

**VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, OCTOBER 14, 2019, 7:00 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, Mira Stakhiv  
Absent: Brian Gordon, Mike Seltzer  
Also Present: Eileen Pulker, Village Clerk  
John Staran, Village Attorney  
Lance Vainik, Village Treasurer  
David Goldberg, Chairman, Planning Commission  
Krista McClure, Executive Director of Main Street Franklin

**III. ADOPTION OF AGENDA**

**Motion by Gallasch, seconded by Saenz to adopt the agenda, as presented.**

Under **NEW BUSINESS**, Lamott would like to add **I. Sign Inventory** to discuss the October 8, 2019 letter from HRC to Chief Roberts regarding the Sign Inventory.

Also under **NEW BUSINESS**, Hansen reported that Chief Averbuch has requested that **C. Consider Mutual Aid Agreement between Franklin-Bingham Farms Fire Department and Michigan Department of Natural Resources (DNR)** be discussed under his regular remarks.

**Motion by Gallasch, seconded by Saenz to approve the agenda, as amended.**

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

**IV. MINUTES**

**A. Regular Meeting of September 9, 2019**

**Motion by Lamott, seconded by Saenz to approve the Regular Meeting minutes of September 9, 2019, as presented.**

Stakhiv corrected the typo on page 8; the correct spelling is "demolition".

**Motion by Lamott, seconded by Saenz to approve the Regular minutes of September 9, 2019, as amended.**

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

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

**Dan Roberts, Police Chief**, referred to his written submission for September; however, he also highlighted the two (2) recent residential burglaries. It appeared there had been a group of individuals who were conducting burglaries from Royal Oak to Farmington Hills along 13 Mile Road. Both of the burglaries in Franklin were daytime burglaries. He asked residents to call the Police Department if they saw any suspicious activities. In particular, the Department was looking for a black Chevy sedan which had been seen in front of one of the residences during one of the burglaries. The most recent one had been on last Monday. He provided a few details related to the burglaries and advised residents to set their alarms before leaving their houses. Regarding personnel, another police clerk, Meghan Bohm, has been hired to replace Pat McCrea who will be retiring. Roberts addressed the letter he had sent to HRC concerning the sign issue which he had included with his report. Because of the large number of residents who have contacted him with different complaints and/or suggestions, he has determined that the Village needed a permanent solution in terms of the signage in the Village. He would like an engineer to do a study on the situation in the Village. He had asked HRC to give him a proposal and Creech thought there might be money in the budget available to be used for that purpose. He recommended that an engineer be found for this project.

Hansen mentioned that the subject of signs had been added to the agenda.

**Tony Averbuch, Fire Chief**, referred to his written report and added that October is Fire Prevention Month. Lt. Tim Adams would be visiting several schools to present a program on "Fire Safety Initiatives" to the students this Tuesday and Wednesday. The Chief had some suggestions for homeowners to follow for their safety. He explained and detailed item C. of tonight's agenda: Mutual Aid Agreement between Franklin-Bingham Farms Fire Department and Michigan Department of Natural Resources (DNR). The Michigan DNR is the gateway to other federal programs and other surplus-type programs, which he was not interested in at this time but would like to keep his options open. In order to take advantage of the purchase equipment program the Village was required to have a mutual aid agreement with the state. Hansen added this had been reviewed by Staran and the staff.

**Consider Mutual Aid Agreement between Franklin-Bingham Farms Fire Department and Michigan Department of Natural Resources (DNR).**

**#2019-81 Motion by Lamott, seconded by Saenz to approve a Resolution to approve the Mutual Aid Agreement between Franklin-Bingham Farms Fire Department and Michigan Department of Natural Resources (DNR).**

