

**VILLAGE OF FRANKLIN
REGULAR COUNCIL MEETING
MONDAY, MARCH 9, 2020, 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 7:00 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Pam Hansen, Bill Lamott, Ed Saenz, Mike Seltzer, Mira Stakhiv, Brian Gordon (arrived at 7:15 PM)

Absent: None

Also Present: Roger Fraser, Interim Village Administrator
Eileen Pulker, Village Clerk
John Staran, Village Attorney
Lance Vainik, Village Treasurer

III. ADOPTION OF AGENDA

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

Lamott requested that agenda item **IX. NEW BUSINESS, D. Consider Downtown Improvement Plans: Engineering, Landscaping, and Lighting** be moved after **III. ADOPTION OF AGENDA**.

Motion by Lamott, seconded by Seltzer to adopt the agenda, as amended.

Ayes: Gallasch, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: Gordon

Motion carried.

Hansen thanked the residents for attending this meeting about the downtown; a dialogue which began two (2) years ago. Tonight Council would talk about the budget and provisions of the plans and vote to approve the Resolution on the Streetscape Plan.

Hansen proposed the process for this meeting: The Clerk would read the Resolution, which summarized all the work that had been done, the floor would be open for Public Comments, once they were completed, she would close that section, and ask Council for a vote on the Resolution. Responding to Stakhiv's question, Hansen answered in the negative that this was her job to decide the process and continued by saying that Council would have an opportunity to make comments after a motion was proposed, as usual.

IX. NEW BUSINESS, D. Consider Downtown Improvement Plans: Engineering, Landscaping, and Lighting.

Hansen explained the normal procedures for Public Comments. Each respondent would have two (2) minutes to respond.

Pulker, Village Clerk, read the Resolution, “RESOLUTION TO APPROVE FRANKLIN ROAD STREETScape PLAN AND CONSTRUCTION OF RELATED IMPROVEMENTS”.

Point of Order, Seltzer requested that other items on the agenda be considered first since Gordon was not in attendance. Hansen continued the established procedural order.

Lisa Dunn, Gardenway, business owner and resident, and Jason Dickman, business owner, both Main Street Franklin Board Members, strongly encouraged Council to approve the proposed streetscape improvement project. Franklin Businesses appreciate all the benefits and funding Council and Main Street have provided the businesses. This major improvement would greatly enhance the safety and security of the customers who frequent our retail community. In recent years the retail community has suffered and this improvement would help in the economic vitality of the Village.

Lisa Dunn addressed the influx of new families moving into Franklin and how the project would increase the awareness and overall experience of what a wonderful community the Village has to offer noting that safety and security were also important factors. She encouraged Council to move forward with the streetscape project, as it was a major step in enabling the future of Franklin. Growing a more vibrant historic shopping district was in the best interest of all.

John Simon, Kincardine Rd., resident and part owner of the Slade House, noted that he and his wife have been residents of Franklin for over 50 years and business owners in the Historic District for over 2 years. Neither he nor his wife have ever heard of any of their Franklin friends complain about the lack of sidewalks in downtown Franklin. He was very curious to find out who was the driving force behind the push that sidewalks be installed on the west side of Franklin Rd. After talking with Council members, business owners, Franklin Historic Society members, and residents, he concluded that Main Street spearheaded this movement and not the residents themselves; although he was sure some residents liked this idea, the majority did not.

(Gordon arrived)

This was evidenced by the records of past voting defeats for sidewalks on the west side of Franklin Rd.; in 1978 (Master Plan recommended there only be sidewalks on the east side of Franklin Rd.), in 2009 (Ballot proposal requesting \$2.2 million tax revenue for sidewalks on Franklin Rd.) was defeated, and in 2016 (Ballot proposal to change the Village Charter to allow for sidewalks on Franklin Rd., no millage requested) and it was defeated. It appeared that money had not been the issue. He asked those Council members who were in favor of sidewalks, to provide evidence that the community has had a change of heart on the subject of sidewalks. He asked if there had been any questionnaires, polls or ballots to justify their position? Without any proof, it appeared that some Council members had their own agenda and weren't being responsible to Franklin residents. This year Council's proposal was just under \$2 million and could be returned to the tax payers or used in better ways to beautify Franklin Rd. The primary responsibility, commitment, and duty of the Village Council was to provide and protect the

unique charming historic character of the Village and its Historic District. Council also had the responsibility to help support the business community but not when their needs conflict with the priorities of the residents and the Village Charter. He proposed that any issue regarding the installation of new sidewalks be put to a vote by Franklin residents, asking if they wanted to amend the Village Charter which presently prohibits such installation. Sidewalk installation could not be decided on by a polarized Council as one (1) member's vote could determine the outcome of Franklin's basic character and would forever change the National Historic Certification from "rural" to "urban".

Leslie Frick, Balsam, a 32 year resident, thanked all those who had put in a lot of hard work on the plans. She and people who she had spoken with agree that putting sidewalks on the west side of Franklin Rd. would be a distraction, a negative addition to Franklin. She liked numerous things on the proposal; however, she thought this should be put to a vote for the public to decide. A small hand-full of people should not make such a huge decision for a community, especially being a Historic District. She urged Council to put it to a public vote and it should be a two part vote: A. Sidewalks at all and; B. Sidewalks on the west side. She was in favor of sidewalks on the east side all the way to 13 Mile Rd.

Randy McElroy, Woodside, stated that he has been involved in Franklin politics for 20 years, and therefore knows of what he speaks. He supported Simon's facts about previous voting results and the Charter specifically saying, No Sidewalks. After expressing his admiration of Staran, McElroy objected to Saran's opinion of the Charter, adding that if the Charter were broken into little pieces, Franklin would start looking like Birmingham and/or Livonia. He agreed that the subject of sidewalks beyond Scenic Dr. needed to go to a separate vote.

