

**VILLAGE OF FRANKLIN  
REGULAR COUNCIL MEETING  
MONDAY, JULY 13, 2020, 7 PM**

**Held remotely via “ZOOM.us”, per the Governor’s Emergency Order #2020-129**

**I. CALL TO ORDER**

The meeting was called to order by President Pam Hansen, at 7:00 PM via Zoom.

**II. ROLL CALL**

Present: Fred Gallasch, Brian Gordon, Pam Hansen, Bill Lamott, Ed Saenz, Mike Seltzer,  
Mira Stakhiv

Absent: None

Also Present: Roger Fraser, Village Administrator  
Eileen Pulker, Village Clerk  
John Staran, Village Attorney  
Lance Vainik, Village Treasurer  
Dan Roberts, Police Chief  
Tony Averbuch, Fire Chief

Hansen explained the process for the public to access this electronic meeting.

**III. ADOPTION OF AGENDA**

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

**Roll Call Vote**

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

**Motion carried.**

**IV. MINUTES**

**A. Regular Meeting of May 11, 2020**

**Motion by Seltzer, seconded by Gordon to approve the Regular Meeting minutes of May 11, 2020, as presented.**

On page 3, Stakhiv did not believe that the essence of Simon and McComas’s remarks were captured. She suggested a version which would be short and to the point. “Mr. Simon was concerned that Trustee Gordon and Trustee Seltzer had been disrespectful to Trustee Lamott on numerous occasions. This conduct has also been seen on Social Media. He found them unprofessional and requested the Village President develop a Code of Ethics for all Council members in maintaining proper decorum. Dr. Erlich finished reading Simon’s comments regarding the role that the Franklin Historical Society played in preserving the rural character of

Franklin. Stakhiv felt the summary of McComas' comments were captured but would not totally agree with the shorten version of Simon's remarks.

Procedurally, Hansen presented several ways the minutes could be handled: the minutes could be discussed and adopted with modifications; the minutes could be rewritten and presented for approval at the next meeting; or the minutes could be modified by using Stakhiv's suggested words verbatim.

Gordon and Seltzer wanted the minutes voted on as presented after a discussion.

Gallasch commented that of all the years he has been on Council he had never seen the minutes altered in such a manner as was being suggested tonight. He felt the original words of the minutes accurately captured the meeting. Lamott supported Gallasch's thoughts and acknowledged that the minutes should not hide the discourse which took place. For him the minutes should be clearer than what was presented tonight.

Hansen reminded Council that over the years there had been discussions about the minutes, sometimes being too extensive in her opinion. In addition, naming individuals was not acceptable. She recommended the minutes be sent back to the Clerk and avoid any interpretation of what was actually said.

Saenz was in favor of sending the minutes back to the Clerk.

Staran answered in the negative to Hansen's question about whether Council was required to allow a resident to comment when it was in discussion about approving the minutes. He continued that such a decision was at the Council's discretion.

**Motion by Stakhiv, supported by Gallasch to send the minutes back to the Village Clerk to expand the minutes to capture the essence of what was said and to maintain a consistent format for the minutes, as amended.**

**Roll Call Vote**

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

**Motion carried. (5-2)**

Hansen requested these minutes be refreshed for the next meeting.

**B. Special Meeting of June 1, 2020**

**Motion by Seltzer, seconded by Saenz to approve the Special Meeting minutes of June 1, 2020, as presented.**

**Roll Call Vote**

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

**Motion carried.**

**C. Regular Meeting of June 8, 2020**

**Motion by Gordon, seconded by Stakhiv to approve the Regular Meeting minutes of June 8, 2020, as presented.**

On page 10, Stakhiv requested that the actual vote be included in the minutes. Pulker stated that she would correct the omission to include the vote in the minutes:

On page 11, Lamott corrected his vote on the Police Dispatching Services to “Aye”.

On page 5, Gallasch stated he had not received an update on the MERS contributions. This was a follow-up and did not change the minutes.

**Motion by Gordon, seconded by Stakhiv to approve the Regular Meeting minutes of June 8, 2020, as amended.**

**Roll Call Vote**

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

**Motion carried.**

**D. Special Meeting of June 22, 2020**

**Motion by Stakhiv, seconded by Seltzer to approve the Special Meeting minutes of June 22, 2020, as presented.**

**Roll Call Vote**

**Gallasch Aye**

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

**Motion carried.**

## **V. PUBLIC REQUESTS AND COMMENTS**

Hansen requested that those wishing to comment be patient as there was only one (1) person managing tonight's meeting on Zoom. She also explained that due to the volume of responders, comments would be limited to 2 minutes each.

