

**VILLAGE OF FRANKLIN  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 13, 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 in Franklin, Michigan via Zoom.us©.

**II. ROLL CALL**

Present: Fred Gallasch, Brian Gordon, Pam Hansen, Bill Lamott, Ed Saenz, Mike Seltzer, Mira Stakhiv  
Absent: None  
Also Present: Roger Fraser, Interim Village Administrator  
Eileen Pulker, Village Clerk  
Doreen Martin, Deputy Village Clerk  
John Staran, Village Attorney  
Lance Vainik, Village Treasurer

**III. SPECIAL MEETING RULES OF VILLAGE COUNCIL**

**A. Consider suspending the Village Council Rules of Conduct to the extent they require that council meetings be conducted as in-person meeting at the Village Office, in order to permit the meeting to be conducted as an electronic, remote participation meeting in accordance with the Governor’s Executive Orders 2020- 15 and 2020-21. The suspension of the Council rules in this regard shall be for the duration of those Executive Orders and any extension thereof.**

**#2020-22 Motion by Seltzer, seconded by Gallasch to suspend the Village Council Rules of Conduct as stated.**

As Hansen has stated in past Council meetings, she requested that the best results would be achieved if all members waited for the speaker to stop talking before he or she spoke. She would like to finish her sentence before somebody jumped in.

**Roll Call Vote**

**Seltzer      Aye**  
**Gordon      Aye**  
**Saenz        Aye**  
**Hansen      Aye**  
**Gallasch    Aye**  
**Lamott      Aye**  
**Stakhiv     Aye**

**Motion carried.**

Hansen informed Council that all votes would be Roll Call Votes.

**B. Consider adoption of procedures for Zoom-virtual meetings.**

**#2020-23 Motion by Seltzer, seconded by Stakhiv to adopt the procedures for Zoom-virtual meetings.**

Pulker gave the general rules which Hansen had put together and included in the Council packets, including the inclusion of Roll Call Votes after each motion.

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**IV. ADOPTION OF AGENDA**

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

Stakhiv suggested that **XI. NEW BUSINESS, A. Consider the Program Year 2020 High Intensity Drug Trafficking Area (HIDTA) Subrecipient Agreement Between the County of Oakland and the Village of Franklin** be included with Chief Roberts' report under **VII. REPORTS OF VILLAGE OFFICERS AND AGENTS.**

**Motion by Stakhiv, seconded by Gallasch to adopt the agenda, as amended.**

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**V. MINUTES**

**A. Special Meeting of March 9, 2020**

**Motion by Seltzer, seconded by Gordon to approve the Special Meeting minutes of March 9, 2020, as presented.**

**Roll Call Vote**

**Seltzer**      **Aye**  
**Gordon**     **Aye**  
**Saenz**       **Aye**  
**Hansen**     **Aye**  
**Gallasch**   **Aye**  
**Lamott**      **Aye**  
**Stakhiv**     **Aye**

**Motion carried.**

## **VI. PUBLIC REQUESTS AND COMMENTS**

Hansen explained the normal procedures for Public Comments. Each respondent would have three (3) minutes to respond.

Doreen Martin, Deputy Clerk, helped with recognizing those who wished to speak during the Public Comments section. She requested that those who have older revisions of Zoom and were not able to “Talk” could type their comments in “Chat”.

Ross MacBeth, lives on Franklin Road and has seen traffic traveling on this road at exceptional speeds. He has seen that the only time drivers were obeying the traffic laws was when there was a police presence and were pulling people over. Due to the lack of funding for such a permanent police presence, it made it impossible for his family to safely walk to the Village downtown. Sidewalks were important and he identified the area north of the school where there were no sidewalks. He expressed his support for safe sidewalks.

Tim O’Neill (Rosemary Long), W. Haverford Dr., messaged in “Chat” that Greenfield Village had sidewalks and lights which made it feel historic. Why not the same in Franklin?

Nena Downing, Bruce Lane, messaging in “Chat” praised the Police and Fire Departments during this difficult time.

Richard Cherkasky, stated that repairs on Franklin Road definitely needed to be made. He had lived in Franklin for 35 years and the Village needed to update and refresh the Village to a clean vibrant city. To not do it and put it off would take the Village in the wrong direction and the Village needed to go in the right direction. Lean forward, not back.