Lee Dimitroff Phillips, Carol, noted that she has lived in the Village for over 50 years. She further stated that Franklin is the "Town that Time Forgot" and it didn't have to be like any other place. It was a unique Village and she wanted to keep things the way they were. Sidewalks were not needed; just walk on the other side of the street where the sidewalks were.

Kathy Erlich, Crestwood, resident and business owner, grew up in Franklin and was raising her children here. She felt she had a unique perspective with regards to the past, present, and the future of Franklin. She also felt a strong responsibility to preserve the past for future generations as did the prior generations before her and others. It was her fear that the adding of all the sidewalks, curbs, curbside parking, and crosswalks, went against the 1978 land use plan. The Village character of "The Town That Time Forgot" would be permanently altered. Rather than duplicate sidewalks in the downtown, she had several ideas she thought would be better ways to use the funds to beautify the roads, such as, drainage issues, lighting, more ground cover, and the planting of more trees to create an overhead canopy. Safety was a concern and she especially supported sidewalks along 13 Mile Rd. and 14 Mile Rd. In order to connect the community with the Village, she encouraged the Council to make it safer for people to come to the downtown.

Mike Flevaris, Franklin Rd., stated that he lives across the street from the former Market Basket. He noted that he, like Seltzer, had been the FCA President. He has spoken at many meetings, at the Church and the Design Committee, and stated he supported the idea of sidewalks but not sidewalks which weren't necessary. He opined that the Village lacked businesses which would

bring in customers; this was partly due to high rent costs, not sidewalks. As an example he pointed out that the sign for offices for lease at the corner of Franklin Rd. and 14 Mile Rd. had been there for years, and yet they had their own sidewalks. Sidewalks on both sides would “urbanize” Franklin Rd. He had not heard of any traffic studies or surveys and had even spoken with two (2) police officers who told him that sidewalks on the west side would be dangerous for pedestrians.

Elina Costello, D.D.S., business and property owner of Smile Builders of Franklin, encouraged the Council to approve the Streetscape proposal. She was speaking for her patients and friends who live in Franklin and agreed that it was not safe to walk in town. This issue was not only about whether you could cross Franklin Rd. or not, but also whether a pedestrian could walk from one business to another. The population was aging, some of whom use walkers or need help. This was not about “The Town That Time Forgot” or historic nature or charm of the Village, it was getting with the times and the reality of the fact that people needed to be able to walk in this town. If there weren’t pedestrians in the town it truly would be “The Town That Time Forgot” as no one would be coming to the businesses. She related that some of her clients even preferred to go to one of her other offices because they felt Franklin’s downtown was so shabby. This was about the condition that the buildings were in, the materials, and the structures; not the beauty of Franklin. Investing in the infrastructure of the historic and precious buildings in town was important; an example of which was the barn she and her husband had invested in and restored. Other than that she didn’t see any investing in the properties. She felt that before these buildings fell down or fell apart it behooved the residents to look at how they could support a thriving, charming, historic village, not one that time and people had forgotten.

David Goldberg, Willowgreen Ct. and Planning Commission Chairman, was in full support of these plans adding that in all plans, compromises had to be made. However, he struggled with the idea of why the Village would be putting sidewalks in downtown Franklin when they were already there. The concept of sidewalks was not new to Franklin, as there was a sidewalk on the east side of the street from 14 Mile Rd. to the downtown. Therefore, the existing sidewalks on the east side of the street must be part of the whole “historic” concept. He was baffled by the idea that by adding a small portion of sidewalk to the west side would take the Village from an historic town that time forgot to equate it to Livonia. He looked at the areas which would be affected by an addition of a sidewalk, such as adding a sidewalk on the west side of Franklin Rd. from 14 Mile Rd. going south up the hill. He admitted that he had not heard of any complaints about this idea regarding the physical and economic feasibility. The next section going south was a “sea of asphalt” from Vincennes past Smile Builders and the building next door with their parking spaces, the gas station, and then the fire station. No need for a concrete path through that area. Next area would be the four (4) residences which front directly on the Village’s right of way land. It has been questioned if the Village should honor the residences’ wishes of “no sidewalks” over consideration of the safety and security of the residents, which he thought was a mistake, but it would be better than nothing. The next stretch would be to have a sidewalk from the Library to the Village Hall. In summation, he said the plan would add a sidewalk in front of only a few businesses. The business owners did not have a problem with it; however, maybe the building owners did. Safety of the residences and the residents should be primary. He questioned where the controversy over sidewalks was coming from and why.

Sherry Sparks, Evelyn Ct., noted that as a teenager she would drive to Franklin to run in nature and thought that it was the most unique place in Oakland County. Her daughter, who was raised in Franklin, now owns a newly built home down the street from her. There were many residents who raised their families in the unique charm and very different lifestyle of the Village. These were the people who did not want Franklin to be a cookie cutter place lined with sidewalks and they definitely did not want to lose the right to vote for the Village Clerk. Her Franklin generation had been vigilant and protective of what makes and keeps Franklin, Franklin with many contentious battles over the years: city water, bed and breakfast, sidewalks, open spaces, and parking. The fact that children of her generation and other young families were choosing Franklin over Birmingham or subdivisions or any other locations had made it worth the effort. The young families might not come to Council meetings because of other family commitments but they were all paying attention and they all vote in every election for Village Trustees. As a unified group of Franklin parents and their adult children speak with one unified voice; they want to keep electing the Village Clerk and they do not want any more sidewalks. Additionally, she felt that if the Village had accumulated such a large surplus, please return it to the place where it came, the residents.