Lisa Dunn, Garden Way and owner of Déjà Vu, commented on what she saw on Franklin Road while she was at the Farmer's Market on Sunday. She observed it to be unsafe for walking, biking, and strollers and was in favor of the Streetscape which would add safe and walkable sidewalks, repair damaged roads, create visible crosswalks, and more. She concluded stating that the historic charm of the Village which the residents know and love would remain and these improvements would only enhance it.

Nena Downing, Bruce Lane, felt that limiting resident response/comment time at Council meetings and not that of Council members was a form of "censorship". After watching other neighboring community meetings, it became apparent to her that this Council was not interested in what the residents felt or thought and that the Council's comments were more important. She commented on a "Franklin Facts" postcard and website and opined that resident concerns have not been addressed.

Terry Nosan, Northwestern Hwy., Farmington Hills, represented owners of land on Scenic Lane. He gave a brief history of the land and the proposed construction of a house on it. On behalf of the new owners, he stated he was requesting a response to a June 10, 2020 letter the owners had sent to the Village Administrator. Fraser responded that within the last week he had left a message for Nosan and this week would make contact with Nosan to discuss the owners' concerns. Gordon stated he would have comments on this issue in the Council Report.

Connie Ettinger, River Drive, read a P.T. Barnum quote about "politeness" and "civility", relating those words to tonight's discussion about the current issues the Village was facing. She was in favor of the Streetscape plan but was unable to easily locate slides of it on the Village website (they were found in the minutes of one of the meetings). She encouraged Council to make the slides readily accessible on the homepage of the website.

John Simon, Kincardine Road noted that the minutes of the May 11, 2020 Council meeting which were edited and censored pertained to his statements. Simon opined that his concerns had not been noted in the amended minutes, and that the substance of his comments had not been clear. Simon additionally noted that his comments should not be censored.

Greg McComas, Franklin Road, thought he had been treated respectfully when he called in at the May meeting. At that meeting he addressed his concern with the maintenance of the sidewalks which has now been addressed. McComas noted his concern about the lack of direct communication about the specific plan for the property in front of his own home adding that transparency was important and more communication should have been received.

Hansen requested that Council members respond to these comments in the Council section of the Agenda.

Jim Kochensparger, Kirk Lane, objected to the ethics of allowing Council members who were supporting the lawsuit or directly involved with or included in the lawsuit to be present in Closed Session portion of the meeting tonight. He voiced his reasoning for such a claim.

Bill Lamott rejected Kochensparger's statements as being untrue and specifically stated that Kochensparger's accusations that he had shared confidential information were false.

Eileen Harryvan, W. 14 Mile Road, Southfield Township, former Franklin resident, stated that she used to walk her dog up and down Franklin Road and around the Village, several times a day. On Franklin Road she found it difficult to safely walk from the east side of the Village to the west side and stated her support of the Franklin Road Streetscape improvement project. Harryvan also stated that the Historic District Commission had reviewed the plans, noting that they were approved and found to comply with requirements of the Secretary of the Interior's Standards for Rehabilitation Guidelines and would not impact the Historic designation. Harryvan further stated that she was concerned about Lamott's involvement with the misinformation campaign, the maligning of Council members and the Village President while being subject of the lawsuit against the Village and Lamott's hypocrisy regarding budgetary concerns while supporting the costly lawsuit against the Village. Her two minute time limit had been interrupted by Trustee Lamott who stated that she did not live in the Village.

Amy Olson, Irving Road, attended a fall Council meeting and wanted to know the status of the Irving Road drainage problem which had been brought to Council's attention about 1 ½ year ago. She referred to a mailing she had received from "Franklin Facts" and questioned the source of funding for the Streetscape project. Lamott responded with an explanation. Fraser reminded Council that at its May meeting it had authorized spending up to \$20,000 to repair Irving Road. The estimate at that time was between \$15, 000 to \$20,000. ASI who had been awarded the contract for the Streetscape project submitted a proposal for \$28,000, which included unnecessary expenses (traffic control) that could be eliminated. Hansen requested this item be given top priority.

Carrie LaZotte, Suzanne Drive, thanked the authors of the "Franklin Facts" for sending the propaganda mailing at which point Trustee Lamott audibly scoffed. It reminded her that she should voice her opinions and she noted that she favored the updates from the Village and felt communication had been available.

Stuart Wooters, Franklin Park Drive, was first opposed to the Streetscape project due to the lack of communication; however, after becoming more involved with the Village (member of the

Planning Commission), he has learned more about it and was now in favor of it. Safety was very important to him and his family.

Josondra Notter, Hersheyvale Drive, stated her property borders Franklin Road and would be significantly impacted by the addition of a sidewalk. It would result in the loss of land and trees and privacy; however, she and her husband were strongly in favor of the Streetscape project for the safety of her family, residents, and visitors.