## **VII. REPORTS OF VILLAGE OFFICERS AND AGENTS**

**Dan Roberts, Police Chief**, expressed his appreciation to Council for moving up his agenda items. He began his report with comments that one of the officers had been off due to the Covid-19 virus. The officer has been feeling better and has been symptom free for a couple of days. He should be returning to work next week. Generally, police activity had been down with one major exception; that being the number of calls the office had been receiving about companies that were violating the Governor’s orders and continued to work in our two (2) villages: specifically, tree trimmers, landscapers, pool fillers, and home construction workers. Most of these workers had

been very cooperative when the officers had spoken with them. However, a landscaping company and a construction company had not been cooperative and the police had to involve the Village Prosecutor Allen Glass and the Oakland County Prosecutor's office to send letters to those companies to cease and desist. After several warnings the companies complied. For the resident's edification, the Chief noted that regarding landscapers, which appeared to be the biggest group of violators of the Governor's orders, and homeowners have also opened themselves up to ticketing if the violators were allowed to do work at their house. This ruling came from the "Number 2" person in the Oakland County Prosecutor's office. The Special Assessment District in Bingham Farms went up for a vote at the last Bingham Farms Council meeting. There had been a Public Hearing and it appeared it would pass, along with the police department's proposed budget. Following a recent trend, the department has offered "Birthday Celebrations" for young children. The police have coordinated with the Fire Department to have police cars and fire trucks with lights and sirens drive by their homes. This has been well received by the families.

## **XI. NEW BUSINESS**

### **A. Consider the Program Year 2020 High Intensity Drug Trafficking Area (HIDTA) Subrecipient Agreement Between the County of Oakland and the Village of Franklin.**

**#2020-24 Motion by Stakhiv, seconded by Seltzer to approve the Program Year 2020 High Intensity Drug Trafficking Area (HIDTA) Subrecipient Agreement Between the County of Oakland and the Village of Franklin.**

Roberts explained this was an annual agreement of a federal program that reimbursed the Franklin Officer who was assigned to the Narcotics Team for any overtime. The Village would receive a check from the federal government via Oakland County Narcotics Team. A yearly resolution of support was needed to be signed.

#### **Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**Tony Averbuch, Fire Chief**, noted that he had been supporting the operations at the TCF site in Detroit. Referring to his monthly report, the department was in good shape with average responses and run volume which had been consistent. The department sent out information through the Village, as well as through the FCA and on the police department Facebook page, trying to educate the residents as to when to and when not to call 911. He provided a current report of Franklin's preparedness related to the Covid-19 situation and the department's current

supply of personal protective equipment which was well-stocked for the foreseeable future. He thanked the Villagers who were supporting the “Stay At Home” order.

Stakhiv, speaking for all the residents, thanked the Fire Chief, the Police Chief, and the First Responders.

**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 \$ 101,616.39. Vainik stated that the expenditures are generally consistent with the FY2019-2020 Budget. The Bills List for this month included a large entry of \$14,828.90 for garbage removal and recycling, services rendered by GFL Environmental. 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 April 5, 2020 held at Level One Bank. A Balance Sheet was also provided from the interest bearing CD’s held at Multi-Bank Securities.

He had received questions from Council members questioning whether the Village should be concerned about what was happening with the Covid-19 virus, would it impact the Village finances. It was his opinion that the virus would have very little impact on the Village if it continued; however, it should be considered when the new budget was being considered. The Finance Committee would become very involved in this over the next several months.

Gordon inquired if the garbage hauler could make an adjustment to its rates since pick up of yard waste was not essential and had been postponed. Gallasch supported this idea. Fraser stated that he would be talking with GFL. It was Fraser’s understanding that the company, like others, was having problems getting crews assembled to do the yard waste pickup; plus more trucks were required because of the larger amounts of the recyclables and solid waste.