John Kaczmarek, W. 14 Mile Rd., Bloomfield Township resident, expressed how these issues personally matter to him. His concern was that the properties along Franklin Rd. were suffering and that if the Village didn't improve the frontages on Franklin Rd. the businesses will keep moving out and the landlords will be faced with a dilemma. If that continued the Village might be scaring away renters and end up with some questionable businesses along Franklin Rd. If this community doesn't improve the residential property, values might go down because the Village doesn't have anything except a ghost downtown and the value of his property in Bloomfield Township would go down. If the Village didn't invest in the community, it would pay the price in the future.

Jacqueline Drake, Forest Dr., resident, business, and property owner, stated that her kids like to ride their bikes to the Village center. Most of her events and classes at the business were scheduled in the evenings. She first praised the tree at the corner of Wellington and Franklin Rd. and hoped it could be saved. Regarding sidewalks, she shared that during the Sip, Shop and Stroll event, a customer had gotten sideswiped at Wellington and Franklin Rd. adding that she often helped customers cross Franklin Road. The fact that the safety on Franklin Rd. at Wellington wasn't even being considered was beyond her imagination, i.e. putting up a stop sign at that corner. She was puzzled why people were arguing about sidewalks and responsible safety in a time when we were worried about infectious diseases.

Joan Simon, Kincardine, resident and business owner, has lived in Franklin for 50 years and has seen the sidewalk issue voted down every time. It was her understanding that there needed to be a Village-wide vote to approve sidewalks before they could be installed and wondered why there wasn't a Village-wide vote to approve the sidewalks. As a business owner and a resident she was not in favor of the beautification plan; however, if it were going to happen she would like to know that the business owners could have a say as to what flowers they did or didn't want. Most important to her, she did not want sidewalks and the residents should have a "say" in that.

Mark Ziessow, Redfern, has lived in this area for 63 years and brought up in this area. Because he was afraid to walk on the west side of Franklin Rd., his route to the Library would be on the east side and then cross over Franklin Rd. The proposed sidewalk on the west side was not a lot and he thought that continuing sidewalks to 13 Mile Rd. was a great idea.

At 7:47 PM Hansen closed the public discussion.

#2020- 14 Motion by Seltzer, seconded by Gordon to approve the Resolution to Approve Franklin Road Streetscape Plan and Construction of Related Improvements, as follows:

**RESOLUTION TO APPROVE FRANKLIN ROAD STREETSCAPE
PLAN AND CONSTRUCTION OF RELATED IMPROVEMENTS**

WHEREAS, the Franklin Village Council engaged the services of Land Design Studios to prepare a conceptual plan for streetscape improvements in the downtown and Nowak & Fraus Engineers to prepare engineering plans to support and implement the improvements contemplated in the streetscape plans including appearance, pedestrian safety, sidewalks, lighting, parking and related landscaping; and

WHEREAS, as the design work progressed the contractors have met with the Council and various stakeholders to obtain input on evolving plans; and

WHEREAS, in March of 2019 the first meeting with residents and business owners was held at the Community Church to discuss plans and process for paving Franklin Road from 12 1/2 Mile to Scenic and concepts of a streetscape plan for the downtown and to solicit community input on potential improvements; and

WHEREAS, in late January, approximately 100 residents and business owners participated in a widely advertised meeting at the Community Church to see and hear a presentation on the streetscape plans, to have their questions answered and to express opinions about the project; and

WHEREAS, in late February, about a dozen downtown business owners and operators met with Tad Krear to review and discuss the planned downtown improvements, particularly parking around and near their businesses; and

WHEREAS, to fund the streetscape and remaining Franklin Road improvements, approximately \$1,500,000 of bonds approved for road rehabilitation remains uncommitted and approximately \$1,100,000 is available in Act 51 local and major road funds; and

WHEREAS, there are several significant elements now included in the streetscape plan that have been the subject of some discussion:

1. Construction of sidewalk from 14 Mile to Evelyn Court (west side).
2. Construction of two parallel parking spaces in front of Franklin Village Dental.
3. Construction of sidewalk from Vincennes to Wellington on the west side.
 - a. Granite or mountable concrete curb in front of residences
4. Removal of large Black Walnut tree, N.W. corner Wellington & Franklin.
5. Construction of east side sidewalk from Scenic to 13 Mile.
6. Crosswalk treatments – stamped, colored concrete with concrete banding;
7. Retaining Wall materials:
 - a. S. of Hawthorne Dr. – dry stacked wall, not visible from Franklin Rd.
 - b. N. of Hersheyvale Dr. – masonry field stone wall

- c. Meadow to 13 Mile – masonry field stone wall
8. Full cut-off street light fixtures – Use the fixture demonstrated or one similar as shown at meeting on February 24, 2020; and

WHEREAS, continuing guidance will be needed from the Village for these remaining items included in the plan:

1. Final quantity of street lights and other downtown lighting methods.
2. Creating a 4-way stop at Wellington/German Mill and Franklin.
3. Shared lane markings for bicycles on Franklin Road.
4. Final tree and landscape planting bed locations.
5. Final sign locations and types (per outcome of HRC sign study).
6. Downtown streetscape maintenance agreements/resolutions and budgets including snow removal and landscape care; and

WHEREAS, completion of the longer range elements of streetscape plan includes:

1. Preparation of a lighting ordinance with application guidelines,
2. Development of consolidated parking areas with cross access easements behind businesses,
3. Future pedestrian walks and connectivity; and

WHEREAS, project savings and efficiencies may be realized by coordinating the project engineering and administration of the streetscape project with the remaining Franklin Road refurbishing; and

WHEREAS, the estimated cost for completion of the streetscape project is \$1,764,318 and the projected cost for the remaining resurfacing of Franklin Road is \$436,000; and

WHEREAS, sufficient funds are available in the 2017-2018 Road Rehabilitation Program and the Act 51 Major and Local street project funds for completion of the Downtown Streetscape project and Franklin Road resurfacing from Scenic to 14 Mile Road.