Ross MacBeth, Franklin Road, stated his property would be significantly impacted by the sidewalks. He noted that access to the downtown, especially from south of Scenic Drive, was extremely limited and he noted his support of the improvements.

Ron Reame, Ravine Drive, thought that ignorance was no excuse. Safety was a big issue and businesses in the downtown needed to be supported. It was necessary to move forward and to stop being a “dead” Village and he added his support of both the Streetscape project and water along Franklin Road.

Rick Notter, Hersheyvale Drive, confirmed he would lose some of his property and trees as a result of a retaining wall that was proposed on Franklin Road and Hersheyvale. He would like to walk to the downtown area but he felt it wasn't safe, especially with little children. He continued noting that the Village wasn't a walkable community and because his street had only one outlet, he was forced to walk along Franklin Road.

Chip Hudson, Franklin Road, had questions and concerns about the construction lot which had been built on the HUDA School property last week and was next to his property. He asked if a permit had been pulled for the construction. Fraser answered that because this was a municipal project of the city, a permit would not have been issued and stated there had been negotiations between ASI and the HUDA school, the details of which he did not know. Hudson also had questions and concerns about the safety and drainage situation. He inquired if the Village had any engineering or safety review of the lot? Because he had had no prior communication about this lot, Fraser spoke with ASI about Hudson's concerns after he and Hudson had met. ASI committed to Fraser it would deal with any and all of Hudson's concerns. Hudson had spoken with a school representative who did not know the project would be so extensive. Lamott suggested the Village be pro-active with finding a solution. Hansen requested Fraser revisit the school and site and reevaluate the situation and damage Hudson referred to.

Nicole and Jerry Abidor, Oakleaf, moved to Franklin with their family because they love the downtown area and the ability to walk to the ice cream store and Cider Mill. They were disappointed with the closing of all the stores and walking with their three (3) children from their house to the downtown was not safe and she refused to walk along Franklin Road due to safety concerns. They supported the Streetscape project.

Kathy Erlich, Crestwood, commented on the Streetscape and agreed that safe walkways were needed to walk to the downtown on Franklin Road and on some other main roads. She opined that the second sidewalk on the west side of Franklin Road in the Historic District was not necessary.

Angelina Sulaka, Meadow Drive, acknowledged the poor communication between the Village and its residents; however, the Villagers should still support the Streetscape. She supported the Village hiring an “outreach” coordinator. Other areas where the Village might want to hire people would be for a communication campaign, outreach, and community development. She reminded the residents that the Streetscape was not merely for young children but also for the elderly, the disabled, those in wheelchairs, grandparents visiting, and other visitors. Those living south of 13 Mile should be connected to the downtown and lighting and drainage was also part of the Streetscape project.

David Sahli, Meadow Drive commented on the civility of having face-to-face conversations as opposed to those on social media, i.e. Nextdoor or written on postcards, Franklin Facts. He emphasized that these were real lives the Village was impacting, and the Villagers were the number one priority. He urged personal and honest conversations to get to the truth and not by writing divisive and alleged information as was done by the authors of Franklin Facts. He also referred to the “interruptions” of one of the Council members at tonight’s meeting.

Karen Lappin, Woodlore, lives adjacent to Franklin Road. She supported the Streetscape project and was disappointed it had been put on “hold”. She was concerned about the contracts which had already been signed and might cost the Village more if the project did not go forward. Hansen asked Fraser to address that last comment.

Hansen asked Council members for comments on what they had just heard.

Seltzer thanked the Villagers who shared their comments about Streetscape; however, this had already been decided. Because this subject was being litigated Council should not be in any discussion about it. He had comments about the “alleged” bullying comments by one of the Council members and himself. He had apologized for what was interpreted in past Council meetings as “bullying”, which, in fact, were mere comments and, at no time did he suggest that the Franklin Historical Society should be shut down. His comments questioned the involvement of the “President of the Historical Society”, who he identified as one of the Council members and his involvement with the mailing of a postcard and other commentary about Streetscape. He believed the Village should move forward as these issues of the minutes and the different political ideologies had already been discussed. He pledged to move forward in a civil manner if others would also.

Gordon referred to Nosan’s comments concerning the property on Scenic Lane as he was personally familiar with the story. It appeared to him and the property owners that after years of attempting to get various approvals to build a home, they had been asked by the Village engineers to provide more information concerning a storm water run-off plan, i.e. additional engineering consulting/consultation and associated fees. According to Gordon, some of these requests were unusual for this Village and questioned if this was typical for constructing a home in the Village or was it a special treatment of these property owners? Fraser responded by providing a history of the recurring problem of storm drainage on personal property, beginning with Council’s initial action of referring such a concern to the Planning Commission in August, 2017. It was his understanding that Council wanted to make sure this was properly addressed. Gordon felt the

handling and fees involved were not reasonable and should be addressed. Hansen stated Fraser would talk with the homeowners' representative.

