

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, OCTOBER 12, 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 Jim Kochensparger, at 7:00 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Pam Hansen, Fred Gallasch, Jim Kochensparger, Judy Moenck, Tom Morrow
Absent: Brian Gordon (excused), Mike Seltzer (excused)
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

Motion by Moenck, seconded by Morrow to adopt the Agenda, as presented.

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

Motion by Hansen, seconded by Moenck to excuse Council Members Gordon and Seltzer from the October 12, 2015 Regular Council Meeting.

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

IV. MINUTES

A. Regular Meeting of September 21, 2015

Motion by Morrow, seconded by Gallasch to approve the Regular Council Meeting Minutes for September 21, 2015 as presented.

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

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Chief Dan Roberts, Police Department Representative, referred to and provided an overview of his submitted monthly report. There were no residential burglaries during the month or this year. This past week, former President Clinton was in Bingham Farms, and the Department supplemented the Secret Service forces. There would be overtime for some of the Officers due to the visit. Chief Roberts reported that he had received three (3) price quotes for painting the exterior of the Police Station and noted that the improvement was included in the department's budget. Two (2) quotes were very close in price, the other was higher. Roberts recommended that the Village choose Gilbert Custom Homes at the cost of \$3,847 because they are very familiar and have had experience with the Broughton House-Village Hall building. Chief Roberts reported that the Department obtained some forfeiture funds and he wants to use those funds to construct a carport for 5 police vehicles. There is a Planning Commission meeting on 11/11/15 to review and, hopefully, to approve the plans drawn up by Countryside which is the company that was involved with the renovations of the Kreger House. Because forfeiture money will be used this project will not impact the Village budget.

Kochensparger inquired about the proceedings with the group home. Roberts reported that there had been a positive meeting with the attorney for the owners who wrote a letter to the different medical providers asking them to consider moving their patients to other facilities. As of yet, there has been no response to the letter.

Moenck broached the subject of the passenger van that she has seen parked on the group home's property. Roberts is aware of the bus and explained that it meets all the legal requirements as a transportation vehicle.

Kochensparger asked the Chief about Police staffing. Roberts replied that there is an opening for a part time officer if the "right" person applied, but the Department is not in a hurry to fill the position based on the efficiencies of the current staff. Last week a retired Officer from the Berkley Department of Public Safety joined the Franklin staff as a part time Officer. He is known by Villagers for his volunteer work with the Franklin Fire Department.

Connie Ettinger, Planning Commission Chairman, updated the Council on several items involving the Planning Commission (PC): Two (2) members have resigned due to their moves out of the Village. After discussing this with Creech, she is proposing that the Planning Commission be reduced from nine (9) members to seven (7). This was not discussed at the last PC meeting because the second resignation was unknown until the end of the meeting, but the issue will be put on the agenda for the November 11, 2015 meeting; the Sign Ordinance needs review due to the recent Supreme Court ruling in July; the Zoning Ordinance needs to be re-examined with regards to the feasibility of the establishing different setback requirements for houses over certain square footage ("bigfoot" houses); as part of the implementation of the Master Plan, the PC also wants to address the Design and Sustainability Guidelines of the downtown (formerly known as Franklin 2020) in conjunction with Main Street Franklin; the Tree Survey needs to be implemented under the Master Plan with regards to working with and establishing a cooperative relationship with DTE in its tree trimming/management program.

Tony Averbuch, Fire Chief, referred to his monthly report and reminded Villagers to check the batteries in their smoke detectors, get their furnaces serviced, check their chimneys if planning on burning wood this winter, and check their generators. Chief Averbuch also reminded Villagers that the Franklin Residential Burn Permit is online at www.fbfd.com. There is no fee and when the application is printed out a copy of the Village Ordinance on Open Burning is also included. Both Police and Fire Departments have access to the information on the active permits.

Main Street Franklin was not represented, but had submitted a written report.

Lance Vainik, Treasurer, referred to his submitted monthly report and noted that the amounts on the Bill's List are generally consistent with normal monthly spending. Vainik noted that the expenditures are generally consistent with the new FY 2015-16 budget and the bulk of the amount is for the Service Interest on the Village's Debt. It also included a large entry for the Hazardous Waste Day pickup paid to SQS. Vainik added that the list provided of account balances is as of October 8, 2015 and held at Level One Bank. The Village has sufficient funds to meet its current and anticipated obligations.

