

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL
SPECIAL MEETING
January 13, 2014
7:00 PM
AT THE VILLAGE HALL
32325 FRANKLIN ROAD
FRANKLIN, MICHIGAN**

I. CALL TO ORDER.

Jim Kochensparger called the meeting to order at 7:04PM.

Present: Brian Gordon, Pam Hansen, Jim Kochensparger, Judy Moenck.

Absent: Tom Morrow, Ed Saenz, Mike Seltzer.

Also Present: Eileen Pulker, Village Clerk; Amy Sullivan, Village Administrator; John Staran, Village Attorney.

Kochensparger explained the procedures that the Village Council will adhere to when hearing the Right Of Way Appeals. He also made a brief statement that the Council is trying to establish a standard. The goal is to make that area along the roads safe. He stated that the burden of proof is on the resident to show cause.

II. ADOPTION OF AGENDA.

The Agenda was adopted as presented and published.

III. CONSIDER ROAD RIGHT OF WAY OBSTRUCTION APPEALS.

Marjorie Saulson, 26662 Scenic Dr. referred to the letter she and her husband sent to the Council Members, dated Sept. 16, 2013. Their property is surrounded by Drummond Ct., Scenic, Willowgreen, and Wellington. The boulders were placed around the perimeter of their property to protect their lawn from drivers disregarding their property. She does not believe that the boulders present any safety issue. The police cars or fire trucks have not had any problems maneuvering either their driveway or the street.

Kochensparger acknowledged the owners' reasoning behind the placement of the boulders but emphasized that they are still on the Village property in the Right Of Way. Because of that they are deemed obstructions and thus a hazard. He further explained that there are other alternatives to using boulders along the roadway.

Motion by Hansen, seconded by Moenck to deny the request for a variance to the Road ROW Ordinance for 26662 Scenic Drive. The deadline for compliance is June 15, 2014.

Ayes: Gordon, Hansen, Kochensparger, Moenck

Nays: None

Absent: Morrow, Saenz, Seltzer

Carrie Kovan, 31280 Ramble, explained that they are new to the Village and one of the many reasons they moved to Franklin was because of its natural beauty. The rocks were in place when they bought the house and are important to the aesthetics of their property. She acknowledged that their driveway is hidden and there is a road sign statingsuch. The road is narrow, with the exception of that portion in front of their house. She listed a few

items that the rocks protect, including mailbox, grass, and sprinkler heads, but most importantly, their children and dogs.

Eric Kovan addressed the Council concerning the legal issue and added that his concern is safety. He asked about the possibility of widening the entire road and also asked for the Council's definition of "hardship".

Staran explained the ROW.

Motion by Moenck, seconded by Hansen to deny the request for a variance to the Road ROW Ordinance for 31280 Ramble Road.

Ayes: Gordon, Hansen, Kochensparger, Moenck
Nays: None
Absent: Morrow, Saenz, Seltzer

Jodi Goodman, 26680 Willowgreen Drive, has lived at this address for 5 years. She lives across the street from the Saulsons and has the same concerns as they do. Referring to her letter, dated August 13, 2013, she listed her concerns, including the danger of driving into the ravine if the boulders were to be removed.

Motion by Hansen, seconded by Gordon to deny the request for a variance to the Road ROW Ordinance for 26680 Willowgreen Drive.

Ayes: Gordon, Hansen, Kochensparger, Moenck
Nays: None
Absent: Morrow, Saenz, Seltzer

Gordon suggested that, if and when Ms. Goodman relocates the boulders, and she has an issue with a boulder or two because of the drainage ditch or something similar, she might want to come back with a specific request for a variance. The Council might consider it at that time.

Hansen mentioned and confirmed by Sullivan and Kochensparger that the Village can ask the DPW contractor to bid on several rock removal projects and provide quotes to the individual homeowners. The deadline for completion is June 15, 2014.

Ronald Cohen, 26440 Irving, was not in attendance, nor was a representative on his behalf.

Motion by Gordon, seconded by Moenck to deny the request for a variance to the Road ROW Ordinance for 26440 Irving.

Ayes: Gordon, Hansen, Kochensparger, Moenck
Nays: None
Absent: Morrow, Saenz, Seltzer

IV. PUBLIC COMMENTS.

No comments were made at this time.

V. ADJOURNMENT.

As there was no further business, the meeting adjourned at 7:50 PM.

Submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

James Kochensparger, President