Stakhiv voiced her appreciation that the residents were participating and giving opinions at the Council meeting. More resident participation was needed; however, she was disappointed that there appeared to be a regression into a "them vs. us" mentality, similar to that of 10 years ago when she started attending Council meetings. She expressed her frustration at this polarization. She was also disappointed in the process taken (or not taken) to inform and update those residents and commercial property owners along Franklin Rd. about the Streetscape project. At three (3) Council meetings she repeatedly asked about this and Administration re-assured Council this had been done. Unfortunately, some residents had not been informed until Fraser physically delivered an envelope with the information. In general, she was in favor of the Streetscape project; however, she felt there were a few issues which could have been compromised upon-

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

**Dan Roberts, Police Chief**, referred to his June, 2020 Monthly Report and reported that there had been one (1) burglary. This matter was solved and involved a juvenile in Franklin who had been turned over to the Oakland County Juvenile Court. There had been some larcenies from autos and he asked residents to lock their personal cars and activate its alarm system, especially if they are left outside overnight. July 4 was quiet with only a couple of complaints about fireworks. Officers had hundreds of house checks over that holiday. He referred to the Governor's orders as it related to masks, especially the wearing of masks in all public buildings. The question was whether the police would be ticketing those people who did not comply, and his short answer was "no"; public education would be first, and the last resort would be to issue a ticket. In the last several months he had been hoping to celebrate the Police Awards in person at a Council meeting, as has been done in years past, instead of on Zoom. Unfortunately, the presentation has had to be postponed. It was his hope that in August Council could meet in a public forum for this celebration and each awardee could be introduced to Council and the residents.

**Tony Averbuch, Fire Chief**, referred to his written report for May 2020. The Fire Department was committed to assuring the safety and well-being of the residents and visitors to the Village and those who travel throughout. There had been an up-tick in false alarms in both villages (Franklin and Bingham Farms) which he credited to home renovations and construction which created dust which, in turn, activated the alarms. He asked that residents be cognizant of such situations as it affects the integrity of the alarm system. He strongly asked everyone to keep themselves safe and protect themselves by doing whatever was necessary.

**Jason Dickman**, acting Interim Executive Director, Main Street Franklin, updated Council on the important things that Main Street Franklin had been doing for the last 6 months: re-establishing Main Street and its efficiency and its continuing work on volunteer support and recruitment throughout the Village. Collaborating with Oakland County Main Street, he provided those merchants who were re-opening with "Opening Kits". The Streetscape initiative was extremely important and fully supported by MSF. Community outreach has been strong and included communication through social media with daily Facebook posting. He summarized the programs made available to struggling businesses in Oakland County which included monies granted to

Franklin businesses (Franklin Grill, Franklin Auto Service, Déjà Vu, Event Bliss, Franklin Spa, and the Village Boutique). These funds were to be used for any expenses associated with the pandemic. Another initiative was the Oakland County “Patronicity Crowdfunding Campaign” resulting in Franklin raising \$4,000 which was matched by Oakland County. At the Wednesday MSF Board meeting there would be a discussion about how to disperse this money to the merchants. He thanked those who donated. MSF’s community events and fund raisers of years past would continue with the proviso that this being a pandemic year, safety precautions would be observed: Spring and Summer Sidewalk Sale, the fall Franklinstein Frenzy, the winter Sip, Shop, and Stroll, and the Gem of the Night dinner. MSF is very supportive of the Village and would continue to help the merchants. He, personally, has walked people through the empty spaces in buildings with leasing agents, realtors, and landlords and has had people interested in bringing new businesses to the Village.

**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 \$223,146.86. Vainik stated that the expenditures are generally consistent with the FY2019-2020 Budget. The Bills List for this month included a large entry of \$30,028.50 to Nowak & Fraus Engineers for engineering services. 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 July 9, 2020 held at Level One Bank. A Balance Sheet was also provided from the interest-bearing CD’s held at Multi-Bank Securities.

Gordon questioned if the large entry to Econo Signs was for the street sign project? Fraser answered it was for the replacement of some of the street traffic control signs.

Gallasch asked if there was a summary of what had been spent so far on the Streetscape project? He would like to see a running total of what had been spent. As of yet, Fraser did not have a total through June. Regarding the MERS total, Fraser acknowledged Franklin’s contribution was separated from Bingham Farms’, as opposed to a combined total amount. He would reconcile all the “pieces” of that account.