Creech made additions to the Bill's List which included \$5,744.99 to Johnson Landscaping, Inc. for work performed, and: \$85 to Family Heating and \$80 to Mulligan Heating for cancelled permits.

VI. SUBMISSION OF CURRENT BILLS

Motion by Moenck, seconded by Hansen to approve the Bill's List with the additions of \$5,744.00 to Johnson Landscaping, \$85 to Family Heating, and \$80 to Mulligan Heating.

A discussion ensued in regards to why there were additions to the Bill's List this month as was the case last month. Creech replied that last time the Village had not received a bill for the debt service on the bonds and this time the Johnson Landscaping bill was remitted too late to be included in the normal printing of the bills list. As for the two cancelled permits, the Bookkeeper questioned the amounts. Normally verification would have delayed payments had they been held over but when the amounts were confirmed the companies were promised prompt remittance.

Moenck inquired if the Abilita bill was a monthly commission charge as the same amount was approved last month. Creech explained that it was a one-time payment and added to last month. Moenck questioned its inclusion on this month's Bill's List. Creech will address this issue and report back to the Council next month.

Kochensparger inquired about the comparison of the Waste Management and SQS bills to last year's amounts. Creech replied that the amount is about \$2000 more this year. Kochensparger also didn't understand the notation for Waste Management stating it was for

“...roll away for hazardous day” when, in fact, that was erroneous. Creech explained the phrase should be omitted.

Ayes: Gallasch, Hansen, Kochensparger

Abstain: Morrow

Absent: Gordon, Seltzer

Nays: Moenck

Motion carried.

Kochensparger noted that he and President Pro Tem Hansen had attended a class during which it was explained that it was not appropriate for people to abstain unless there is a direct monetary conflict of interest. He asked Staran for clarification. Morrow stated his reasoning for abstaining, in that approving and signing checks he believes is a conflict. Hansen suggested that for the benefit of Council and the public, Council might want to have a conversation about the state law. Staran stated that he would like to research the law, the Village’s practice of it, and certain Council member’s concerns.

VII. PUBLIC REQUESTS AND COMMENTS

Mark Ziessow, Redfern, thanked the Council for all the work it is doing and the discussion about the roads. His road was not touched and is coming apart. Trees in the neighborhood are hanging over the road creating a safety hazard. He offered to send his own crew out to trim them. Kochensparger stated he would look into the road issue and the trees.

Cyrus Motlagh, Bruce Lane, stated that he had three (3) items to discuss with the Council: Two (2) of them the Council could act on and one (1) he asked for the Council’s moral support.

- 1) Weeds are growing in a “pond” on the north side of his property. It is supposed to be a stream (technically it’s a tributary of the Rouge River), although now the flow is almost non-existent. He is of the opinion that it was a municipal matter to keep it flowing and had several suggestions to correct the issue. Kochensparger stated that the Village would look into the issue.
- 2) He has an issue with the trash pickup beginning at 7A.M and asked if there was a possibility the time could be moved back to its original time of 8 A.M. He stated it is difficult for older people to get the trash out so early and, unfortunately, it can’t be put out the evening before because of the animals. Kochensparger explained the new contract had changed the pickup from two days to one day. The Village would look into the matter with the contractor.
- 3) He asked for moral support in asking the Cable Board to bring another company, other than Comcast, into the Village to provide high speed internet connection, adding that AT&T U-verse is not as fast. The service is not good and the prices are going higher. Kochensparger suggested he speak with someone on the Cable Board. Motlagh stated that he plans to attend the Cable Board’s monthly meeting.

VIII. SPECIAL REPORTS

A. Birmingham NEXT Report, Cris Braun, Executive Director

The Executive Director gave a PowerPoint presentation of the 2014-2015 Impact Report. She briefed and updated the Council on past events. Franklin residents will now be considered residents of NEXT and thusly, members of NEXT. Membership has

increased since the name change by 250 people. As part of the Impact Report, she shared that NEXT's growth and forward momentum, stressing its support services and outreach programs which she hopes to expand further to Franklin residents. Moenck thanked Braun for meeting with her. She wanted to spread the word that NEXT targets the 50+ population and Franklin should take advantage of all its services, including equipment sharing which has grown to be one of their more popular services.

