

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, AUGUST 14, 2017, 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 Pam Hansen, at 7:01 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Pam Hansen, Tom Morrow, Mike Seltzer, Mira Stakhiv
Absent: Brian Gordon, Judy Moenck (both excused)
Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Chief Tony Averbuch, Fire Department
Eileen Pulker, Village Clerk
Deanna Yow, Executive Director of Main Street Franklin
John Staran, Village Attorney

III. ADOPTION OF AGENDA

Motion by Seltzer, seconded by Morrow to adopt the agenda, as presented.

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

IV. MINUTES

A. Regular Meeting of July 10, 2017

Motion by Seltzer, seconded by Morrow to approve the Regular Meeting Minutes for July 10, 2017, as presented.

It was confirmed that the Administrator would include a report from the Code Enforcer in his verbal report as well as including it in the Council's monthly packet.

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

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

A. Dan Roberts, Police Chief, referred to his written report and noted the three (3) home burglaries in Franklin in the last few weeks adding that they all occurred along major roads: 13 Mile and Inkster and provided more details on the home invasions. He requested that residents report any and all suspicious activity around neighbor's homes adding that homes under construction have been targeted. Additionally, he cautioned

residents to vet out any and all contractors who might be working in and on their homes. The Police Department can assist in and give directions as to how to vet their contractors. Evidence has been gathered from these recent robberies and has been sent to the crime lab for analysis. Planning for the Labor Day festivities is in full swing and the biggest obstacle is with the road construction and the parking of the vehicles. He personally has talked with the engineer about the situation and has received guarantees it would be resolved before Labor Day and Wellington would be cleaned up. Roberts reported that with the increase of opioid overdoses all of the Village police cars are now equipped with NARCAN and all of our officers had been trained in the appropriate administration of it. Oakland County Mental Health provided all the training and the expenses associated with NARCAN. Roberts updated Council on the federal investigation of the owner of the home on Crestwood Drive and 13 Mile. Staran and Roberts will keep abreast of the government situation, the public safety risk factor, and make sure the Federal Government is aware of Franklin's vested interest. Referring to recent news reports, Stakhiv wanted to make sure that all Police vehicles were safe to drive, to which Roberts replied that they were.

B. Tony Averbuch, Fire Chief, referred to his written report of July 17, 2017, adding that all equipment testings for the year had been completed; the small fire on a Wing Lake Road home had minimal damage due to an electrical problem. He thanked Pulker for including in her weekly email blast a mention and importance of a Knox Box, which is a high security "key safe". It has come to his attention that some new home owners, as well as old, might not be aware of what it is and its safety advantages. Seltzer inquired if the Fire Chief had any opinions about the Hazardous Waste Collection, to which he expressed his complete support.

C. Main Street Franklin, Deanna Yow, Executive Director, referred to her written report and highlighted several points: Elina Costello was elected to the position of Chairman of the Board, Merrily McDonald was welcomed back to the Board, Main Street Oakland County/Main Street Michigan would be having a joint training session on August 17 and 18 at the Franklin Community Church, and she relayed the unfortunate news that the Franklin Market would not be opening this fall as the perspective tenant decided not to proceed.

D. Lance Vainik, Treasurer, was not in attendance, and had submitted his written report.

VI. SUBMISSION OF CURRENT BILLS

Gallasch questioned if there had been any changes to the List. Creech commented that the amount attributed to the engineers was out of the Village Project Fund and only a portion of the entire bill was listed on the original bills list. A revised list was provided with the new totals.

Motion by Morrow, seconded by Seltzer to approve the Bill's List, as submitted.

Gallasch questioned why the small amount paid for asphalt to Cadillac Asphalt was under **MAJOR ROADS** and not the Road Project. Creech explained that Johnson Landscaping had

repaired a portion of Franklin Road. Referring to the two (2) payments to Johnson Landscaping for two (2) months (June and July), Gallasch also questioned as to who gives them direction on what to do and why the different costs for those two (2) months. Creech explained what Johnson Landscaping had done for those two (2) months and that he gives the company the directions. Summer tree trimming was discussed.