Stakhiv wondered if the Cedar Restoration amount was part of the grant money for the Broughton House? Fraser will do some research.

## **VII. SUBMISSION OF CURRENT BILLS**

|                                  |    |           |
|----------------------------------|----|-----------|
| General                          | \$ | 62,039.37 |
| Maj Streets                      | \$ | 10,045.41 |
| Local Streets                    | \$ | 13,487.29 |
| Police                           | \$ | 79,856.71 |
| Garbage and<br>Rubbish           | \$ | 14,970.65 |
| Building Dept                    | \$ | 7,430.34  |
| Street Project                   | \$ | 34,317.09 |
| Road Millage                     | \$ | 1,000.00  |
| Pressure Sewer<br>Tax Collection |    |           |

Waste Water

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|        |               |
|--------|---------------|
| totals | \$ 223,146.86 |
|--------|---------------|

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

**Roll Call Vote**

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

**Motion carried.**

**VIII.SPECIAL REPORTS**

**A. President’s Report**

Hansen began by saying Lamott would be introducing a Resolution and there would be time for comments during the discussion time, if needed.

Referring to Lappin’s comments about the Streetscape, Hansen addressed the “hold” in the Project. The Village was in litigation and Fraser, the head of the engineering and construction firm, and she made the decision to “pause” the construction of the streetscape and sidewalks. Until the Judge ruled in the case and it was in writing, no further work would be done. There was no date for that decision.

The Streetscape project was one (1) part of three (3) major projects the Council has engaged in to improve the Village: (1) Road Paving which began three (3) years ago. (2) Council has approved Ordinances which would hold personal property owners and commercial property owners accountable for the safety and appearance of their buildings and to undertake needed repairs, if needed. In some instances, Main Street Franklin, with the help of Main Street Oakland County, has been able to provide expertise to make those repairs and/or to give financial assistance. (3) The Streetscape project which would result in lighting, improving pedestrian passage between 13 and 14 Mile Roads, and additional landscaping.

She reminded the residents to vote on August 4. Franklin would be holding a Special Election in conjunction with a Primary Election. A Charter amendment would be on the ballot which would enable the Village Council to appoint a Village Clerk, as opposed to one being elected as was the current provision. This was similar to the Council decision in 2001 or 2 regarding the appointment of the Village Treasurer, as opposed to being elected. More information about this issue would be forthcoming.

In the June Council meeting she asked the Council members to make a list of their priorities which they thought Council should focus on for the next year. She had provided each Council member a summary of the four (4) most popular areas and mentioned them for the public: Financial, Water, Walkability/Connectivity, and Council Working Together. She asked Council to comment on the last area she mentioned.

Stakhiv expressed her respect for every Council member and the residents should know that each has done a fantastic job.

Fraser stated that the list of priorities would be very helpful for the coming year as several things will require on-going follow-up.

### **B. Council Report**

Gordon commented that he had heard Council members and others state that had Council compromised a little on the Streetscape project this project would have been further along. He reminded the public that two (2) years had been spent compromising on the streetscape program. There had been many meetings and charrettes and there had been a lot of compromises. He stated there were certain people who were happy with specific areas of the project and, thus, there were compromises. He thought the plan was good and looked forward to the day the Judge said the project could move forward.

Saenz stated that the issue of the lack of communication with the residents was valid and serious. This subject was again mentioned at this meeting and it should be addressed. Gallasch suggested a sub-committee on communications be established to look at some alternatives. Seltzer agreed and commented on the large support for the streetscape plan. He also stated that hearing that some residents had not been informed about the project and were just now making this fact known was disturbing. He felt that not much could be done as the monthly public meetings were always posted and emails and mailings had been sent out. This was a contentious period for the Village, and he hoped the Village would be able to get past it. He then praised the Streetscape project.

Gallasch re-iterated his concern about the problems with Village communications and supported the establishment of a subcommittee to make improvements. A small group of people who have the expertise was needed to address this and come back to Council with proposals. Gordon was in support of this and suggested that certain Council members who had this type of expertise be included (Saenz and Seltzer). Gallasch even suggested paying a consultant. He also volunteered to be on the committee with Saenz and Seltzer. Hansen mentioned that Karen Couf-Cohen, a resident with a small business, might be considered. Seltzer, Gallasch, and Saenz were favorable to this suggestion. Fraser stated he has an appointment with her Thursday for just this reason.