### **VIII. SUBMISSION OF CURRENT BILLS**

| Catogory            | sub totals           |
|---------------------|----------------------|
| General             | \$ 21,559.29         |
| Maj Streets         |                      |
| Local Streets       |                      |
| Police              | \$ 39,482.66         |
| Garbage and Rubbish | \$ 14,828.90         |
| Building Dept       | \$ 6,877.18          |
| Street Project      | \$ 18,248.24         |
| Road Millage        | \$ -                 |
| Pressure Sewer      |                      |
| Tax Collection      | \$ 228.68            |
| Waste Water         | \$ 391.44            |
| totals              | <u>\$ 101,616.39</u> |

**Motion by Seltzer, seconded by Gordon to approve the Bill’s List, as submitted.**

Gallasch agreed with Gordon's inquiry about the garbage collector. He had a question about the payment to Hubbell, Roth & Clark since they weren't doing any work for the Village. Fraser explained that the firm was working for the Village in two (2) areas: finishing some street work and following up on questions from last fall, plus some details in design for the forthcoming street repairs. Regarding the streetscape work, Gallasch also wanted a reconciliation of the expenditures done and monthly documentation. Fraser explained that Illuminart was part of Peter Basso Associates, the company working on the downtown lighting and Gallasch identified it as another addition to the downtown improvement.

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**IX. SPECIAL REPORTS**

**A. President's Report**

1. Downtown Discussion/Franklin Road

Hansen acknowledged the Police and Fire Departments for their kindness and respect they have taken with regard to the residents' concerns related to the Covid-19. She also acknowledged those residents who work on the front lines of the hospitals. The landscape and streetscape work was proceeding. Gary Roberts and Tad Krear have been meeting about plans for tree plantings in the downtown. They would be meeting with property owners where trees might be planted, whether they would be in the right of way or not. She advised the residents that following **SPECIAL REPORTS** there would be a Public Hearing regarding a proposed Charter Amendment to change the position of the Village Clerk from a publicly elected position to one elected (appointed) by the Village Council.

**B. Council Report**

None

**C. Administrator Report**

Fraser commented on the Village office procedures during the Covid-19 "Stay At Home" order. He has chosen to continue to come into the office every day. Pulkar and Martin would be working from home and come into the office when necessary. The same would be for Dinnan, the building official.

Seltzer and Hansen thanked Fraser for all his work during these unusual times. Fraser specially thanked and expressed his appreciation to Staran, the Village Attorney, for all his help.

## **X. PUBLIC HEARING**

### **A. Public Hearing and Consider Whether to Approve Proposed Amendment to Chapter III, Section 13 of the Village Charter for Submittal to the Electors at a Special Election to be held on August 4, 2020.**

Hansen opened the Public Hearing at 7:42 PM.

Staran commented that this was similar to what the Village had done several years ago regarding the Village Treasurer which had been an elected position and became a Village position appointed by the Council. That had been a Charter Amendment which was subsequently approved by the voters. What was being proposed now was similar relating to the Village Clerk, which had been an elected position. The Village Clerk had made it known that she did not intend to run for re-election. He felt this would be an opportune time for Council to consider changing this position from an elected position into an appointed position and amend the Charter. Council considered this at the March meeting and by state law it was required to table any vote on the proposed Charter amendment for 30 days and to hold a Public Hearing, after which the Village Council would decide whether to proceed forward and submit the question to the voters at the Special Election in August or not to move forward with the Charter amendment. Council would decide tonight after it heard from the public.

No Council members had any questions about the intention, timing or language of the Resolution.

There were several comments which needed to be put into "Chat".

Rick David, Wellington, sent over "Chat" questioned what other elected positions or proposed ballot questions would be on the August ballot? Hansen answered that this would be the only village-related question for this election. Staran confirmed this and stated that this corresponded with the State Primary Election. This would be the only exclusive Village issue being proposed for the August primary election and would be a Special Election for the Village.

Hansen closed the Public Hearing at 7:48 PM.

### **#2020-25 Motion by Seltzer, seconded by Gordon to Approve the Proposed Charter Amendment of Chapter III, Section 13 regarding the election of the Village Clerk, as follows:**

WHEREAS, the Village Council has considered a proposed amendment to Chapter III, Section 13 of the Village Charter; and

WHEREAS, the Village Council, at its March 9, 2020 regular meeting, tabled and postponed further deliberation or action on the proposed Charter amendments until this April 13, 2020 regular meeting; and

WHEREAS, the Village Clerk caused a Notice of Proposed Charter Amendment to be published on March 22, 2020, in the *Birmingham Eccentric* newspaper notifying residents that Village Council, at this April 13, 2020 meeting, would consider taking action on the proposed Charter amendment and further setting forth the present Charter language, the proposed Charter language and the proposed ballot question; and