NOW, THEREFORE, the Village Council of the Village of Franklin resolves:

1. To approve the downtown streetscape engineering and design plans as currently submitted by Nowak & Fraus Engineers and Land Design Studio; and
2. To authorize and direct the Interim Village Administrator to work with Nowak & Fraus Engineers and Hubbell, Roth and Clark, Inc. to develop appropriate agreements to have one of the two engineering firms oversee and coordinate the streetscape and street refurbishing in the downtown; and
3. To establish a temporary subcommittee of the Village Council to work with the Council President, Administrator and consultants to expedite consideration of the remaining elements of the downtown plan.

Seltzer stated that he loved that there were so many people at this meeting who had very strong feelings about the Village. He noted that he firmly believed that although this was “A Town That Time Forgot”, the Village needed to move forward. Krear’s Streetscape was the vision he had for the Village he lived in. He reminisced about the “Franklin 2020” Plan from a few years ago and

to him it was a dream come true. He wanted the Village to be beautiful, to be attractive and appealing, good for business owners and for residents. He felt that this was all about public safety and the betterment of the entire community. After listening to many different opinions, he thought the Council had been very respectful and taken into consideration and sincere appreciation of all the concerns of those who live on Franklin Rd. However, he felt Council had to vote in favor of this process because it was for the betterment of the entire community, not just for residents who live on Franklin Rd. It was Village property so it had the right to do what Council thought was best.

Gordon stated there had been numerous public meetings and literally hours of debates over the details of the scope of this project. Council had heard from residents and business owners, from design and construction professionals and the voters have had a chance to weigh in, at least, on the lighting component as dictated by the Charter. With months of work on the project, he felt it was thoroughly vetted and it was time to take action. He calculated a 2 to 1 voter approval of the lighting portion of the project which was only one portion of the safety and walkability issues which were goals of the Council and the residents. He acknowledged some of the concerns of the residents; however, stated that the sidewalks in the Village were random, not connected and inhibit walkability and safe passage throughout the Village. He emphasized that all sidewalks were planned in the Village right of ways. Curbs were a subject of discussions. He did not see a comparison of Franklin to Livonia, Birmingham, or Rochester. He felt there had been great consideration of the placement and impact of sidewalks, i.e. in front of the four (4) residences on Franklin Rd. All residents who were interested had a voice and opportunities to impact this plan. All the ideas were considered. He fully supported this plan and the Resolution.

Stakhiv complimented Krear and Hutha for the outstanding job they had done on the project. At stake was Franklin's historical nature in such a manner it would make the downtown shine, yet retain its charm, quaintness, and old fashion representation. After doing some online research she found several descriptions of Franklin, including some from real estate businesses, several of which she quoted. During the last week, residents had reached out to her and Council to urge reconsideration of west side sidewalks which included a petition from those private residences which would be affected. She agreed to about 80% of the plan designs and listed those elements. Instead of spending the money to put sidewalks on the west side, she was more in favor of truly making Franklin a walkable community by extending the sidewalk to 12 ½ mile and Franklin Rd. and put in sidewalks on 13 Mile Rd. That would make it more walkable to everybody. Her alternative modifications were to update, regrade, and put gravel on the west side. She also had ideas for the beautification of the west side. She supported the majority of the Downtown Streetscape Plan with the exception of sidewalks on the west side. She wanted to keep "our" charming, vintage, old fashion town that we were known for in the Detroit metro area but keep moving forward with some minor tweaks and modifications.

Lamott agreed that Franklin was looking shabby and something needed to be done. He summarized the Plan pointing out very specific areas which needed help and shared some ideas of how to achieve them which he estimated would cost around \$150,000, not \$1.7 million. All this would include the improvements and alternatives along the east and west sides of Franklin Rd., including lighting, crosswalks, and stop signs. He was in favor of amending the Village Charter to construct sidewalks from Scenic to 13 Mile Rd., as well as along 13 Mile Rd. which would

connect residents to the downtown. By not spending money on duplicate walks downtown these could be built. He also identified some decorative retaining walls in town, the history of some he shared, which could be refurbished with some of the money. Those were the character of Franklin and should be restored. The Village owned several parcels of land in town and the non-motorized funds could be used to put pathways through them so villagers had access to them. Street name signs were very inconsistent and should be uniform and good looking.

Lamott would like to propose an amendment to the current Resolution.

Motion by Lamott, seconded by Gallasch to amend the Resolution to read:

The Village Council authorizes:

On Franklin Road – East Side

- 1. Replace approximately 1200 linear feet of broken and mis-matched sidewalk.**
- 2. Plant grass between the sidewalk and the road pavement**
- 3. Install six 14-foot high street lights.**
- 4. Plant small vegetation around street light bases.**
- 5. Remove rust colored boulders in front of the Van Every mansion; regrade the yard and plant grass and a few perennials.**

On Franklin Road – West Side

- 1. Install new sidewalk from Evelyn Ct to Vincennes. The walk in front of the gas station and fire department will be delineated with white thermal striping on the edges.**
- 2. Plant grass between the sidewalk and the road pavement.**
- 3. Create a crushed stone road shoulder between Vincennes and Wellington.**
- 4. Fix the drainage problem in the grass right of way between Wellington and Carol and on Carol west of Franklin by changing grading so water flows unimpeded to the storm drain.**

Mark road crosswalks with white thermal striping on the edges only.