Lamott was concerned about a Resolution Hansen passed out at the last Council meeting concerning the direction of the Streetscape. He supported the downtown improvements as were those people supporting Franklin Facts; however, he thought there were some significant issues which still needed to be addressed before moving forward. He commented that previous voting history concerning sidewalks had failed in the 2009 and 2016 referendums and he had been a major supporter in 2009. His desire was to see more pathways in and around the Village and the Planning Commission had some ideas which would serve the entire Village. He supported putting

PC's plan before the voters. He voiced his concern there appeared to be a double standard for those who own historic homes and needed to comply with the Secretary of the Interior's Standards for Rehabilitation Guidelines and he felt there were several elements of the project that were in violation of those Guidelines. He spoke as an owner of one such historic house which has been restored and maintained. The rules have been flaunted; case in point being the white granite curbs which do not contribute to the historic character of the Franklin and the possibility of having street lights in a Victorian-style design as opposed to the original six (6) plain street lights. The high cost of fixing the drainage problems (\$85,000) in the downtown was unnecessary and the pedestrian crossing of Franklin Rd. at Meadow Dr. appeared to him as being pre-mature and should wait until a decision had been made about putting in a crossing system and a pathway along 13 Mile Rd. He pointed out the disregard for the provision in the 1916 sale of George Wellington Smith's property (the Village Green) to the Village that nothing should happen to that land. The proposed sidewalk would be in violation as it would be in the "right-of-way", which to him was part of the Village Green. He proposed an independent Historic Preservation Professional look at the downtown area and provide some advice and give suggestions.

Stakhiv questioned Staran if, due to the lawsuits, should this be discussed? Staran stated there would not be any discussion about the litigation of the lawsuit for obvious reasons but the Council still could conduct the business of the Village, as it related to the Streetscape plan. He had no problem with Lamott making the motion and Council voting on it.

**#2020-45 Motion by Lamott, seconded by Stakhiv that in view of the outstanding issues, such as the defeated referendums, the loss of three (3) parking spaces at the Post Office, drainage, curbs, and other issues, be resolved that the seven (7) Council members attempt to develop revisions to the plan that takes into consideration and meets the Secretary of the Interior's Standards for Rehabilitation Guidelines for the Historic District.**

For the purpose of discussion, Stakhiv seconded the Motion. She personally agreed with only parts of the proposal and identified them. Seltzer pointed out that 75% of those who had spoken at this meeting were appreciative of all that had been done on the plan and expressed their approval of it. Council need not be litigating it. Council was not supposed to be talking about it as advised by Staran. He felt there was nothing else to decide until the litigation was completed. After a decision was handed down there would be an opportunity to review, discuss, or move forward. This discussion was moot.

**Roll Call Vote**

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

**Motion failed. (6-1)**

### **C. Administrator Report**

Fraser spoke to the evolving information about the downtown environment. He has been in discussion with EGLE (Environment, Great Lakes & Energy) about data they would be sending out publicly in the next few weeks. Financial resources might be available to those areas which have been impacted by the pollution. More information would be available at Council's next meeting.

The Streetscape project details have occupied a lot of his time: getting out the bids, tallying the bids, and preparing the budget documents.

### **D. Planning Commission Report, Air BnB**

Goldberg, Chairman of the Planning Commission, reported that next month the PC would be coming back to Council with its recommendation concerning Air BnBs. At its last meeting the Commission heard from residents voicing their opinions on the issue which mostly pertained to one (1) area, as well as, the one owner of the AirBnBs in the Village. Traxler, the Planning consultant, would be broadening the search as to how many were around the area.

One of our Commissioners had brought up the issue of fences regarding the new Ordinance. The growing number of fences surrounding gardens has become apparent in the Village; some are large and some small. Some of the larger ones might be considered illegal due to their height and/or material. He asked for direction on how to handle this issue; should they be permitted, not permitted, vetted out, put standards on them or ignored?

Hansen thought residents should be able to fence in their gardens. However, due to the rabbits and rodents, etc. in the Village which eat things, she thought the Fence Ordinance, as it stood, wouldn't keep such animals as deer out of the gardens. She would endorse some action by the Planning Commission. Gordon agreed with Hansen and felt the Fence Ordinance, in theory, was about boundary fencing not necessarily about gardening. He, too, wanted to encourage gardening and would be in favor of ignoring regulations; however, additional regulations to the Ordinance might be considered. Stakhiv, Gallasch, and Seltzer also agreed with them and didn't want to make an issue out of it.

Goldberg understood that Council wanted to permit such fencing for gardens and write standards for it.

## **IX. NEW BUSINESS**

### **A. Consider Demolition Application for 27260 Fairgrove Ave**

Ricardo Ferri, representative for the owners of the property, requested permission to demolish the structure and build a new home.

