

**VILLAGE OF FRANKLIN  
REGULAR COUNCIL MEETING  
MONDAY, April 10, 2023, at 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 Bill Lamott, at 7:02 P.M.

**II. ROLL CALL**

Present: Kathy Erlich, David Goldberg, Mark Hanke, Pam Hansen, David Sahli, and Bill Lamott

Absent: Mike Seltzer

Present: Dan Roberts, Police Chief; Roger Fraser, Village Administrator; David Leclerc, Economic Development Director; Peter Gojcaj, Village Attorney; and Lance Vainik, Village Treasurer

**III. ADOPTION OF AGENDA**

**Motion by Hanke, seconded by Hansen to adopt the Agenda, as presented.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**IV. MINUTES**

**A. Regular Meeting of March 13, 2023**

Goldberg stated he wants the bicentennial and public utility subcommittees on the next agenda. Hansen would like to see an action item with every agenda item. Hanke would like for future minutes when revisions are made by Council to try and capture what the suggested changes were.

**Motion by Hansen, seconded by Hanke to adopt the Minutes for the Regular Meeting of March 13, 2023, as presented.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**V. PUBLIC REQUESTS AND COMMENTS**

**Public Comments were opened by President Bill Lamott at 7:06 PM.**

Jeff Weinger, 25866 Balsam

- He has an ongoing issue and was trying to work through it with the Village Administrator and Attorney. He stated that he has sent two correspondences to the Village Attorney and has not received a response. He would be willing to send a packet of information to the Council. His issue is that his house is being inundated with water since the construction of his neighbor's pool. He has a video and pictures. He has issues with the Building Official's actions, and the fact the Village Administrator will not speak with him. He has also tried to reach out to HRC.

The Village Attorney stated he forwarded the emails to the appropriate authority. He also stated that the Council has a policy that the Village Attorney can only be engaged on their approval or that of the Village Administrator.

Lamott asked Mr. Weinger to get his information to the Village Administrator, as he is the point of contact for the Village Council.

Angelina Sulaka, 26172 Meadow Drive

- She stated she started an online petition to improve service and stop outages, call dropping, and the loss of internet service by establishing a Utilities and Technology Committee. She stated that these things are a regular occurrence in Franklin and are harming residents and creating life threatening hazards.

Joan Miller, 31010 Oakleaf Lane

- She provided the Council with an update on the two wires hanging from the February storms. She has been in contact with Comcast with no luck.

**Action Item: Fraser stated the Village will follow up on Joan Miller's concerns.**

**Public Comments were closed by President Bill Lamott at 7:19 PM.**

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

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

#### **A. Police Report**

Dan Roberts, Police Chief

- Dan Roberts, Police Chief reviewed with Village Council his submitted report.
- Roberts stated the report was amended based on a request from Trustee Hanke to include traffic stop data broken down between Franklin and Bingham Farms.
- Roberts mentioned a big article about DTE and how it compares to other states power providers.
- Roberts stated over the last three-day period, the department did 130 house checks.

Sahli asked if DTE provided any notice of their scheduled power outage for maintenance. Chief Roberts said no.

#### **B. Fire Report**

- No report.

### C. Treasurer Report

#### Lance Vainik, Village Treasurer

- Lance Vainik, Village Treasurer reviewed with the Village Council his treasurer's report.
- There were several entries totaling \$27,117.45 for the emergency storm cleanup paid to Owen Tree Service.

Discussion followed.

## VII. SUBMISSION OF CURRENT BILLS

<b>Totals: 4-9-2023</b>	
<b>CATEGORY</b>	<b>SUB TOTALS</b>
General	\$ 37,573.34
Major Streets	\$ 19,695.63
Local Streets	\$ 54,209.41
Police	\$ 68,576.60
Garbage and Rubbish	\$ 14,971.41
Building Dept.	\$ 5,000.74
Library	\$ -
Street Project	\$ -
Road Millage	\$ 750.00
Sewer Fund	\$ -
Tax Collection	\$ -
Wastewater	\$ 1,483.26
<b>TOTALS</b>	<b>\$ 201,510.39</b>

There were discussions on snow plowing, Owen Tree Service, and the possibility of going out to bid for a new tree service. Other items were also discussed.