WHEREAS, the Village Council has conducted a public hearing at this April 13, 2020 meeting, and has decided to approve the proposed Charter amendments for submission to the electors and to submit the proposed charter amendments to the Governor for approval in accordance with state law; and

THEREFORE, it is resolved:

1. The Village Council hereby approves for submittal to the electors the proposed Charter amendment as set forth in the attached Notice of Proposed Charter Amendment.
2. The Village Clerk shall certify a copy of this resolution for submittal to the Governor of the State of Michigan for approval.
3. The proposed Charter amendment shall be submitted to the electors for approval at a special election, which will be held on August 4, 2020.
4. The Village Clerk shall give notice in accordance with state law of the election by publishing notice twice in the *Birmingham Eccentric*. The notice shall contain the present Charter language, the proposed Charter language and the proposed ballot question. The first publication of said notice shall not be less than two (2) weeks, nor more than four (4) weeks prior to the date of the election. The notice shall also be posted in at least ten (10) public places within the Village not less than two (2) weeks prior to the election.
5. The proposed Charter amendment shall be placed on the ballot in the form set forth in the attached Notice of Proposed Charter Amendments, with provision for voting “yes” or “no.”

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**XI. NEW BUSINESS**

**B. Consider Holding Special Village Election on August 4, 2020 for the electors to vote on the Proposed Charter Amendment.**

**#2020-26 Motion by Seltzer, seconded by Gordon to approve a Special Village Election on August 4, 2020 for the electors to vote on the Proposed Charter Amendment, to change the Clerk position from one of an elected clerk to an appointed clerk.**

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

**C. Consider Budget Workshop meeting date of Monday May 4, 2020, 7:00 PM.**

Hansen advised Council this would start the Village budgeting process. Fraser complimented Chief Roberts on his work on the Police Budget. The Village would need to look at some much smaller but significant items that needed to be considered. He was interested in having conversations about what issues the Council members wanted to address and what they would like to accomplish in this next fiscal year.

Gallasch questioned if the Finance Committee should put together a proposal and work from that. The committee should go through the budget line-by-line looking at the past and the future and present it to Council at a budget meeting. Council could then ask questions.

Fraser was in favor of a Budget Workshop. He felt that the budget process was about what Council wanted to accomplish. Council should start by discussing how well it was dealing with the Village's money and use that information as a basis for further talk about what the priorities were and where it should spend the money in the future.

Hansen summarized the different processes used in the recent years. Vainik commented that this year would be different in that Council would not only be looking at traditional budget situations but also whether the virus would have any impact on the budget. He didn't suspect there would be any vast significance; however, data was needed on some concerns over the last quarter, such as pension. Such data was currently being put in place. If Council members had concerns, please forward them to the committee.

Stakhiv suggested the Finance Committee plus Vainik and Fraser schedule a meeting in the next two (2) weeks. On May 4, they could present a rough draft which would include Council's input to Fraser. Gallasch would like the public to have an opportunity to have some input as to the

direction it would like to see the Council go. Gordon stated that at the moment he would like to decide on a process.

**#2020-27 Motion by Seltzer, seconded by Stakhiv to approve a Budget Workshop meeting date of May 4, 2020, 7 PM.**

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

Gallasch pointed out that there appeared to be several citizens who did not have the opportunity to be heard via “Zoom”. He quoted from the “Chat” site that some of the residents had been muted and unable to speak. Hansen read verbatim a comment from the “Chat” format. She explained the technical process of “Zoom” for making public comments and added that she would not open the “Chat” for every agenda item. She further commented that similar to a “regular” meeting there were several intervals in the meeting where the public could speak, such as in the Public Hearing and on an individual agenda item being considered. She encouraged the public to be patient as they learn how to handle a community meeting using this platform.

Hansen added that the Budget Workshop and other budget meetings would be public. She asked that Fraser poll the meeting of the Finance Committee so it could decide on the sequence of dates and what would be accomplished at each of the meetings. Those committee members are Gallasch, Lamott, Vainik, and herself.

Earlier during the Public Hearing Seltzer had expressed a desire to introduce a motion related to the subject of “water”. Hansen explained this was not an item on this month’s agenda and asked Staran for assistance in proper procedure. Staran advised that if given the floor Seltzer could make a motion of some kind and that would initiate further discussion. Hansen suggested Seltzer wait until all the posted agenda items had been addressed.