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

**Nays: None**

**Absent: Gordon, Seltzer**

**Motion carried.**

**Main Street Franklin, Krista McClure, Executive Director**, provided MSF's Budget to the Council. The year-end fundraiser event, Gem of the Night, was held and had been a great success. McClure added that Franklins Frenzy will be coming up on Saturday, October 26, 2019. She highlighted items on the Budget: the Executive Director's contractual position, office and overhead expenses (in kind from the Village Administration), committee expenses, promotion, and on-going training for herself and the Board. She also provided a projection for 2020 contributions. The Gem of the Night brought in an estimated \$5000 net which was over 30% more than the event had ever raised. Stakhiv noted that last year's Gem of the Night profit should be included in the budget. McClure stated she and John Bry, Oakland County Main Street, Program Coordinator, had worked on this budget and she did not have numbers from last year. Lamott questioned the figure of the Total Operating Expenses in the Cash column. The Cash column did not add up to the figure stated. Stakhiv suggested the budget format needed to be reworked in order that the numbers could be tracked more easily. Both Stakhiv and Lamott appreciated seeing a budget as this was the first year one had been presented to Council. Hansen congratulated McClure on a good "Gem of the Night" event.

Nena Downing, Bruce Lane, stated that in her 20 years living in the Village she has never been more proud of driving down Franklin Road and seeing the beauty and authenticity that Main Street (Krista McClure and Lisa Dunn) put into all the decorating. Downing added that it is outstanding and she wanted to go on record to thank them.

**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 \$738,137.58. Vainik stated that the expenditures are generally consistent with the FY2019-2020 Budget. The Bills List for this month included a large entry of \$405,700.00 for a semi-annual Road Bond payment to US Bank and Trust N.A. Vainik concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. The lists of account balances in the Council's packets were as of October 10, 2019 held at Level One Bank. A Balance Sheet was also provided from the interest bearing CDs held at Multi-Bank Securities.

Gallasch and Stakhiv questioned two (2) large payments to MERS for this month as opposed the normal one per month. Pulker stated that they were a matter of timing, and that they were the usual payments. Gallasch also did not understand the payment to the Franklin Cemetery Association. Pulker explained that the Village had received an insurance settlement for a filing cabinet (safe) which had been damaged in the flood in the basement at the Kreger House. This payment was for a replacement.

## **VI. SUBMISSION OF CURRENT BILLS**

General	\$	77,789.91
Maj Streets	\$	9,147.50
Local Streets	\$	7,861.50
Police	\$	112,108.81
Garbage and Rubbish	\$	14,948.90
Building Dept	\$	11,131.52
Street Project	\$	15,133.51

Road Millage	\$	405,700.00
Pressure Sewer	\$	1,010.25
Tax Collection	\$	83,255.70
Waste Water	\$	49.98
totals	\$	738,137.58

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

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

**Nays: None**

**Absent: Gordon, Seltzer**

**Motion carried.**

Hansen requested that starting next month David Goldberg would like to be included on the Council Agenda.

## **VII. PUBLIC REQUESTS AND COMMENTS**

President Hansen explained the normal procedures for Public Requests and Comments. However, she suggested those in attendance who wished to address items already on the Agenda would have the opportunity to comment at that time.

Danielle Clayton, Normandy, referred to her comments at last month's meeting concerning the impact of water erosion across her property. She came to this meeting for a status update. Four (4) times she has stopped in the office and was told to speak with the Building Official and/or with Creech, the Village Administrator, who was out of the office. Staran confirmed that Creech had conducted some follow-up investigations, including meeting with Staran, with the Building Official, and the three (3) meeting together. Staran would be doing some additional investigating and was confident that more progress would be reported once Creech was available. Clayton was hoping the situation would be addressed before the winter months.

Anna Cangialosi, Devon Lane, recently spoke at the Planning Commission meeting and wanted to voice her concern about the decline of businesses in downtown Franklin. She noted that there had been a dialogue about what residents could do to help bring something back, i.e. a market, such as a co-op or a gathering place like a coffee shop. Lamott agreed with her, however, he reminded her that the Kreger House was available for a group of residents to meet and have coffee. Hansen supported that suggestion and reminded residents that all they had to do was call the office about availability. She also confirmed hers and others' concerns about the loss of such a gathering place and a market-type establishment. She suggested Cangialosi meet with McClure, MSF Executive Director, and explore different ideas. The Council was open to ideas and suggestions.

## **VIII. SPECIAL REPORTS**

### **A. President's Report**

#### **1. Downtown Discussion/Franklin Road**

After giving a brief background and purpose of the Downtown Improvement Task Force, Hansen updated the residents on its recent activities. In addition to the repair of all of the roads in the Village, Council approved moving ahead with goals of developing a streetscape design for the downtown area, looking at

and enforcing the Village Ordinances, as well as how the office staff and building inspectors could be more efficiently used to sustain the changes in the downtown.