TOTALS

General Administration	\$	39,481.47
Building	\$	8,818.22
Insurance	\$	49,216.94
Legal	\$	3,093.50
Police	\$	17,897.24
Pressure Sewer	\$	-
General Debt Service	\$	-
2017-2018 Road Project Bond Fund	\$	1,002,493.75
Major Roads	\$	14,001.75
Local Road	\$	10,671.51
Rubbish	\$	14,881.70
Trust & Agency	\$	200.00
Tax Fund	\$	126,857.56
Waste Water	\$	120.64
ALL FUNDS		<u>\$1,287,734.28</u>

Ayes: Gallasch, Hansen, Morrow, Seltzer, Stakhiv

Absent: Gordon, Moenck

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

Hansen opened the meeting for public comments on non-agenda items, outlining the normal procedures, with no one from the public responding.

VIII. SPECIAL REPORTS

A. President's Report

Hansen reported that the Planning Commission has a new Chairman, David Goldberg. Connie Ettinger, who had been the Chairman for many years, has stepped away but will remain on the Commission until her term expires at which time she will decide if she wants to continue. She thanked Ettinger for her hard work, especially on the Master Plan.

B. Council Report

In the capacity of the President of the Franklin Mobile Watch group, Stakhiv presented a Certificate of Appreciation to Rick Koslowski for his many years of service as Publicity Chair of Mobile Watch, as a volunteer firefighter, and other community capacities.

After hearing this presentation to a Franklin resident and the personal concerns and involvement of the Police Chief and Fire Chief, Gallasch stated that we should all be proud of our community adding that to him personally, this is what Franklin is all about.

C. Administrator Report

Creech updated Council on the progress of the Road Project. The Request for Proposal (RFP) for the Village website is due this week and he has been working with Amanda Davis (Historic District Commission (HDC) consultant) on the window replacement RFP which needs to be submitted later in the week so it can be reviewed by the State. The RFP for Snow Removal and Salting will also go out this week.

There was a discussion about the progress of the Road Project and its time table. Stakhiv reminded residents that she and Gallasch were in constant contact with the Hubbell Roth and Clark (HRC) engineers getting updates. She reminded the Villagers that this was “a necessary inconvenience”, and commented on their need to be patient.

Hansen pointed out that although Treasurer Vainik was not in attendance every Council Member received his summary. She asked if Council had any questions about it; to which no one responded.

IX. NEW BUSINESS

A. Consider First Amendment to Pressure Sanitary Sewer Service Agreement.

Staran provided some informational background regarding this item which involves the property at the Southeast corner of 13 Mile and Inkster. The City of Farmington Hills has re-approached Franklin with a new prospective developer, Robertson Brothers, with a new redesigned development. Robertson Brothers is requesting to add an additional residential unit, for a total of eight (8) single units, on the property and to connect to Franklin’s sanitary sewer. This would be an amendment to the previously approved agreement which was for seven (7) single residential units. The additional customers would be paying all of Franklin’s fees and permits and also a premium to the Village for the right to connect to our sanitary sewer. Council had received materials from Creech, an updated letter from HRC who were not able to be at the meeting, and a letter from the Farmington Hills City Attorney.

Seltzer noted that the Legal Committee had met and discussed this issue.

#2017-61 Motion by Seltzer, seconded by Morrow to approve the First Amendment to Pressure Sanitary Sewer Service Agreement, as presented, to allow up to eight (8) single-family residential units on the subject property to connect to the Village’s pressure sewer located along Inkster Road, subject to the obtaining of any necessary permits and payment of all applicable charges and fees by the property owner.

Gallasch began the discussion by saying that in 2009 when he was President of the Council; he opposed the original motion and was opposed to it now. He continued by stating his position and

detailing his reasons, noting that this project does not benefit Franklin. Morrow provided financial numbers which, according to his calculations, he thought would benefit Franklin.

