

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, MARCH 11, 2013, 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: Brian Gordon, Pam Hansen, Jim Kochensparger, Judy Moenck, Thomas Morrow, Steve Rosenthal, Mike Seltzer

Also Present: Amy Sullivan, Village Administrator
Daniel Roberts, Police Chief
Eileen Pulker, Clerk
Lance Vainik, Treasurer
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney
Barry Silverstein, Vivian Carmody, Main Street Franklin

II. ADOPTION OF AGENDA

Motion by Seltzer supported by Morrow to approve the agenda for the March 11, 2013, Regular Village Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

III. MINUTES

A. February 11, 2013, Regular Village Council Meeting

Motion by Seltzer supported by Moenck to approve the minutes for the February 11, 2013, Regular Village Council Meeting as submitted.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

IV. REPORTS OF VILLAGE OFFICERS AND AGENTS

Daniel Roberts, Police Chief: Roberts referred to his written submission, advised that February was a quiet month, cautioned residents to investigate those working in their residences via the Better Business Bureau or the Village, noted that property managers/owners in the office buildings have been advised to ensure exterior doors are locked at night as the officers are finding a lot of doors unlocked and the FY2013/2014 Department budget has been turned in to the Village Administrator. Discussion ensued regarding cross walk signs, staffing levels, and traffic citations. With respect to staffing levels, Roberts advised the Village is at full staffing with its full-time officers, is nearing the completion of a background check on an individual to fill the last part-time position, and one reserve officer was recently added, and another one is currently in the Academy (at his own cost) in the hopes he will be selected to fill the reserve role upon successful completion of the Academy which is all the Village can afford in this fiscal year due to uniform costs. With respect to cross walk signs, Roberts noted the current sign has been replaced a number of times and there is merit to considering placing similar signs elsewhere subject to Historic District Commission approval. Regarding traffic citations, Roberts noted the officers have been doing a great job; there has been a significant increase in citations which could be attributable to the younger (which equates to more aggressive and eager to prove themselves) staff. Roberts also noted the

Department is seeing increased overtime due to court appearances. Upon request, Roberts noted traffic citations are not a revenue generator.

Tony Averbuch, Fire Chief: Kochensparger referred to Averbuch's written report and noted Chief Averbuch is attending training.

Barry Silverstein, Main Street Franklin ("MSF"): Silverstein provided a MSF update and noted there is considerable value rendered to the Village by volunteer efforts, businesses participating in the MSF program in a financial investment manner are 53%, business satisfaction level is very high, and private dollar investment for site improvements is approximately \$68,000.00. Silverstein reviewed many of the credentials of the volunteers serving MSF noting that many have relevant expertise and noted that investors want to invest in a community in which they feel a certain level of confidence which the Village in partnership with MSF is currently showing in two (2) projects: Rain Garden and Costello Barn Project. Discussion ensued regarding funds raised and sales tax data with Silverstein noting funds raised is currently in the \$14,000.00+ range and MSF will be focusing its efforts on increasing that level this year by both the number of investors and the overall donation level and the sales tax data query will be brought up at an upcoming meeting scheduled with the County. Upon request Carmody provided an update on the Chili Cook-Off cancelled event.

Lance Vainik, Treasurer: Vainik referred to his written report and noted the List of Account Balances at Level One Bank is as of March 7, 2013. Discussion ensued regarding Allen Glass, PC and Waste Management of Michigan.

V. SUBMISSION OF CURRENT BILLS

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

Ayes: Gordon, Hansen, Kochensparger, Moenck, Rosenthal, Seltzer

Nays: None

Abstain: Morrow

Motion carried.

TOTALS

General Administration	\$	26,970.16
Building	\$	6,149.32
Insurance	\$	33,689.51
Legal	\$	1,207.50
Police	\$	14,969.85
Pressure Sewer	\$	7,391.88
General Debt Service	\$	-
Major Roads	\$	3,054.46
Local Road	\$	2,095.84
Rubbish	\$	16,827.50
Trust & Agency	\$	600.00
Tax Fund	\$	11,264.65
Waste Water	\$	1,251.16
ALL FUNDS	\$	125,471.83

VI. PUBLIC REQUESTS AND COMMENTS

Kochensparger opened the meeting for public comments on non-agenda items requesting comments on agenda items be brought forth when the item is being considered.

- **William Dwyer, Oakland County Commissioner, District 14**, noted a new County directory will be coming out shortly and the Public Services Committee, for which he is the Chair, will be taking on the gun violence issue by holding informational hearings with various community segments/experts with the goal of reporting to the Board of Commissioners findings and recommendations which could include educational programs for parents and potential legislative action to pursue especially as it relates to mental health funding. Dwyer reviewed several County pamphlets, which he noted he will be dropping off to the Village office.