**D. Consider Motion to be made by Trustee Lamott, upon prior notice, to rescind Village Council’s March 9, 2020 Resolution to Approve Franklin Road Streetscape Plan and Construction of Related Improvements.**

**Motion by Lamott, seconded by Stakhiv to rescind Village Council’s March 9, 2020 Resolution to Approve Franklin Road Plan and Construction of Related Improvements.**

Lamott provided some background information. He supported most of the plan. However, since the Council’s last meeting, there have been specific and significant issues that really

concerned/bothered him. Three (3) years ago residents voted down the proposal for sidewalks. The current plan would place sidewalks in the Historic District and yet there had not been any input or review of this matter by SHPO (State Historic Preservation Office) or any Preservationist Professional. If the sidewalk and historic preservation issues were resolved there might be more agreement and support. He supported most of the plan but not allowing residents to weigh in on these very significant issues bothered him. Those who own an historic property, he being one, were aware of the specific historic preservation procedures and the very specific processes needed to be adhered to in order to make changes. This process has not been followed with the streetscape. Normally a project within the Historic District would be brought before the HDC, who would weigh in on it and as a quasi-legal entity would have the authority to approve or reject any exterior changes. This would include portions of the streetscape within the Historic District. At this time HDC approval probably wouldn't be realistic given that two (2) members have been involved on this Task Force and a third has been very vocal about their thoughts. Basically, this huge project would be moving forward with no historic preservation. This troubled him a lot.

Lamott emphasizing that those on opposing sides of this project were not that far apart if certain issues could be resolved: sidewalks in front of the residences, sidewalks through the Village Green, sidewalks south of Scenic, and the hiring of a Historic Preservation professional to review the plan and give his or her input. He didn't understand why the Village didn't comply with the Dept. of the Interior's Guidelines. He was of the opinion that there were 4-5 issues which the Village was in clear conflict and once those were researched the residents could weigh in with on the sidewalk issues with their votes.

Hansen requested that Council limit its conversation to the merits of rescinding these plans and construction. The plan had been improved and Council was not here to negotiate or modify the plan. The motion was to rescind the Resolution of March 9, 2020 to approve the streetscape and construction of Franklin Road.

Gordon stated that nothing had changed since the approval of the Resolution on March 9, 2020. Those for the plan continue to support it and those opposed still don't like it. Most importantly, funding for the plan has zero impact on any other operational funds. He felt the funding of the plan was the most thorough vetting ever. Villagers had numerous opportunities to voice their opinions. He quoted comments by some from the March meeting minutes which had been approved earlier in tonight's meeting. Because two amendments to the original Resolution had failed, he questioned why this was brought up again. Council had voted and approved the Resolution and he saw no reason to change the decision.

Stakhiv stated that she was of the opinion that those Council members who voted "no" were concerned that some parts of the Charter, residential sidewalks, were not followed. Again, there was a concern that the public was not given the chance to weigh in. She supported her comments, some of which Gordon had referenced, but she emphasized that the residents didn't weigh in specifically on the subject of "sidewalks". She saw no harm in doing so; and she was responding to residents who had been calling or emailing her with their concerns. She was doing her job as a Council member. Everyone had a right to his/her opinion and Council members should not be nasty about this. She expressed her respect for all the Council members.

Gordon called for the “respect” of the process. Nothing had changed.

Seltzer supported Gordon with his exemplary comments and stated “they” had heard from many residents both “pro” and “con”. He referred to the comments written on Nextdoor Franklin and those being received during this Council Zoom meeting. A fair vote had been taken. The project had been analyzed carefully and closely for months, if not years, and after listening to numerous comments at open meetings, a conclusion had been reached. He referenced the three (3) houses on Franklin Road, the owners of which he felt continued to “beat the drum” about sidewalks. He stated that those three (3) houses were in the Village right of way and the Village had every legal right to do what it was doing. The Village was doing it as respectfully and deliberately as possible. He challenged Stakhiv on her statement that she would respect the vote and the vote was 4-3. He felt there was no reason for Council to be in a discussion about rescinding the vote. He felt it was a late sleight of hand and from his perspective obnoxious that a Council member (Lamott) had come to the table with nothing but negativity and nothing but criticism from day one. He claimed that Lamott didn’t want to see any change in the Village of Franklin.

