

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, MARCH 12, 2012 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: Pam Hansen, Jim Kochensparger, Thomas Morrow, Steve Rosenthal, Mike Seltzer, Sherry Sparks
Absent: Lew Eads (excused)
Also Present: Amy Sullivan, Village Administrator
Eileen Pulker, Clerk
Patrick Browne, Police Chief
Tony Averbuch, Fire Chief
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney
Vivian Carmody, Administrator, Main Street Franklin

II. ADOPTION OF AGENDA

Morrow requested that agenda item VIII (D) be amended to include consideration of reinstating some (at a minimum returning to a five (5) day work week) Village Services.

Motion by Morrow supported by Seltzer to approve the agenda for the March 12, 2012, Regular Village Council Meeting as revised.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer
Nays: Sparks
Absent: Eads
Motion carried.

III. MINUTES

A. February 8, 2012, Special Village Council Meeting

Motion by Seltzer supported by Morrow to approve the minutes of the February 8, 2012, Special Village Council Meeting as submitted.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks
Nays: None
Absent: Eads
Motion carried.

B. February 13, 2012, Regular Village Council Meeting

Motion by Seltzer supported by Hansen to approve the minutes of the February 13, 2012, Regular Village Council Meeting as submitted.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks
Nays: None
Absent: Eads
Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Tony Averbuch, Fire Chief: Averbuch referred to his written report and noted the Fire Department Dispatch Contract Renewal, agenda item VIII (C), is a renewal of the agreement with Oakland County

through the Sheriff's office to provide dispatch services for the Village with the Village responsible for costs if the Fire Department doesn't provide payment and with a term of three (3) years.

Patrick Browne, Police Chief: Browne advised that for the month of February officers responded to 204 calls for service, provided an update as to recent police activity in the Village, encouraged Villagers to access the website for information on how to lessen the potential of becoming a victim and to contact the Department if they observe anything they consider suspicious, and noted that officers started the 40 hours of training with Farmington Hills last week. Commenting on the unfortunate passing of David Angel, President of Mobile Watch, Browne noted he was a very community minded individual who will be greatly missed.

Thomas Morrow, Treasurer: Morrow referred to his submitted written report and noted the transition to the Level One accounts is about 90% complete (one account in process of moving over).

Vivian Carmody, Executive Director, Main Street: Carmody provided an update as to the Chilly Chili Cook-off noting it drew over 200 people to the Village Center and had a positive impact on Village businesses such as Farmhouse Coffee and Ice Cream (Village businesses will be surveyed for impact), thanked the Fire Department for hosting the event, thanked the subcommittee for putting the event together, advised that a community mailer designed to inform Villagers as to what Main Street Franklin is, what it has accomplished, how it is funded, and what it hopes to accomplish in the future will be going out next week, property owners' quarterly meeting is this week, and the second annual Lobster Drop and Summer Wined-Up are coming up in June.

V. SUBMISSION OF CURRENT BILLS

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

TOTALS

General Administration	\$	29,998.63
Building	\$	3,597.07
Insurance	\$	38,010.62
Legal	\$	4,094.00
Police	\$	11,980.90
Pressure Sewer	\$	9,071.88
General Debt Service	\$	37,275.00
Major Roads	\$	8,476.44
Local Road	\$	6,791.97
Rubbish	\$	16,525.28
Trust & Agency	\$	3,800.00
Tax Fund	\$	2,066.12
Waste Water	\$	675.73
ALL FUNDS	\$	172,363.64

Ayes: Hansen, Kochensparger, Rosenthal, Seltzer, Sparks

Nays: None

Abstain: Morrow

Absent: Eads

Motion carried.

VI. PUBLIC REQUESTS AND COMMENTS

- Marcia Gershenson, Oakland County Commissioner, District 17, noted Birmingham Youth Assistance and Birmingham Optimist Club are looking for nominees for their youth service awards,

Challenge Detroit deadline is March 16th, and free tax assistance for qualified individuals is available through the Accounting Aid Society. Gershenson commended the community on the Chili Cook-off which she attended and inquired if donations were still needed for the community police mailer, and provide a donation upon learning that donations are still needed.

- Bill Lamott, distributed a memo “2011-2012 Budget Ideas for Franklin Village Council Consideration”, and provided an overview.

VII. SPECIAL REPORTS

A. President’s Report

Kochensparger thanked community members for voting and supporting the Village.

B. Council Report

Morrow noted the turnout at the polls was terrific.

Sparks voiced her concern over the revised agenda noting this item should have been considered by Finance (meeting was not well attended; e-mail inquiring as to any potential motion regarding the reinstatement of services had no response) and provided an update as to recent discussions with Village staff regarding bond refinancing and the road project overage. Sparks opined road project contracts should include language that protects the Village from such overages and provided text for consideration. Sparks noted snow removal was minimal this year and suggested the Village consider seeking a rebate from Johnson Landscaping for the low use of snow removal services and could consider a request for an increased payment in a year in which the use of snow removal services is higher than projected.

C. Administrator’s Report

Sullivan noted that budget preparations are in process, revenue declines appears to have stopped, provided a preliminary schedule relative to budget considerations, and advised that Planning Commission is revising their Bylaws, scheduled a public hearing on the Bed & Breakfast Ordinance for March 21, 2012, and is reviewing proposed changes to the Sign Ordinance.

Discussion ensued regarding road project contracts, snow removal rebates and cost-cutting strategies with Rosenthal noting language to protect the Village from overages is in Village contracts and situations in the field sometimes arise resulting in additional work being required for which it would not be feasible to seek Council approval. Rosenthal opined that seeking a rebate from Johnson Landscaping would not be advisable as the Village would not reciprocate in a year in which snow removal services were higher than projected. Rosenthal noted that Trustees individually and Council collectively moved to a four (4) day work week, reducing staff compensation accordingly, and employed other cost-cutting strategies impacting Village staff, for a finite period of time and committed to revisiting those reductions when revenue became available. Due to the passage of the millage increase, Rosenthal noted the importance of revisiting the reductions immediately. Sparks noted her objection was over the way the discussion was scheduled, not over the need to have the discussion.