### **#2020-46 Motion by Gordon, seconded by Stakhiv to approve the Demolition Application for 27260 Fairgrove Ave., assuming all the requisites were in order.**

Stakhiv inquired if the paperwork on electricity and gas had been properly submitted and processed? Pulker stated they had been submitted, but not received and a permit would not be

issued until they were received. Referring to the Tree Inventory, the number of trees to be removed also concerned Stakhiv. Ferri explained that the trees designated to be removed were those in the actual footprint where the home would be built, the driveway, and the hardscape areas. The owners want to preserve as much as possible and include some elaborate landscaping, such as natural buffers along Inkster.

Responding to Hansen's questions about the review by the Arborist, Fraser stated the tree application had been sent to him for his review. A Tree Permit was part of a building permit.

**Roll Call Vote**

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

**Motion carried.**

**B. Consider Civic Event Permit Application for Franklin Community Association (FCA) "Movie on the Green, Drive-In".**

**Motion by Seltzer, seconded by Stakhiv to approve the Civic Event Permit Application for Franklin Community Association (DCA) "Movie on the Green, Drive-In".**

Gallasch was in favor of the event; however, he worried about the damage to the grass and thought the green could be protected proactively. Fraser suggested that this concern be part of Council's approval. He was, however, aware of a discussion about keeping the cars in a particular location. Regarding the grass, Seltzer provided his experience with the annual car show at the Round Up being on the grass. A backup plan might be appropriate in case there was rain. Stakhiv added her questions about having guidelines for volunteers and a social distancing plan in place.

Fraser would spend more time with the applicant once the Council approved the application. Hansen raised the question of how this particular applicant and others would enforce their Safety Plan? Saenz referenced the email received from Chief Averbuch concerning the Mutt March application where he asked specifically for the Safety Plan. Hansen encouraged the motion be amended to include the approval based upon receipt of a satisfactory Safety Plan compliant with the Governor's current Executive Orders for Covid-19. Hansen recommended that Fraser, on the Village's behalf, be responsible for establishing a Safety Plan.

**#2020-47 Motion by Gordon, seconded by Stakhiv to approve the Civic Event Permit Application for Franklin Community Association (FCA) "Movie on the Green, Drive-In", contingent upon the receipt of a Safety Plan which was satisfactory to the Village Administrator, as amended.**

Fraser would consult with the Police Chief and the Fire Chief.

**Roll Call Vote**

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

**Motion carried.**

**C. Consider Civic Event Permit Application for Michigan Humane Society “Mutt March”, on July 26, 2020 from 10:00 AM to 2:00 PM.**

**#2020-48 Motion by Gordon, seconded by Seltzer to approve the Civic Event Permit Application for Michigan Humane Society “Mutt March” on July 26, 2020 from 10:00 AM to 2:00 PM.**

Hansen stated she was in favor of including the same conditions as were applied to the previous Civic Event Approval for the “Movie on the Green, Drive-In”. Stakhiv confirmed that the refreshments at the Kreger House would be outside because of social distancing. Saenz was not comfortable with drawing people together in this manner. Pulker explained that the applicant intended on having the refreshments set up inside the Kreger House but picnic tables and seating would be set up outside.

Elanah Hunger, applicant for the event, stated that there was a Safety Plan in place and she briefed it for the Council, including: expectation of approximately 25 people (mostly family and friends) would be participating, there would be 2-3 people walking together, all refreshments would be self-contained, sanitizers would be provided, masks would be given out, there would be no reason to be inside the Kreger House with the exception of using the wash room, and the walking times would be staggered by 15 minutes. Donations would be taken in lieu of walking.

**Roll Call Vote**

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

**Motion carried. (6-1)**

**D. Consider Main Street Franklin (MSF) 2020-2021 Agreement Letter.**

Hansen referred to the MSF letter Council received in their packets, stating it was not unlike previous agreements; however, the mission had been updated.

**#2020-49 Motion by Seltzer, seconded by Gordon to approve the Main Street Franklin (MSF) 2020-2021 Agreement Letter, as presented.**

Saenz acknowledged that Hansen had indicated to him there had been a change from previous year's version and requested that she point out the difference. Hansen had asked the MSF Board to review and modify its mission statement at the top of page 1 in order to make the mission current.

Lamott complimented Dickman's report as it was the most comprehensive one he had ever heard from Main Street Franklin. He would still like to see some financial reporting. He felt that two (2) functions of Main Street should be: efforts to find new businesses for the downtown and the encouragement of property owners to fix their properties. Hansen agreed with those comments.

**Roll Call Vote**

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

**Motion carried.**

**E. Consider President's Appointment to Planning Commission.**

Gallasch, Council Pro-Temp, temporarily filled in for Hansen until she returned.