She commented that the first goal of the Task Force was to inventory and assess the condition of the buildings in the downtown, thereby identifying those which were in the need of maintenance and improvements. Main Street Franklin would be part of this process as it was in constant contact with the merchants and had access to a support system provided by Main Street Oakland County. More communication would be coming out via the Village website and Pulker's weekly email blasts.

### **B. Council Report**

No comments were made at this time.

### **C. Administrator Report**

The Village Administrator was not in attendance.

- IX. PUBLIC HEARING – ROAD VACATION** – Proposed Vacations for the area of : Orchard Lane, beginning at Captains Lane and terminating at Colony Hill Street; and Irving Road beginning at Normandy Road terminating at Orchard Lane.

### **#2019-82 Motion by Lamott, seconded by Saenz to open the Public Hearing.**

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

Hansen opened the Public Hearing for public comments at 7:36 P.M. She requested that those parties who were requesting the vacation to explain what they would like to do, why they want to do it, and how this would benefit the Village. Audience members would be able to make comments afterwards. Council would not be taking action on this at this meeting.

Rick Rattner, Captains Lane, represented Stuart Greidanus and other landowners who favored the road vacations. He explained that these residents would like to hear the thoughts of other neighbors and then would come back to Council with a plan which would be more favorable to them and other villagers.

Stuart Greidanus, Captains Lane, has been a resident since 2006. His primary goal for vacating this "road" or having the road abandoned was to insure that no road would be constructed as original platted. His immediate neighbor, whose property would also be affected, was in agreement. Collectively they personally have maintained this property and have improved the value of it and the environment for the animals.

Staran, Village Attorney, explained the legal definition of “vacation” and its legal ramifications, including the technical legal sense of the term “paper road” as opposed to an actual physical “road” for vehicular traffic. In vacating roads the Village did have the opportunity and the right to reserve easements for such things as, future possible utilities and even a path.

At Saenz’s request, Rattner expressed his clients’ wish to satisfy what the neighbors wanted. If a path was desired the details and parameters of an easement would need to be worked out. Staran stated that he agreed. Rattner also suggested that part of the property could be vacated: between Greidanus’ property and that of his neighbor’s to the north on Captains Lane, which was the original request.

Stakhiv questioned that if there was no road improvement anticipated was there a way to ensure that no road would ever be built there? Staran stated that it would be this Council and future Councils to make that determination. This Council could declare their intent to never open a road but he didn’t think it would be binding on future Councils.

Staran confirmed that right of ways and easements could be adjusted. There were several options to consider. Rattner’s and the neighbors’ objective was to find out what the easement/Right of Way was, where it was, and its maintenance.

Hansen explained the rules governing the comments of the public.

Andy Markovitz, Appletree Lane, was curious about getting more information: why has this subject just now come up? What was the problem that led up to this point?

Bruce Blanton, Gardenway, has lived here for about 28 years and walked his dogs along that path. He noted that it was the most expeditious way for the residents of Gardenway and Apple Tree Lane to get to the Village. He pointed out how dangerous it was to walk along 14 Mile Road and without the pathway, the pedestrians were locked in. He added that at the south end of Colony Hill was a private drive which used to run between Colony Hill and Scenic Lane. There was now a barrier with a path around it. While walking it, he met the owner of the adjacent vacant property who stated that he was going to build a house on it and didn’t want people cutting through there anymore. Blanton concluded stating that being said, with the inability to use the path or the property at the end of Colony Hill because of trespassing; his neighborhood would not have pedestrian access to downtown.

Barbara Goldberg, Carol, has been here since 1974 walking her dog on the streets. She has used this particular path for many years and was happy to hear that part of the proposal was for a walking path.

Leo McIntyre, Appletree Lane, and his wife use this path. Over the years when older kids would go down to the ball fields, they would use that particular path. He agreed with Blanton that it was a much safer way than going onto 14 Mile Road. It has been a quaint part of the Village and would like to see it continue.