Lamott refuted Seltzer’s comments. Seltzer wanted to vote. For Stakhiv’s clarification, Staran stated that a majority of the Council was needed for passage of the Resolution.

Public Comments were taken from “Zoom”.

Josh Lawton, Meadow Drive, responded to comments about this issue that he had seen on Nextdoor and was very disappointed by the way Council acted. Referring to Chapter 11, Section 5 of the Village Charter about streets and sidewalks, it was clear to him as to what was intended by the Charter. To him the legality of the vote was in question; however, he felt it was unethical to vote this way. He questioned why this issue couldn’t be handled legally and ethically. He questioned why this amendment couldn’t be put on the ballot in August? The other issue was the road funding; Was it legal to apply the money which was chartered for road funding to go to sidewalk construction? Additionally, have other legal opinions, besides that of the internal legal counsel, been sought? To him it was clearly against the Village Charter’s intention and might also be illegal. Hansen suggested he look at past meeting minutes regarding these questions.

Leslie Frick, Balsam, wrote in “Chat”. She took offense to Council member Gordon’s comments that the sidewalks were Bill Lamott’s personal agenda. She, along with numerus residents, values the historic elements of the Village. Gordon’s personal attacks were very unprofessional and, not to mention, completely wrong.

John Simon, Kincardine Rd. and business owner, wrote in “Chat”, stating that Seltzer’s comments were a complete misrepresentation of what had happened at the Town Hall meeting and written online in Nextdoor. There was no “ask for a vote” at either of the Town Hall meetings; not even a show of hands. Seltzer did not present any evidence that his position was representative of the Village at large. Simon stated it was a total falsehood. He also pointed out that he had asked this question three (3) times but had never received an answer: What was the reason for the resistance to putting this issue up for a Village-at-large vote? He would like an answer today.

Randy McElroy, Woodside, was unable to speak or write in “Chat”.

Leslie Frick, Balsam, thanked Martin for reading what she had written.

David Sahli, thanked Seltzer and Gordon for their comments. He was of the opinion that it was a fair representation of both how the Council and the majority of the residents felt towards the previously approved resolution and, therefore, need not be discussed at this meeting. He strongly supported and suggested that each Council member vote the way each had previously voted. He commented that during these conversations there appeared to be an element of historic preservation involved in this. He pointed out that most historic communities in this country have sidewalks. He agreed that not many residents would want to spend the money for a very preserved cobblestone sidewalk as in Old Alexandria (Washington D.C.). He questioned if a blacktop street was part of historic preservation? He felt this was a guise to further delay these efforts. The vote had been delayed long enough. If residents had disagreements with how they had been represented by the Council members, those members should be voted out. These delay tactics put the residents in danger as they try to travel the downtown. The idea of illegality has no factual basis. The Charter prohibits sidewalks in “residential areas”. When discussing sidewalks along Thirteen (13) Mile Road, he had some difficulty thinking that Thirteen (13) Mile Rd. would be deemed a “residential area”. Finally, he also felt it absurd to think that facts had changed between last month’s vote and tonight. Tonight was not the forum in which to try and convince the Council members to reconsider his or her original decision. To him this was inappropriate.

Nena Downing, Bruce Lane, did not have the latest version of Zoom and was instructed to type her comments in “Chat”.

Eileen Harryvan, Vincennes Ave., commented in “Chat” that she supported what Seltzer and Gordon had to say. She stated that Gary Roberts, HDC Chairman, was on the planning committee and had input in the process and felt that Lamott’s comments about the history and character not being considered were untruthful. Three Council members were serving a small personal group of friends and as a resident she found it disturbing.

Rick David, Wellington, on “Chat” stated that Council members were elected to make decisions. The issue had been voted upon by a representative. He was not in favor of taking matters such as this to the Villagers for a vote. It’s time to move on.

Josh Lawton, Meadow Drive, on “Chat”. Action was illegal. Acting on a public right of way means sidewalks can be installed anywhere.