Stakhiv opined that she had several concerns among them that the language in HRC's letter dated August 9, 2017 was not concrete enough. She prefers to look at long-term consequences and stated that she wanted to look ten (10) years into the future. She requested to see a projection from HRC with more specific phrases than what had been provided. Stakhiv noted several other concerns: the houses to the east of the development appear to be within 200 feet and sewer connection should be available there; the ambiguity of liability of who owns the property Brody or Robertson Brothers, with a for sale sign on the site; nine (9) years has passed since the last agreement, and the Farmington Hills sewer system is still not available, and; the distribution of the additional fees, citing her preference to distribute those funds to the Franklin Villagers currently on the system, having paid for it these many years. Stakhiv concluded that with these many questions, she was unable to support it.

Karen Mondora, Director of Public Services, Farmington Hills, Michigan, answered the issues about the existing sewer within Farmington Hills noting that those properties with existing homes which Stakhiv referenced are currently served by onsite sewage disposal systems. The nearest sewer is down on Northwestern Hwy., well over ¼ mile away. Gallasch questioned whether septic systems would be feasible for the proposed homes as are being used by the existing homes on the next street. Mondora explained that there is a minimum lot size for new construction which the Oakland County Health Department code restricts, and these lots do not conform. Gallasch noted that fewer homes on the site might comply. Answering Seltzer's remarks, Mondora stated that it would be not only costly to bring the sanitary sewer to the development, in addition it would be administratively as well as technically difficult. Morrow clarified and confirmed that according to the original agreement in 2009 and with this proposed amendment connecting with Franklin's pressure sewer system was deemed a temporary solution until such time Farmington Hills would provide their sewer system to that particular corner. The response was in agreement.

Lisa Anderson, Attorney for Farmington Hills, clarified the different documents in place for the original seven (7) homes and the proposed amendment is for one (1) additional unit. Morrow questioned if because of the length of time from the original date in 2009 until now the agreements would be enforceable. Anderson stated that that issue has not been studied.

Paul Robertson, Robertson Brothers, briefly explained Robertson Brothers' history with the Brody's, pointing out that Brody was putting up the land and Robertson Brothers would be doing all the work. This was a Robertson Brothers project and would be similar to Crestbrook in Franklin. Because the site was heavily treed, the plan was to locate all the units in the middle portion, leaving as many trees as possible with the entry being off of Thirteen Mile Road. He continued by explaining this had been a long and lengthy process and added that Franklin would be receiving additional tap fees which were not included in the original agreement.

Stakhiv stated that she was looking out for the residents of Franklin noting that she still has some concerns. Morrow summarized that Council had specific questions for HRC. Referring to

questions concerning the validity of the current agreement, Staran believed the agreement was still valid and enforceable as it does not have any limitations.

Gallasch called the question.

#2017-62 Motion by Gallasch, seconded by Stakhiv to call the question, regarding the previous motion for the First Amendment to Pressure Sanitary Sewer Service Agreement.

Ayes: Gallasch, Stakhiv
Absent: Gordon, Moenck
Nays: Hansen, Morrow, Seltzer
Motion denied.

Morrow withdrew his Second to the original motion.

#2017-63 Motion by Seltzer, seconded by Morrow to postpone this discussion regarding the First Amendment to Pressure Sanitary Sewer Service Agreement until the next Council meeting, at which time Hubbell Roth and Clark (HRC) will be present or provide an opinion and provide that same opinion prior to the meeting.

Ayes: Hansen, Morrow, Seltzer
Absent: Gordon, Moenck
Nays: Gallasch, Stakhiv
Motion denied.

B. Consider Appointment of Liaison to Main Street Franklin Board.

Hansen explained that originally, Moenck had volunteered to be the Council Liaison. She has now relinquished that role and Mike Seltzer has agreed to take on that role again.