**It was moved by Erlich, seconded by Hanke to approve the submitted bills.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**Action Item: Possible new tree service bid.**

## VIII. SPECIAL REPORTS

### A. President's Report

- Lamott stated there were a couple of meetings with T-Mobile and AT&T and that they were productive. Both companies are planning to add more cells to the distributed antenna system. T-Mobile is further along with their plan. But AT&T has been open, honest, and listened to the Village. One of the issues the committee raised was the issue of fiber optics. But if the Village wants that it will have to find grant opportunities.

Discussion followed including discussion on nodes, the conservations with the different carrier, and small cells vs towers.

**Action Item: Added Cellular Service Report as a permanent item on the agenda.**

### **B. Council Report**

Goldberg asked Fraser, who is responsible for the trash that is in the Telegraph Road right of way? Fraser stated he would investigate that problem.

Sahli brought up the fact DTE that had scheduled an outage and hadn't notified the police department. He said this is why the Village needs a Public Utility Commission.

Hanke was concerned about the lack of communication and the lack of responsiveness between the Village offices and the residents. He would like to see a complaint log from the residents.

Discussion followed.

**Action Item: Sahli would like to see this item added to the administrative report.**

Fraser added that Jerry Johnson and his crew were out on the road from 8:30 in the morning and worked throughout the night as well.

Erlich questioned the tree removal service the Village employed not showing up. Fraser explained they did not have any staff on hand.

Hanke recommended the Village publicly recognize the effort of Chief Tony Averbuch and Chief Dan Roberts. Hansen stated maybe with a letter from the Council.

### **C. Administrator Report**

Fraser introduced the new Economic Development Director, David Leclerc.

### **D. Planning Commission Report**

Pete Halick, Chairperson

The Planning Commission is currently working on the following:

- Changes to the language to the Horse and Other Equine Ordinance.
- Changes to the Chickens and Ducks Ordinance.
- Changes to the Open Burn Ordinance.
- Discussion on the site plan for 30777 Telegraph was tabled.

- Discussion on the Outdoor Lighting Ordinance.

Discussion followed.

#### **E. Main Street Franklin Report**

Lisa Dunn welcomed David Leclerc. She also mentioned an upcoming event called the “Spring Fling and Fashion Show. It is going to be held at the Franklin pavilion with several merchants doing a fashion show.

Discussion followed.

#### **F. Cellular Service Report**

### **IX. CONSENT AGENDA**

- A. Consider Civic Event Permit Application for the Summer Block Party on August 23<sup>rd</sup>.**
- B. Consider Civic Event Permit Application for Franklinstein Frenzy on October 28<sup>th</sup>.**
- C. Consider Civic Event Permit Application for the Sip, Shop and Stroll on December 7<sup>th</sup>.**

**It was moved by Sahli, seconded by Goldberg to approve the consent agenda items.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

### **X. OLD BUSINESS**

- A. Consider the Second and Final Reading of Chickens & Ducks Ordinance.**

Halick stated that there were two language changes. The first was to remove the word “covenant”. Second was to correct the setback requirements. For the issue with the pen height, the Planning Commission changed the language.

Discussion followed.

**It was moved by Sahli, seconded by Erlich to approve the Second and Final Reading of the Chickens and Ducks Ordinance with the last set of changes presented.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**B. Consider the Second and Final Reading of Open Burn Ordinance.**

Discussion on fires under the tree canopy, concerns over wording and language.

Discussion followed.

**It was moved by Hanke, seconded by Erlich to approve to refer Open Burn Ordinance back to Planning Commission for revisions.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**Action Items: Strike certain sections from the ordinance and changes to the language.**

**C. Consider the First Reading of Horse and Other Equine Ordinance.**

The Council discussed the minimum front yard setback requirement, the height requirement, fencing, and language.

Discussion followed.

**It was moved by Hanke, seconded by Erlich to approve the First Reading of the Horse and Other Equine Ordinance.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**Action Item: Cross-reference this ordinance with the fencing ordinance.**

**XI. NEW BUSINESS**

**A. Discuss the Outdoor Lighting Ordinance.**

The Council discussed lighting in the Historic District, ornamental lighting, light fixtures, foot candles, light trespass, commercial and residential lighting.