VIII. NEW BUSINESS

A. Consider Bond Refinancing.

Sullivan noted Tom Traciak is present to answer any questions. Traciak provided a brief overview noting the estimated savings would be approximately \$53,000.00. Kochensparger inquired if Staran had reviewed the resolution with Sullivan answering in the affirmative.

#2012-20 Motion by Morrow supported by Seltzer to approve the Resolution to Authorize the Issuance of Refunding Bonds not to Exceed \$1,025,000.00 as submitted.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None.

Absent: Eads.

Motion carried.

B. Consider Road Project Overage

Sullivan provided a brief overview on the requested breakdown of the overage charges, advised that Tom Biehl of Hubbel, Roth and Clark (“HRC”) is present to answer any questions, and noted Council needs to provide direction as to payment to ASI and HRC.

#2012-21 Motion by Seltzer supported by Morrow to consider overage project breakdown.

Biehl provided an overview as to the project and how and why the overage charges occurred. Discussion ensued regarding the project with Council in agreement that ASI is due payment as they performed the work as requested. Council further discussed HRC’s culpability.

#2012-22 Motion by Rosenthal supported by Seltzer authorize payment to ASI for the overage in the amount of \$8,864 with HRC forgoing its fee in the amount of \$847.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None.

Absent: Eads.

Motion carried.

C. Consider Franklin Volunteer Fire Department Dispatch Contract Renewal

Kochensparger introduced this item noting this is a contract the Village enters into with the County because the Fire Department, as a non-profit, cannot do so. Staran referred to Averbuch’s comments and reiterated this is a renewal of an existing agreement with the primary change being term (3 years vs. 5 currently).

#2012-23 Motion by Morrow supported by Hansen approve the 2012-2015 Fire Dispatch Service Support Agreement Between the County of Oakland and The Village of Franklin, as submitted.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Absent: Eads

Motion carried.

D. Consider Reinstating Village Services and Scheduling Special Village Council Workshop Meeting to Discuss Village Services.

#2012-24 Motion by Morrow supported by Seltzer to reinstate the five (5) day work week, Police Chief’s longevity pay, Administrator car allowance, and Administrator phone allowance.

Morrow noted this is based on the premise that we have outstanding people working in the Village who stepped up and contributed personally to get the Village through the shortfall, other cuts can be discussed during budget meetings, he was on the record as supporting reinstating these services if the millage passed and the Village has an obligation to hold this discussion as soon as possible. Discussion ensued regarding costs (savings from the reductions and cost to reinstate), concern over lack of time to review financials/big picture, concern over piecemeal approach, concern over budget workshops as being the proper forum, commitment made to reinstate when funds became available, need to respect and reward staff for their personal sacrifice and loyalty, with Morrow noting the cost of reinstating these items is about \$12,000 to the next fiscal year. Sparks requested a commitment that no other services be restored before the next fiscal year.

- Mira Stakhiv noted the risk for foregoing the reinstatement is that employees could leave and suggested that as there are hard costs incurred in the hiring/orientation process, reinstatement could potentially be saving Village funds.

- Dom Schiano noted Trustees are elected to make these tough, difficult decisions and opined the important consideration is how the fund balance will be impacted as the millage request as presented projected a fund balance for the end of the next fiscal year.

- Fred Gallasch noted the ballot initiative focused on police/fire services and increasing the fund balance, however, reinstatement would reduce the fund balance. Discussion ensued regarding Villager concerns relative to reduced work week with Browne advising Villagers have been requesting services on Friday's.

Commissioners agreed the discussion relative to Village Services would be considered as part of the Special Village Council Budget Workshop Meeting.

Ayes: Hansen, Morrow, Rosenthal, Seltzer

Nays: Kochensparger, Sparks

Absent: Eads

Motion carried.

E. Consider Scheduling Special Village Council Budget Workshop Meeting

Sullivan noted Council would receive the preliminary budget at its April 9th meeting and would vote on the final budget at its May meeting and suggested that Council consider scheduling one or two budget workshop meetings to review the proposed budget in detail. Discussion ensued regarding possible dates, the benefit of scheduling budget workshops as it would provide more opportunity for the public to attend, and the potential to televise the discussions, with the consensus being to schedule workshops for April 16th and April 30th at 7:00 P.M. at Village Hall with staff instructed to contact Comcast to see if they are available to televise the workshops.

#2012- 25 Motion by Morrow supported by Hansen to schedule Special Village Council Budget Workshop Meetings for April 16th and April 30th.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Absent: Eads

Motion carried.

F. Consider Whether to Convene in Closed Session Immediately Following the Regular Meeting to Discuss Negotiation Strategy Relating to a Collective Bargaining Agreement.

#2012-26 Motion by Morrow supported by Rosenthal to meet in closed session immediately following the regular matting to discuss negotiation strategy relating to a collective bargaining agreement.

Roll Call Vote:

Hansen Aye

Kochensparger Aye

Morrow Aye

Rosenthal Aye

Seltzer Aye

Sparks Aye

Nays: None

Absent: Eads

Motion Carried.

IX. ADJOURNMENT

Motion by Morrow supported by Sparks to adjourn the meeting.

Ayes: Hansen, Kochensparger, Morrow, Rosenthal, Seltzer, Sparks

Nays: None

Absent: Eads

Motion carried.

There being no further business, the meeting adjourned at 9:20 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President