Prepare a Village Charter amendment proposal that allows construction of new sidewalks or pathways on Franklin Road south of Hawthorne and on 13 Mile Road. Schedule the proposal for consideration at the August 4, 2020 election.

Ayes: Gallasch, Lamott

Nays: Gordon, Hansen, Saenz, Seltzer, Stakhiv

Absent: None

Motion failed.

Motion by Stakhiv, seconded by Lamott to amend the Resolution to read:

NOW, THEREFORE, the Village Council of the Village of Franklin resolves:

1. To approve the downtown streetscape engineering and design plans as currently submitted by Nowak & Fraus Engineers and Land Design Studio with the exception of sidewalks in front of the private residences and the Village Green on the west side of Franklin Road, in addition of grading and drainage improvements on the west side.

Ayes: Gallasch, Lamott, Stakhiv
Nays: Gordon, Hansen, Saenz, Seltzer
Absent: None
Motion failed.

Gallasch commented that on page 1 of the Resolution, regarding 1-8, he was under the impression that there was not a decision about a sidewalk on the east side going from Meadow to the dangerous intersection at 13 Mile Rd. That was money saved and, as Lamott had discussed, could be used elsewhere, i.e. 13 Mile Rd. He thought that that particular part of the sidewalk was unnecessary and if Villagers went through the neighborhoods it would still achieve the “walkability” aspect of the plan and have money to put somewhere else.

Hansen called for a Point of Order.

Motion by Gallasch, seconded by Stakhiv to amend the Resolution to read:

NOW, THEREFORE, the Village Council of the Village of Franklin resolves:

- 1. To approve the downtown streetscape engineering and design plans as currently submitted by Nowak & Fraus Engineers and Land Design Studio with the exception of sidewalks in front of the private residences and the Village Green on the west side of Franklin Rd. in addition to grading and drainage improvements on the west side; and to exclude the sidewalk from Meadow Dr. to 13 Mile Rd.**

Hansen stated that this issue of the sidewalk along Franklin Road, south of Meadow Drive had been discussed at another meeting but no action had been taken. She expressed her opinion that a sidewalk should go all the way down to 13 Mile Rd. If the Village wanted to create a walkway on 13 Mile Rd. from Inkster to Telegraph Rd. it would need to negotiate with Oakland County. By making the financial commitment of extending the sidewalk to 13 Mile, the Village might be in a better situation to show its cooperation and be able to negotiate with the County. However, 13 Mile Rd. was not included in this particular “packet”.

Gordon commented on the basic theory of connectivity and walkability to the Village Center. Granted residents would still be able to walk through the Meadow Dr. neighborhood; however, if a sidewalk didn’t go to 13 Mile Rd. there would be a gap. He felt it just made sense to have a sidewalk to 13 Mile.

To continue this thought, Hansen reminded everyone that one of the reasons this conversation was started two (2) years ago was the desire for the residents who live south of 13 Mile Rd. to have a convenient and safe access into the center of the Village. In her mind the sidewalk ending at Meadow Dr. did not accomplish this.

Responding to Stakhiv, Huhta verified that the plan as presented did have a “landing” and a crosswalk at the corner of Franklin Rd. and 13 Mile Rd. which met with ADA requirements.

Lamott thought a stamped crosswalk had been discussed and rejected but he found it on the plan he received Friday. Hansen said that at the last community meeting the residents did not like the

painted or thermal striping material applied to the road. Huhta clarified that the crosswalks would have a concrete banding with stamped concrete inlay in it. Lamott noted that there were crosswalks in the Historic District and they do not meet Historic District criteria.

Ayes: Gallasch, Lamott
Nays: Gordon, Hansen, Saenz, Seltzer, Stakhiv
Absent: None
Motion failed.

Gordon reminded Council that #3 on the 2nd page of the Resolution which referenced the opportunity for Council to amend elements of the final downtown plan.

Stakhiv referenced the financial numbers Council received in its March packet which were approximately \$400,000 more than what had been in its last month's packet. One of the ways to be fiscally responsible to the residents would be to eliminate the sidewalks on the west side and steer those monies elsewhere throughout Franklin. The costs appeared to be increasing on a monthly basis. She added that she understood the business' concerns; however, she admits that a lot of the businesses have been in Franklin for a very long time: some for 10 to 37 years. They were here for a reason and the reason being they like Franklin. Personally, she wasn't sure how the footage in the front of the four (4) residences would make a big of an impact on the businesses. She personally walks around downtown, shopping in all the businesses.

Hansen called for a Point of Order and Staran stated that the original motion was still pending.

Ayes: Gordon, Hansen, Saenz, Seltzer
Nays: Gallasch, Lamott, Stakhiv
Absent: None
Motion carried.

Hansen commented that this conversation about being unhappy with the downtown started two (2) years ago. She wanted the residents to know that she has read every letter, talked with many who had written letters, and listened to people who have called her to express their feelings about this project and she took the comments very seriously. From the conversation at this meeting it was very clear the Village Council was very committed to maintaining the integrity of our community. She didn't believe that any position a person took on this issue was a reflection of his or her dedication to the Village. All the residents cared about the Village and each had a different path to achieve this. She thought the Villagers should celebrate their historic community amidst the modernism that surrounds it. It took a lot of collective effort to maintain our unique little oasis in this metro area. It was her belief that the change was driven by the environment in which we live and the Village was recognizing this. The amenities of 50 years ago have changed as had the Village over the last 150+ years. The Village had evolved and the needs of the community had changed as well. She thanked the 2018-2019 Design Team of citizens and business owners who had met for 5-6 months with Tad Krear and it had been through their efforts that the concept plan emerged. Council was very courageous to agree to the citizen/business owner team; it was against tradition. She believed Council had done an excellent job in leading the steps after the Design Team turned over their work. She thanked Council's leadership by

freely stating their point of view and by keeping the good of the whole community in mind and having the courage to compromise. She thanked Krear and Huhta for all their help in this whole process.