Glenn Pavey, Gardenway, and his wife moved to the Village in 2003, and started a family here. They have used the path many times and stressed that this was the only safe access to the village park. With little kids or training wheels or strollers or dogs, neither 14 Mile Road nor Inkster Road were options. With the challenge of the Council to insure the health, safety, and welfare of the residents of Franklin, he thought it important to keep the path open in some form or fashion.

Jonathon Tabor, Gardenway, grew up in Franklin and moved back a few years ago. Ever since he and his wife moved back to Franklin, Greidanus had always encouraged neighbors to use the path. It was his opinion that the petition did not make it clear that Greidanus' intention was always to keep it as a path. He felt that as evidenced tonight there was a lot of room to compromise.

Gail Graves, Colony Hill, has lived in Franklin for 11 years and agreed with everyone, as it was her pathway down to Franklin. She had a personal question about the triangular piece of property behind her house, Out Lot F. Staran said it was not a Right of Way and thought the Village owned it, but it was not a buildable site.

Marcy Wulfmeier, Colony Hill, agreed with Tabor's comments about the hearing notice because she misinterpreted Greidanus' intentions. She questioned why he was the one maintaining the path and asked if it was the Village's responsibility. Staran explained that the Village did not maintain it as an official pathway; it just came to be used as a pathway. It was merely Village property in its natural state and when trees fell, Greidanus would clean them up.

Jamie Jacob, Irving, a resident for 22 years, was glad to hear that everyone has enjoyed it as a path. His comment centered on the condition of a part of Irving where water collects on it. His concern was that this section won't be safe when the water freezes. He has not received an explanation from Hubbell Roth and Clark (HRC), Village Engineers, about what they intend to do about the situation which has gotten worse since it was repaved two (2) years ago. Stakhiv stated that she would bring this to the attention of the engineers.

Jim Keller, Colony Hill, would have the path in question on two (2) sides of his property. He and his wife have lived in their house since 2008 and acknowledged Greidanus's desire to do something with that land. Sometimes the Village would contract a business to come in and take care of the fallen trees on the trail. He would like to see a definition of what the land was going to be.

Crystal McCarl, Gardenway, wanted to thank Council for being very responsive to emails and supported those comments which had been expressed. If the land/path were to be vacated and defined by an easement or a Right of Way, it was important the Village take the pressure off of Greidanus who has maintained it all these years.

Hansen closed the Public Hearing at 8:11 P.M.

Stakhiv noted that she had walked the path and found it "charming". She stressed that when considering the "walkability" of the downtown the same idea needed to be applied to the whole Village at large.

Gallasch agreed with Stakhiv's comments and acknowledged other "paper roads" throughout the Village. He suggested that they be walked to see if they would be beneficial as public pathways. Staran acknowledged that Creech had an inventory of such roads. Hansen suggested that Creech bring the list to the next Council meeting with the goal of understanding what the Village already had and start a discussion. A discussion would be very timely in that it would coincide with pedestrian traffic in regards to the downtown streetscape. This was a priority for the Council and could be added to the agenda.

Rattner would return at a later meeting with what Greidanus would like to see based on the conversations at this meeting.

Meeting was recessed for two (2) minutes.

Hansen resumed the meeting at 8:18 P.M.

#### **X. NEW BUSINESS**

##### **A. Consider Proposed Road Vacations for the area of Orchard Lane beginning at Captains Lane and terminating at Colony Hill Street; and Irving Road beginning at Normandy Road, terminating at Orchard Lane.**

As stated previously in the meeting, the applicant will return with an amended application.

##### **B. Consider Appointment of Village Administrator.**

**#2019-83 Motion by Lamott, seconded by Stakhiv to postpone this decision.**

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

**Nays: None**

**Absent: Gordon, Seltzer**

**Motion carried.**

##### **D. Consider Proposals for Engineering for the Downtown Design.**

**#2019-84 Motion by Lamott, seconded by Saenz to approve the proposal and contract for the Design and Engineering Services with Nowak and Fraus Engineers, Pontiac, MI for Franklin Road Streetscape Project.**

Lamott commented on the process the committee of Hansen, Gallasch, Creech, and he used in making this decision which included interviewing two (2) of the three (3) engineering firms which had submitted bids. Gallasch noted that the committee interviewed each firm very strongly about their sense of history and how each would maintain it in the Village. They seemed to be receptive to the fact that this was not a modern old town and its history was very important to the Village. Each firm showed a reference and care for this type of community which was an important factor for their decision to choose NF Engineers.

