning Accessory Uses, Buildings and Structures in the C-1 District; Regulate Solar and Wind Facilities as Accessory Structures and a Special Approval Use in the C-1 District; Provide for Uses Not Otherwise Permitted, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations. (second reading)**

#2015-68 Motion by Seltzer, seconded by Gallasch to approve the proposed ordinance to amend section 1256.02 through 1256.04 of Chapter 1256 C-1 Commercial District of the Codified Ordinances of the Village of Franklin Oakland County, Michigan, to Modify Regulations Concerning Accessory Uses, Buildings and Structures in the C-1 District; Regulate Solar and Wind Facilities as Accessory Structures and a Special Approval Use in the C-1 District; Provide for Uses Not Otherwise Permitted, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations, in the second reading.

Creech referred to his memo to the Council, dated 9/18/15, and summarized the amendments for the Council.

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

- B. Consider Referral to Planning Commission of the Special Approval Use Application for 32749 Franklin Road (Dare Strategies).**

#2015-69 Motion by Seltzer, seconded by Gallasch to refer to Planning Commission the Special Approval Use Application for 32749 Franklin Road (Dare Strategies).

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

XI. ADJOURNMENT

Motion by Seltzer, seconded by Gallasch to adjourn the meeting.

Ayes: Gallasch, Hansen, Morrow, Seltzer

Absent: Gordon, Kochensparger, Moenck

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 8:01 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President Pro Tem