John Simon, Kincardine, commented on the need for a ballot proposal to approve sidewalks in the residential areas.

Hansen replied by saying she thought Council had bent over backwards to respond to the community, referencing the original concept plan and the changes made. Secondly, she requested Staran to talk about the legal opinion of the Charter regarding sidewalks. Regarding residents' comments that the Charter had been violated regarding sidewalks, Staran read the pertinent sections so residents could form their own opinion whether they thought it had been violated. He had advised Council that in his opinion it had not. He referenced and read Chapter 11, Section 1, 2, 4, and 5. Construction of sidewalks was not being considered in residential areas. It was his opinion that Council had the authority to take the action it did tonight which was not in violation of the Charter to construct sidewalks on Franklin Rd. or any other major roads outside of residential areas.

Cassius Drake, Forest Dr., addressed the residents about the Coronavirus stating that all need to be prepared, have plans, and be very cautious, in light of the upcoming disruption.

(8:29 PM Hansen called for a break.)

(8:37 PM Hansen reconvened the meeting.)

IV. MINUTES

A. Special Meeting of January 29, 2020

Motion by Seltzer, seconded by Stakhiv to approve the Special Meeting minutes of January 29, 2020, as presented.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

B. Regular Meeting of February 10, 2020

Motion by Gordon, seconded by Seltzer to approve the Regular Meeting minutes of February 10, 2020, as presented.

On page 9, 1st paragraph, Stakhiv corrected the 2nd to last line to read, "...funded; however, *she* was not worried about Franklin's balance..."

Motion by Gordon, seconded by Seltzer to approve the Regular Meeting minutes of February 10, 2020, as amended.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

C. Special Meeting of February 24, 2020

Motion by Gordon, seconded by Seltzer to approve the Special Meeting minutes of February 24, 2020, as presented.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

V. PUBLIC REQUESTS AND COMMENTS

Madonna Van Fossen, Oakland County Ombudsman for SMART, introduced herself and her responsibilities to the communities in the County. She gave the Council members packets and brochures with information about SMART and other transportation services in Oakland County, including a map of routes near and around Franklin and connector routes.

Gordon asked if she had any demographics as to the usage by Franklin residents. She did not but would find out who would have that information and send it and brochures to Pulker within a week or so.

VI. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief, referred to his written crime submission for February and didn't have anything more to address in that report. However, he did want to mention that Council should have received a copy of the Police budget proposal for the next fiscal year and a copy of the proposal for the continuation of the Special Assessment District in Bingham Farms from Fraser. Gallasch complimented the Chief on the budget. Chief noted that the salary requests were up only 1½% this year, mostly due to contractual salaries owed and based on the current police officers' contract. Also, getting meaningful projections from all the insurance carriers had been very difficult this year. The amounts might vary as they were "best guess". Roberts and Fraser had a very good meeting with Ken Martin, Bingham Farms Administrator/Clerk and Karin Ludwick, Village Treasurer discussing the budget about which they didn't have any major concerns. They were very comfortable with the SAD and there would be a public forum next month for the roughly 25 owners of the buildings to ask questions about the costs. Bingham Farms had a final plan for the proposed assisted living community at 14 Mile and Telegraph Rd. and the building next to it. The plans have been posted in the Bingham Farms Village Hall. It would be part of the S.A.D. He was not sure how it would affect the Police Department with regards to additional resources. Roberts had had some conversations with the Bloomfield Township Chief of Police. Due to the uncertainty of the outcome of their budget issues, the Chief had contacted him about contracting with the Township for dispatch services and lockup services. The Franklin Police had a contract with Farmington Hills and had been very pleased with the current arrangement. As of yet the Township had not offered any figures; however, if they did and they were lower than Farmington Hills, he might consider a change.

Tony Averbuch, Fire Chief, was not present at the meeting; however, Gordon gave the January Fire Department Report which was fairly typical according to the recorded incidents. There had been a request as to any changes in the activities in light of the virus. According to Averbuch, there had not been any bulletins from either the state or county or health departments of any changes in protocols. He anticipated there might be changes such that the First Responders rather than coming into a residence with the full team they might be more selective in the number of people they send in until they vet the situation. Also, the 911 Dispatch System might be inclined to ask a second (2nd) level of screening questions to see if there was the potential likelihood it was connected to the virus.

Lance Vainik, Treasurer, referred to his monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending for a total of \$310,258.89. Vainik stated that the expenditures are generally consistent with the FY2019-2020 Budget. The Bills List for this month included a large entry of \$22,737.82 for Snow Removal services paid to Johnson Landscaping, Inc. Vainik concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. The list of account balances in your packets was as of March 9, 2020 held at Level One Bank. A Balance Sheet was also provided from the interest bearing CD's held at Multi-Bank Securities.

Hansen appreciated Fraser's Memo of the MBS Account Activity for February 2020, dated March 4, 2020.

Stakhiv requested that the check # 31447 to the State of Michigan - EGLE for \$2,000.00 be verified.

VII. SUBMISSION OF CURRENT BILLS

Category	sub totals
General	\$ 36,516.11
Maj Streets	\$ 12,794.71
Local Streets	\$ 12,794.70
Police	\$ 55,623.87
Garbage and Rubbish	\$ 15,066.05
Building Dept	\$ 8,668.54
Street Project	\$ 18,533.96
Pressure Sewer	\$ 118,456.76
Tax Collection	\$ 29,365.85
Waste Water	\$ 2,438.34
totals	\$ 310,258.89

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

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: None

Motion carried.