#2017-64 Motion by Morrow, seconded by Gallasch to appoint Mike Seltzer Council Liaison to Main Street Franklin Board.

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

C. Consider Main Street Franklin Agreement.

Hansen explained that the agreement was still in draft form and Council received a copy just prior to the Council meeting.

#2017-65 Motion by Stakhiv, seconded by Gallasch to postpone this item, the Main Street Franklin Agreement, until the next Council meeting.

Ayes: Gallasch, Hansen, Morrow, Seltzer, Stakhiv
Absent: Gordon, Moenck
Nays: None

Motion carried.

- D. Consider Civic Event Permit Application for “Scarecrow Workshop” by the Franklin Historical Society, on Saturday September 30, 2017 from 9:00 AM to 1:00 PM.**

#2017-66 Motion by Seltzer, seconded by Stakhiv to approve the Civic Event Permit Application for “Scarecrow Workshop” by the Franklin Historical Society, on Saturday September 30, 2017 from 9:00 AM to 1:00 PM.

Morrow confirmed that everything requested on the application was in order. Pulker noted that this was the third year for the event.

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

- E. Consider Civic Event Permit Application for “Round Up’ and “Art in the Village”, including the banner over Franklin Road for September 4, 2017.**

#2017-67 Motion by Seltzer, seconded by Morrow to approve the Civic Event Permit Application for “Round Up” and “Art in the Village”, including the banner over Franklin Road for September 4, 2017.

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

- F. Consider Investment of Fund Balance Policy.**

Hansen stated that the Finance Committee consisting of Morrow, Gallasch, Vainik, and Moenck met with Chas Kipp of MBS to discuss this item. Gallasch outlined the different points which were brought forward as well as summarized in Creech’s August 7, 2017 memo to Council, INVESTMENTS.

#2017-68 Motion by Morrow, seconded by Seltzer to invest available funds with Multi-Bank Securities in investment ladders conforming with the Village investment policy with Treasurer, Deputy Treasurer, and Village Administrator as contact personnel for making transactions. We would invest Road Fund balances up to \$100,000 per month while maintaining at least \$80,000 uninvested balance. Invest General Fund balances up to \$100,000 per month while maintaining at least \$1,500,000 uninvested balance. Invest Building Fund balances up to \$50,000 per month while maintaining at least \$250,000 uninvested balance.

Morrow explained that another objective was to minimize the risk of bank failure. This next step concerned the uninvested funds which now remain in the bank and for those it would be necessary to identify and utilize several other banks. Hansen stated that Moenck had sent a note indicating she concurs with this motion.

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

G. Consider Hazardous Waste Collection.

Hansen began the discussion by saying that the question revolved around whether to move to SOCRRA. It was Seltzer's recollection that at the last Council meeting it was decided that the Village would move forward with this year's Hazardous Waste Collection day given the fact that there had not been a formalization to use SOCRRA's distribution site in Troy for the Villagers' hazardous waste. Utilization of the site wouldn't be until the first of the year due to SOCRRA's construction.

#2017-69 Motion by Seltzer, seconded by Gallasch to set September 23, 2017 from 9 AM to 1 PM as the date for Hazardous Waste Collection.

Morrow confirmed that the Village would continue to evaluate and negotiate an agreement with SOCRRA for the future.

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

X. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

#2017-70 Consider an Ordinance to Approve the Editing and Inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances (first reading).

Pulker noted this was to give the approval for the codification of the Ordinances which were approved last year and adding them to the Ordinance book this year.

Motion by Seltzer, seconded by Stakhiv to approve the Editing and Inclusion of Certain Ordinances and a Resolution as Parts of the Codified Ordinances (first reading).

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

XI. ADJOURNMENT

Motion by Morrow supported by Seltzer to adjourn the meeting.

Ayes: Gallasch, Hansen, Morrow, Seltzer, Stakhiv

Absent: Gordon, Moenck

Nays: None

Motion carried.

There being no further business, the meeting was adjourned at 8:34 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President