VII. SPECIAL REPORTS

A. Birmingham Area Cable Board Report

Elaine McLain, Chairman, Birmingham Area Cable Board (BACB): McLain provided a brief recap of her recent report as well as an overview of the Financial Report dated June 30, 2012 noting the Financial Report is available on the BACB website and the report shows two main items: 1) the Board knows where all the funds are and 2) all funds have been spent appropriately as designated. McLain noted Comcast may change its agreement in 2015 under the law passed in 2006 in terms of funds directed towards public/educational/governmental programming ("PEG") as well as franchise fees, and the fund balance is not a rainy day fund as funds are set aside to address the potential for declining funds for PEG in the future. Discussion ensued regarding Comcast agreement, fees, and penetration with McLain noting PEG operations can be supplemented by franchise fees but not vice-versa and providers are no longer held to a standard of reporting penetration data but it is estimated that Comcast is at 75% and ATT at 15%-20%.

B. President's Report

None.

C. Council Report

None.

D. Administrator's Report

Sullivan provided a brief budget update noting the Village is seven (7) months into the budget cycle with revenues at approximately 78% and expenditures at 61% and the Village and Main Street Franklin received an award from Main Street Oakland County for best historic preservation ethic.

VIII. UNFINISHED BUSINESS

A. Consider Appointment of Deputy Treasurer

#2013-14 Motion by Morrow supported by Seltzer to appoint Fred Gallasch as Deputy Treasurer.

Discussion ensued regarding whether there were other applicants with Pulker answering in the negative.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

IX. NEW BUSINESS

A. Consider Appointment to Personnel Committee

#2013-15 Motion by Seltzer supported by Rosenthal to appoint Judy Moenck to the Personnel Committee.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

B. Consider Appointment of Fire Commission Liaison

#2103-16 Motion by Hansen supported by Moenck to appoint Brian Gordon as the Liaison to the Franklin –Bingham Farms Volunteer Fire Commission.

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

C. Consider FY2012/2013 Budget Amendments

Sullivan provided a brief overview noting that a review of the FY2012/2013 General Fund showed that Administration and Clerk departments are under-budgeted for group health insurance costs which will require budget amendments.

#2013-17 Motion by Morrow supported by Seltzer to adjust the General Fund by decreasing Administrative salaries by \$1,750, increasing Administration Group Insurance expense by \$3,839, and increasing Village Clerk Group Insurance by \$1,344 which will net an increase in expenses of \$3,433.

Moenck requested clarification as to Group Insurance costs.

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

D. Consider Revisions to Investment Policy

Sullivan provided a brief overview noting the revisions will require the Treasurer to perform a quarterly as opposed to annual review of the financial strength of financial institutions utilized by the Village (currently Level One Bank). Morrow advised the Finance Committee has reviewed this item and the Treasurer has agreed to do this review.

#2013-18 Motion by Morrow supported by Gordon to amend the Investment Policy to change the annual review to quarterly review.

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

E. Consider Update to Design & Sustainability Guidelines

Vivian Carmody, Executive Director, Main Street Franklin, presented a power point as it relates to the Design & Sustainability Guidelines (“Guidelines”) and a brief historic perspective. The presentation covered many areas including the charette, vision, Master Plan, need for and benefit of the Guidelines, MSU opportunity through its Architecture and Landscape Architect Program - Small Towns Initiative, MSU credentials, cost, funding, scope, deliverables, process, and timeline. Carmody advised the presentation will be on MSF’s website and noted MSU is very excited to be working on this project, in part, because of the sustainability element. Sullivan noted the Guidelines will tie in very nicely with Act 51 requirements to spend a portion of the funds on non-motorized improvements.

Discussion ensued regarding what sustainability is, why it is important, and how it fits into historic preservation with Carmody noting the Main Street program comes out of the National Historic Trust and is by nature preservation based; preservation is sustainability and incorporates a thoughtful look toward the future in terms of preserving natural resources. Trustees discussed the Guidelines, importance of factoring in maintenance to elements pursued, how the Master Plan and Guidelines work together, and Act 51 funds with it being noted MSU will seek additional public input which will flesh out the scope and other elements, the Guidelines are a visual and text depiction which will complement the Master Plan and the non-motorized pathways piece of the Guidelines/Master Plan should be reflected in the Act 51 budget.

#2103-19 Motion by Seltzer supported by Rosenthal to authorize the Village Council President to sign on behalf of Council a letter in support of the application to Michigan State University (MSU)

for the Design & Sustainability Guidelines as presented by Vivian Carmody, Executive Director, Main Street Franklin.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

F. Consider Crack & Joint Sealing Bid Award

Sullivan provided a brief overview noting the bid came in a little lower than originally estimated.

#2013-20 Motion by Morrow supported by Seltzer to accept the low bid for 2013 Crack & Joint Sealing to the low bidder, Scodeller Construction, Inc., combined with the total engineering costs not to exceed \$50,000.00.

Discussion ensued regarding firmness of the cost and warranty potential with Sullivan advising roads are prioritized based on traffic volume and road condition and work proceeds based on that list until the funds are consumed.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

X. ADJOURNMENT

Motion Gordon supported by Seltzer to adjourn the meeting.

Ayes: Gordon, Hansen, Kochensparger, Moenck, Morrow, Rosenthal, Seltzer

Nays: None

Motion carried.

There being no further business, the meeting adjourned at 9:16 P.M.

Respectfully submitted,

Lori Rich, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President