VIII. SPECIAL REPORTS

A. President's Report

1. Downtown Discussion/Franklin Road

Hansen made a comment about another aspect of the Downtown Improvement work. About a year ago a Task Force had been charged with looking at Ordinances and practices regarding the upkeep of buildings, particularly in the downtown. Lamott and she represented the Council, Downing represented the Planning Commission, Traxler was hired as Project Manager, Fraser, Dinnan, being the Building Official, Staran and consultants when needed were all on the committee. The group finished its work, all of which resulted in the Ordinances which would be considered tonight. She wanted to recognize them tonight. Some of the goals of the Task Force were short term: identify problem buildings, do an inventory, see what the problems were and weren't. Remedies were being put into place. Using the Building Official was a staffing issue and would be addressed by Fraser. What kind of incentives, grant funding, and tax financing opportunities could be used by property owners to keep their properties maintained.

B. Council Report

Stakhiv thanked Hansen for addressing the landlord and property owner delinquency. For the umpteenth time, she expressed her opinion about the property/building on Crestwood Dr. She gave an update on it and wondered at what point would the Village take the next step? This situation has been addressed for three (3) years. Our building codes need to be refined to make landlords and property owners accountable for blight. Fraser said he would do some more research and discuss with Staran about the legal situation. Fraser will update Council.

John Simon, Kincardine, expressed his concern about the "Snow House" and how it had been changed in that it was no longer authentic. It was quite different and he was interested in how the Village could stop this happening again. This was an example of the little changes that happen to Franklin. What could Council do about it? Hansen said she had had several people contact her and complain about the house. At the moment she did not have an answer for him but she would ask Fraser to look into it. HDC would need to be contacted.

C. Administrator Report

Fraser confirmed the hiring of AKT PEERLESS to provide environmental consulting services to the Village. On February 18, Kim Etheridge, Project Manager from EGLE met with him and Gallasch behind the Franklin Grill where fresh drilling was being done to check on existing wells to get information about the water flow. This was also an opportunity for people from AKT to familiarize themselves with the buildings and the pertinent area and the concerns. He had received information from Etheridge about the work that had been done to remove the empty storage tank under the cleaners which at one time had contained chemicals. Hansen joined his conversation with AKT which would be conducting a thorough review of the literature and documents related to the ground water issues in Franklin. They were currently in the middle of doing that. He had a conversation with them this afternoon and they expected to have a report to Council within the next three (3) weeks. Recently they (AKT) had received a massive amount of information from Oakland County that they had not seen before. This project was moving along.

Gallasch added that he was at the meeting and both he and Fraser came away with very positive feelings.

Franklin Farms has a barn (Burger Barn) on the open space, both of which was owned by the homeowners' coalition. About 40% of the barn has collapsed. Last week he and Dinnan went out there, walked the property, took pictures, and sent them off to the Michigan Barn Preservation Network to see if it were feasible to preserve it. He advised Council that he had been working as a facilitator for Yvonne Lake on behalf of the homeowners' group to research the possibility of clearing out and making use of the materials of the barn for another project. The Preservation group was in favor of the idea. Lake has spoken with five (5) different groups which did such work and has identified a person, William Cline who could do the work. He advised her that this was a hazard and needed to be cleaned up. He also let her know that he was interested in the possibility of the preservation or any salvation of any part of the barn. He has a meeting with her Wednesday morning to continue this conversation. Gallasch posed the question of selling the materials and where would those funds go? Fraser said this could be discussed with Cline.

There had been a concern about water drainage on the side of Irving Rd. since the resurfacing of the road. He has spoken with HRC which has been looking at it. There was a proposal on tonight's agenda for Council's authorization to proceed with this matter. The proposal was misworded as it was for approval to do the engineering related to this with the understanding that the actual repair work would be bid with the street improvement when that was done. Due to time issues, Cadillac would not be involved as it had been in the original road work. Therefore, the work needed to go out for bids. Gallasch inquired if there was enough money in the budget to do it and Fraser answered in the affirmative.

John Simon, Kincardine, informed Council of the new information about existing wells within a 300 ft. of the land affected by the contamination in the area along Franklin Road. If an old well failed, it would be replaced by a new, special, and expensive well. Because of this and being a part owner of the Slade House, he has retracted his concerns about city water and was now in favor of it. Hansen related everyone's surprise of the expense residents incurred when their well failed. This was the initial force behind the hiring of the Environmental Consultant.

X. NEW BUSINESS

A. Consider Alternate Members for Zoning/Sign Board of Appeals

Pulker asked that both applicants, Mark Ziessow and Stuart Greidanus, be chosen as Alternates. Mark Ziessow, one of the alternatives, expressed his appreciation to be asked to be on this Board.

#2020-15 Motion by Gordon, seconded by Stakhiv to approve the appointments of Mark Ziessow and Stuart Greidanus as Alternate Members to the Zoning/Sign Board of Appeals.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

B. Consider Liquor Committee Recommendation for the Renewal of the Franklin Grill Liquor License.

#2020-16 Motion by Gordon, seconded by Seltzer to approve the Renewal of the Franklin Grill Liquor License.

Gallasch, being on the Liquor Committee, stated that all the paper work had been finished and the approval was based upon inspections by the Police Department, the Fire Department, and the Building Department for health issues. In addition, revenues had been submitted which were based on alcohol vs. food; the reason being the Grill is considered a restaurant, not a bar. Gallasch calculated that the revenues had been approximately 80% food.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: None
Motion carried.

**C. Consider Contract for Repairs of Irving Street Drainage, HRC.
Motion by Seltzer, seconded by Saenz to approve the contract according to the HRC letter of March 5, 2020.**

Gordon asked for a clarification that the approval was of \$4,000.00 for professional engineering services and bids would be taken for the actual construction cost.