B. President's Report

Kochensparger stated that he tried to reach out to Franklin's liaison to DTE to see if the Village could get any consistent trimming and maintaining of the trees in the right-of-ways. So far his efforts have been unsuccessful but he will continue.

C. Council Report

Morrow followed up on the comments regarding the streets that a resident had previously brought up. In addition, he advised the Council that it would probably be looking at a new bond to redo the streets in 2018 when the current bond expired. He asked if the pot holes that he had mentioned at the last meeting had been addressed. He also mentioned that he didn't remember seeing the Passer inventory of the roads which the Council had discussed in the Spring. **Mark Ziessow**, Redfern, asked if the Village could hold the new home construction contractors responsible for the road condition. Creech related how some communities handle such situations. Morrow expressed his concern about the protection of the roadbed.

Moenck wanted to thank the two Planning Commissioners who were stepping down for their years of service. Referring to Ettinger's comments about the Sign Ordinance, she opined that the issue was critical and very important. Ettinger stressed that the PC would address only parts of the Ordinance, not the entire document. Kochensparger asked if Staran would clarify how the PC and HDC could work together on this issue.

D. Administrator Report

Creech reported that he had the restoring community trees grant agreement between The Alliance of Rouge Communities (ARC) and the Village of Franklin. It is a small grant for 25 trees which will be placed around the Village and to be planted in the Spring. Gallasch inquired as to what types of trees would be planted and who would choose the locations to which Creech replied that deciduous trees and pine trees would be used. Residents may request a tree and Jerry Johnson would be consulted as to the locations.

As for the Cranbrook Realty sign, a letter has been sent to the business stating that its sign was not in compliance with the Sign Ordinance. Hansen inquired as to the process of enforcing the Sign Ordinance. Creech explained the different steps. The Council had a general discussion about signs with Gallasch suggesting that since the Building Official, who enforces the Ordinance, is only in the office in the mornings Monday and Wednesday that Creech should help with this matter. **Lisa Dunn**, Déjà Vu owner, thought it would be appropriate that a letter be sent to merchants and/or those who have signs advising what the specified regulations of the Sign Ordinance are, the deadline

date for compliance after which it would be vigorously enforced, and a copy of the Ordinance itself. She volunteered to help in any capacity.

IX. NEW BUSINESS

A. Consider Planning Commission Recommendation for the Site Plan Application For 32750 Franklin Road (Déjà Vu Upscale Designer Resale).

Moenck inquired as to the building ownership and were all persons involved in agreement with the expansion. Morrow confirmed that HDC and PC had given their approvals.

#2015-70 - Motion by Hansen, seconded by Gallasch to approve the Site Plan Application for 32750 Franklin Road (Déjà Vu Upscale Design Resale)

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

B. Consider Planning Commission Recommendation for the Site Plan and Special Approval Use Application for 32749 Franklin Road (Dare Strategies).

#2015-71 Motion by Moenck, seconded by Hansen to approve the Site Plan and Special Use Applications for 32749 Franklin Road (Dare Strategies).

Morrow confirmed that the application had been approved by HDC and PC.

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

C. Consider Bids for Exterior Painting for the Police Department Building.

#2015-72 Motion by Morrow, seconded by Moenck, to approve the bid provided by Gilbert Custom Homes at the cost of \$3,847 to paint the exterior of the Police Department building as proposed.

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

D. Consider Scheduling Public Hearing for the PY2016 Community Development Block Grant Funding, November 16, 2015.

#2015-73 Motion by Morrow, seconded by Moenck to schedule a Public Hearing for the PY2016 Community Development Block Grant Funding at the Regular Council Meeting on November 16, 2015.

Ayes: Gallasch, Hansen, Kochensparger, Moenck, Morrow

Absent: Gordon, Seltzer

Nays: None

Motion carried.

X. ADJOURNMENT

Motion by Moenck supported by Hansen to adjourn the meeting.

Ayes: Gallasch, Hansen, Kochensparger, Moenck Morrow

Nays: None

Absent: Gordon, Seltzer

Motion carried.

There being no further business, the meeting was adjourned at 8:15 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President