Cassius Drake, Forest Drive, resident and business owner, responded to the statement that nothing had changed. He stated that one thing that had changed was the Corona Virus and its excessive impact on the economy of the state. Many businesses in the Historic District were struggling, and might not survive. Investment in the downtown area was a necessity or the downtown would be dead. This issue needed to be put to bed and move on and end this divisiveness so there would not be any more damage to our village, to our image of peace or to our personal property.

Kathy Erlich, Crestwood and business owner, stated there were three (3) things which she saw that had changed: there was a threatened lawsuit against the Council for illegal action on the

sidewalks, pushing this forward without having a vote, and with this virus, the timeframe for this process had been delayed. If this was delayed significantly how would all this get done in the appropriate time and was there a need to have prioritization? With the Corona Virus pandemic and the issues of money, was this the right place to be spending our money?

Hansen called the question.

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Nay</b> |
| <b>Gordon</b>   | <b>Nay</b> |
| <b>Saenz</b>    | <b>Nay</b> |
| <b>Hansen</b>   | <b>Nay</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion failed.**

**E. Water**

**#2020-28 Motion by Seltzer, seconded by Gordon to direct the Village Administrator to prepare and bring back to Council for its consideration at its next Council meeting a proposed ballot question pertaining to public water. The discussion and subsequent vote had been denied at the August 5, 2019 Council meeting.**

Gallasch requested an explanation of what the ballot initiative was. Seltzer explained that a few months ago after a discussion about installing a public water pipe down Franklin Road prior to the road construction, ballot language for Proposal A and B had been introduced but had been defeated. He requested Council re-visit and re-structure the ballot language so it could be placed on the ballot for the August 2020 Special Election. This would allow the Villagers to have the potential of public water sometime in the future before Franklin Road was torn up.

Hansen reminded Council that it took three (3) meetings to refine the language for the ballot which was then defeated. Unfortunately, only five (5) Council members were present at the meeting and two members (Gallasch and Lamott) voted against the proposal, therefore there was no further action. At Lamott's suggestion, a consultant had been hired to help Council understand what the facts were related to the current and potential risks to the drinking water supply in the Village. Council had not received those results.

Stakhiv agreed with Seltzer that this issue should be brought before the Villagers for a vote and suggested that it be worded in such a way that it would be premised on the findings of the environmental professionals. By doing this, Council could be better informed as to what the residents want and based on the environmental findings, a final solution could be assessed.

Referring to the discussion in August, Gordon questioned if the availability of connecting with Bloomfield Township was still pertinent, as well as, the timing of the reconstruction project of Franklin Road. He suggested that instead of rewording the ballot language a Charter Amendment

might be more appropriate allowing Council to determine, at a future point, there was a need for water. If there was a need for water, residents could vote on the appropriations.

Gallasch also suggested that if Council was going to move forward with this maybe the engineering for the entire village should be considered. If this was going to be done for part of the Village, then it should be done for the entire Village.

Staran understood the motion to simply instruct the Administration to bring back a proposed ballot question so there could be a discussion at the next meeting. The motion was not for Council to decide at tonight's meeting. The submittal date for the ballot language to the County was discussed. According to Staran this issue could be discussed and the final ballot language could be voted on at the next Council meeting on May 11, 2020 in order for it to be submitted to Oakland County by May 12, which was the deadline date for the August election. Otherwise, the submittal deadline for the November election was mid-August.

Seltzer noted that the November Election would be a good fall-back position.

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

**Motion carried.**

For everyone's information, Hansen reported that the Streetscape project was on the Historic District Commission's next meeting agenda. She had been speaking with the Chairman, Roberts.

**XII. ADJOURNMENT**

**Motion by Seltzer, seconded by Stakhiv to adjourn the meeting.**

**Roll Call Vote**

|                 |            |
|-----------------|------------|
| <b>Seltzer</b>  | <b>Aye</b> |
| <b>Gordon</b>   | <b>Aye</b> |
| <b>Saenz</b>    | <b>Aye</b> |
| <b>Hansen</b>   | <b>Aye</b> |
| <b>Gallasch</b> | <b>Aye</b> |
| <b>Lamott</b>   | <b>Aye</b> |
| <b>Stakhiv</b>  | <b>Aye</b> |

There being no further business, the meeting was adjourned at 8:52 PM.

Respectfully submitted,

Gail Beke, Recording Secretary

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Eileen H. Pulker, Clerk

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Pamela Hansen, President