#2020-17 Motion by Lamott, seconded by Stakhiv to approve \$4,000.00 for the professional engineering services of HRC, as stated in the HRC letter dated March 5, 2020, and the construction cost not to exceed \$20,000.00, as amended.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: None
Motion carried.

E. Consider Possible Ballot Language, Appointed Clerk, at the August 4, 2020 State Primary Election.

Fraser discussed with Staran what would be needed to get this issue on the August 2020 Election Ballot. With Pulker leaving the Village Clerk position, the Village had the opportunity to restructure the Village administrative staff. He believed an exorbitant amount of money was being spent on certain things and not enough on others. He also expressed his opinion about "hiring" a Village Clerk as opposed to "electing" a Clerk. Pulker was supportive of such a change; however, there was a concern that many surrounding communities have not been able to find an appropriate candidate and those positions have gone vacant. Staran would expound on this but Fraser's purpose was to find a better organizational plan that would make better use of the Village's money and get a greater degree of services for the residents.

Staran referred to his March 4, 2020 email to Fraser RE: Charter Amendment – Village Clerk. He remarked that this proposed Charter language for Chapter III, Section 13 was similar to the Ballot language which had been presented to voters in 2016; the only difference being the expiration of the Village Clerk’s term of office would be in 2020. For this proposed Resolution to change the Charter, he reminded Council that five (5) affirmative votes would be needed to put this issue on the ballot for the August election. He explained there was a legal and technical complication regarding what type of an election at which a Charter Amendment could be considered: a Regular Election or a Special Village Election. Technically, a State Primary Election was not considered as either. Council would need to authorize a Special Election to be held in conjunction with the August Primary. This would mean that, although the Township would be running the Primary Election, the Village would be responsible for the cost of the extra ballot for the Charter Amendment.

Gallasch inquired about putting the vote off until the November election. Staran explained the various complications associated with that plan. Council discussion ensued.

The Personnel Committee recommended that the Village Clerk should be “appointed” as opposed to being “elected”. Taking that into consideration, Stakhiv researched an MML study and found there were 34 clerks for communities with between 2,500 and 5,000 residents; 2 in Oakland County were elected. Out of the 22 Oakland County Clerks, 20 were full time and 2 were part time. A decision needed to be made about whether the position would be part time or full time. Stakhiv also questioned the use of the word “elected” in the proposed ballot question as opposed to “appointed”. Staran clarified the state legal technicality, that “elected by Council”, would be the same as appointed.

#2020-18 Motion by Gordon seconded by Seltzer to approve the proposed Charter Amendment Ballot Language of Chapter III, Section 13 regarding the election of the Village Clerk.

Gordon questioned when would be the right time to change the Clerk’s job description, i.e. from full time to part time and/or duties? Should it be before or after August when the candidate would be applying for the job?

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

Fraser thanked Pulker for all her help.

Staran also requested that when this issue comes back to Council in a month it should plan to take action on calling a Special Election in August. He further explained that once the Council approved a proposed charter amendment it would be “tabled” for 30 days in order for the Village to publish a notice of the proposed charter amendment in the newspaper.

Seltzer questioned if it might be appropriate to also look into ballot language addressing the water issue so it could be placed on the August ballot. It was Hansen’s understanding that “water” was

a big topic and the path Council was now following was to wait and see the results of the environmental study, bring that data back to Council, and then decide whether it wanted to pursue it. She thought the subject of “water” was a November issue and there was still time to discuss that.

XI. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

- A. Consider an Ordinance to Amend Chapter 1480, International Property Maintenance Code, of Title Eighteen of the Codified Ordinances of the Village, Oakland County, Michigan to Adopt the 2018 Edition of the Code and Amendments Thereto, and to Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (second reading).**

#2020-19 Motion by Seltzer, seconded by Gallasch to approve the second reading of the Ordinance to Amend Chapter 1480, International Property Maintenance Code, of Title Eighteen of the Codified Ordinances of the Village, Oakland County, Michigan to Adopt the 2018 Edition of the Code and Amendments Thereto, and to Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

- B. Consider an Ordinance to Amend Chapter 1610, Fire Prevention Code, of the Code of Ordinances of the Village of Franklin, Oakland County Michigan, to Adopt the International Fire Code, 2018 Edition, with Amendments as the Fire Prevention Code of the Village, to Repeal Conflicting Ordinances, and to Prescribe a Penalty for Violations (second reading).**

#2020-20 Motion by Seltzer, seconded by Stakhiv to approve the second reading of the Ordinance to Amend Chapter 1610, Fire Prevention Code, of the Code of Ordinances of the Village of Franklin, Oakland County Michigan, to Adopt the International Fire Code, 2018 Edition, with Amendments as the Fire Prevention Code of the Village, to Repeal Conflicting Ordinances, and to Prescribe a Penalty for Violations.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv

Nays: None

Absent: None

Motion carried.

- C. Consider an Ordinance to Amend Chapter 810, Licensing in General, of the Code of Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Village License Requirements, Require Annual Inspections of Licensed Businesses, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations (second reading).**

#2020-21 Motion by Gordon, seconded by Stakhiv to approve the second reading of the Ordinance to Amend Chapter 810, Licensing in General, of the Code of Ordinances of the Village of Franklin, Oakland County, Michigan, to Modify Village License Requirements, Require Annual Inspections of Licensed Businesses, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: None
Motion carried.

XII. ADJOURNMENT

Motion by Stakhiv, seconded by Saenz to adjourn the meeting.

Ayes: Gallasch, Gordon, Hansen, Lamott, Saenz, Seltzer, Stakhiv
Nays: None
Absent: None
Motion carried.

There being no further business, the meeting was adjourned at 9:51 PM.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President