**#2020-50 Motion by Seltzer seconded by Stakhiv/Gordon to appoint Linda Novak Hiller to a two (2) year term and Paul Brakeman to a one (1) year term on the Planning Commission.**

**Roll Call Vote**

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

**Motion carried.**

**F. Consider Appointments to Historic District Commission and Zoning/Sign Board of Appeals.**

**#2020-51 Motion by Gordon, seconded by Seltzer to appoint Alex Stchekine to a one (1) year term on the Historic District Commission.**

Hansen had contacted Gary Roberts, Chairman of the HDC, about the candidates. He had indicated that he had interviewed Stchekine who lives in an historic house and recommended that he become a member of the HDC. Stakhiv commented that Simon had a business in the Historic District in an historic house and was equally qualified.

Stakhiv noted it would be beneficial if candidates were present at such meetings to give a presentation.

Hansen mentioned that Angelina Sulaka had remotely “chatted” that she also had applied for the position on the HDC. Pulker explained that the application was received today which was after the packets went out to Council members. Stakhiv suggested a deadline be set for applications.

**Roll Call Vote**

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

**Motion carried. (5-2)**

**#2020-52 Motion by Gordon, seconded by Seltzer to re-appoint Gary Roberts and Alek Kokoszka to the Historic District Commission for an additional three (3) years.**

**Roll Call Vote**

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

**Motion carried.**

**#2020-53 Motion by Stakhiv, seconded by Gordon to appoint Stuart Greidanus to the Zoning/Sign Board of Appeals for a three (3) year term and re-appoint J. Bennet Donaldson and Bruce Kueck to the Zoning/Sign Board of Appeals for three (3) year terms.**

**Roll Call Vote**

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

**Motion carried.**

**G. Consider Millage Rate Renewal for November 3, 2020 Election.**

Hansen stated that the pertinent information was in the packets Council members received.

**#2020-54 Motion by Gordon, seconded by Stakhiv to approve the Millage Rate Renewal for November 3, 2020 Election, as follows:**

**BALLOT QUESTION**

**RENEWAL OF SPECIAL MILLAGE FOR POLICE SERVICES AND GENERAL FUND**

Shall the currently authorized special millage rate of 0.3802 mill (\$0.3802 on each \$1000 of taxable value) on real and personal property in the Village for police services and general fund stabilization (Police services are paid from general fund) be renewed for 10 years, 2021 through 2030? The current millage expired with the July 2020 tax levy. If voters approve this millage renewal, it will raise approximately \$144,650 in the first year if levied in full.

Yes

No

Stakhiv confirmed this was only for a renewal of the millage of the Police Services and General Fund and not anything extra. Fraser noted there had been a change from what originally had been discussed in the GLF fund; slight reduction of the millage rate.

**Roll Call Vote**

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

**Motion carried.**

**H. Discussion about Public Water.**

Hansen introduced this item as a follow-up discussion on the subject of “water”. In the Council packets she included her summary, dated July 9, 2020, of the Council members’ feedback on this issue. She introduced her proposal of the three (3) things she wished to be discussed: discussion and agreement on a goal for water in the Village, discussion and agreement not to put the subject of “water” on the 2020 November Ballot, and discussion and agreement on major steps to reach the goal of water in the Village.

Seltzer wanted to be pro-active and not reactive on this matter and have the installation of water pipes be done before the road was torn up. Stakhiv agreed and hoped to set a target date for the next election after this November 2020 election. She listed bullet points of those elements which were needed for a vote in order for it to be considered. Unfortunately, she thought a subcommittee was needed to get this process moving. Saenz agreed. Gordon stated he felt it was premature to put anything on the ballot before a plan had been put together. Gallasch suggested providing resources to the subcommittee in order to involve some consultants who understood water systems and could figure out the costs for this project. Gordon agreed. Lamott noted that the use of the 2005 study could be the starting point.

Hansen finalized the discussion and concluded that putting this proposal before the voters in November was not feasible.

A subcommittee of Gallasch, Gordon, and Seltzer was formed to look into future developments. Fraser would be working with the committee. Stakhiv urged the subcommittee to reach out to the residents for input and support and Seltzer added that professional support would also be welcomed.

The topic of “water” would be discussed at next month’s meeting.

**X. CLOSED SESSION TO DISCUSS PENDING LEGAL MATTERS.**

**#2020-55 Motion by Gordon, seconded by Seltzer to go into a Closed Session to Discuss Pending Legal Matters.**

**Roll Call Vote**

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

**Motion carried.**

**XI. ADJOURNMENT**

**There being no further business, the meeting was adjourned at 10:14 PM.**

Respectfully submitted,

Gail Beke, Recording Secretary

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Eileen H. Pulker, Clerk

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Pamela Hansen, President