Hansen confirmed that the next step would be to negotiate an agreement with NF Engineers, finalize the time frame, deliverables, and process. She would like Creech to work with this team,

if needed. The goal was to break ground early spring in conjunction with the paving of Franklin Road.

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

**E. Consider Proposal for the Gutters and Roof Project for Village Hall.**

Pulker provided a brief background of this project, noting this was a Certified Local Government grant through the Michigan State Housing Authority and the State Historic Preservation Office to restore and repair the cedar shingle roof and install new copper gutters and downspouts on the Broughton House/Village Hall. Only one vendor responded to the RFP which has been approved by the State. The Village would be reimbursed by the State for the cost.

**#2019-85 Motion by Stakhiv, seconded by Saenz to approve the proposal from Cedar Restoration for roof, gutter and downspout improvements for a cost of \$14,970.**

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

**F. Consider Civic Event Permit Application for Franklinsien Frenzy on Saturday, October 26, 2019, by Main Street Franklin.**

**Motion by Lamott, seconded by Stakhiv to approve the Civic Event Permit Application for Franklinsien Frenzy on Saturday, October 26, 2019, for Main Street Franklin.**

Stakhiv did not see a signature on the application from the Church which was a requirement.

**#2019-86 Motion by Lamott, seconded by Stakhiv to approve the Civic Event Permit Application for Franklinsien Frenzy on Saturday, October 26, 2019, for Main Street Franklin, as amended with the completion of the signatures on the form.**

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

**G. Consider Extension of the Main Street Franklin Agreement.**

Hansen reported that this had already been discussed. This was the same agreement the Council has had with MSF for the last couple of years and has been signed off by the MSF Board Chairman, Mason Miller.

**#2019-87 Motion by Saenz, seconded by Stakhiv to approve the extension of the Main Street Franklin Agreement, as provided.**

Saenz reported that he had had a meeting with the MSF Chairman, Vice Chairman, and the Executive Director. After a thorough examination all were committed to it. The only limitation to accomplishing this would be the need for more volunteers to accomplish its goals.

Gallasch requested that the Budget be filled out more completely.

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

**H. Consider scheduling a Public Hearing, on November 11, 2019 to Review CDBG Funds for FY2020.**

**#2019-88 Motion by Stakhiv, seconded by Lamott to schedule a Public Hearing on November 11, 2019 to Review CDBG Funds for FY2020.**

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

**I. Sign Inventory**

Hansen noted that Chief Roberts had requested there be an analysis of traffic signs in the downtown area. He has already approached the Village engineers who have given him an informal quote. She would like to proceed with this but would like it to go out to bid.

Nena Downing remarked that the Planning Commission had recently done a study on the signage; the signs had been counted and pictures of every sign in the Village had been taken. Staran explained other details of signage which were needed to be considered. Stakhiv suggested that PC's findings could be forwarded to the engineering firm which might reduce the cost of the project. Pulker would speak with the Police Chief.

Gallasch favored giving the Police Chief a copy of the study done for the Planning Commission and then asking for proposals for a traffic sign analysis from several engineering firms. Saenz confirmed that an engineering firm could make recommendations about each sign in the Village.

**#2019-89 Motion by Hansen, seconded by Saenz to postpone this item, Signage Study, until next month.**

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

Stakhiv stated there was a scheduled Planning Commission meeting this Wednesday night and she would request that Traxler, Planning Consultant, send copies of the signage survey to all the Council members.

**XI. ORDINANCES/RESOLUTIONS**

**A. Consider an Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the Village of Franklin, Oakland County, Michigan.**

Pulker explained that this Ordinance occurs each year which incorporates all of the ordinances adopted by the Village Council in the previous year.

**#2019-90 Motion by Stakhiv, seconded by Saenz to approve an Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the Village of Franklin, Oakland County, Michigan and waive the second reading.**

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

**XII. ADJOURNMENT**

**Motion by Lamott, seconded by Saenz to adjourn the meeting.**

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

There being no further business, the meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

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Eileen H. Pulker, Clerk

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Pamela Hansen, President