Further discussion followed.

**Action Item: The Council needs clarification on a few points.**

**B. Discuss Request to Amend the Zoning Map.**

**WHEREAS**, the PI Public Institutional District has recently been created as Section 1259.01 of the Zoning Code of the Village of Franklin in accordance with the Village Land Use Master Plan, and

**WHEREAS**, no properties within the Village are zoned PI, and

**WHEREAS**, there are numerous properties in the Village where the current use meets the standards of the PI Public Institutional District, including the following:

- Franklin Village Offices, including related buildings
- Franklin/Bingham Farms Police Department
- Franklin Library
- FCA Owned Recreation Fields and Related Facilities
- Franklin Village Green
- Franklin Sledding Hill
- Franklin Community Church
- Franklin/Bingham Farms Fire Department
- Franklin Museum and adjoining property
- Huda School
- Franklin Branch - U.S. Post Office

**WHEREAS**, the Planning Commission is authorized to initiate the rezoning process pursuant to Chapter 1246 of the Village Code and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

**NOW THEREFORE IT IS RESOLVED** that the Franklin Village Board of Trustees hereby requests the Franklin Village Planning Commission to examine the properties listed above and any other eligible properties within the Village to prepare recommendations to change the Zoning Map for those eligible properties to PI Public Institutional District.

**It was moved by Goldberg, seconded by Hanke to approve authorizing the Planning Commission to initiate the rezoning process and to amend it to include eligible and appropriate properties.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**Action Item: Refer to Planning Commission.**

**C. Consider FY2022-2023 Budget Amendment.**

The Council discussed the budget amendment in the budget workshop at 6 p.m.

**It was moved by Goldberg, seconded by Hansen approved the FY2022-2023 Budget Amendment as presented.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**It was moved by Goldberg, seconded by Hanke to appoint Edward Albers as alternate to the Zoning Board of Appeals to fill the vacancy left by Mark Ziessow.**

**D. Consider Proclamation for Arbor Day 2023.**

**PROCLAMATION**

**Arbor Day 2023**

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**NOW THEREFORE BE IT RESOLVED I**, Bill Lamott, Council President of the Village of Franklin, do hereby proclaim, Friday, April 28, 2023, as Arbor Day in the Village of Franklin, and further, I urge all citizens to celebrate Arbor Day to support efforts to protect our trees and woodlands, and to plant trees to gladden the heart and promote the well-being of this and future generations.

**It was moved by Hanke, seconded by Hansen to approve the resolution for the Proclamation for Arbor Day 2023.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

**E. Consider Resolution for West Nile Fund Program 2023.**



### **West Nile Virus Fund Program 2023 Resolution**

**WHEREAS**, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

**WHEREAS**, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures and mosquito larvicide distribution; and

**WHEREAS**, Oakland County has allotment of **\$493.33** in funds for the Village of Franklin to spend on West Nile Virus prevention; and

**WHEREAS**, the Village of Franklin, Oakland County, Michigan plans to incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program; and

**WHEREAS**, the Village of Franklin intends to implement a program for individual-sized, personal insect repellent distribution to residents; and

**NOW, THEREFORE, BE IT RESOLVED**: that the Village of Franklin authorizes and directs its Administrator, Roger Fraser, as agent for the Village of Franklin, in the manner and to the extent provided under an Oakland County Board of Commissioners Resolution, to purchase and request reimbursement for eligible mosquito control activity under Oakland County's West Nile Virus Fund Program for 2023.

**It was moved by Erlich, seconded by Hanke to approve the resolution for the West Nile Fund Program 2023.**

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, and Lamott**

**NAYS: None**

**ABSENT: Seltzer**

**Motion carried.**

#### **F. Discuss the Creation of a JenStan Subcommittee.**

There was discussion regarding Council volunteers to create a subcommittee to review the JenStan property and a possible pathway. There was not enough support for this.

### **X. ADJOURNMENT**

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

**AYES: Erlich, Goldberg, Hanke, Hansen, Sahli, Seltzer, and Lamott**

**NAYS: None**

**Motion carried.**

There being no further business, the meeting was adjourned at 9:48 P.M.

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William Lamott, President

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Dana Hughes, Village Clerk

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