

**VILLAGE OF FRANKLIN
REGULAR COUNCIL MEETING
MONDAY, August 09, 2021, 7:00 P.M.
Village of Franklin Hall (Broughton House), 32325 Franklin Rd, Franklin, MI 48025**

I. CALL TO ORDER

The meeting was called to order by President Bill Lamott, at 6:59 P.M.

II. ROLL CALL

Present: Brian Gordon, Kathy Erlich, Mark Hanke, Pam Hansen, Ed Saenz Mike Seltzer and Bill Lamott.

Absent: None

Also Present: Dan Roberts, Police Chief; Tony Averbuch, Fire Chief; Roger Fraser, Village Administrator, Village Attorney Peter Gojcaj, Heather Mydloski, Village Clerk, Brian Coburn, Oakland County Water Resource Commission; and Ed Zmich of Hubbell, Roth, and Clark.

III. ADOPTION OF AGENDA

Motion by Seltzer, seconded by Saenz to adopt the Agenda as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

IV. MINUTES

A. Regular Meeting of August 09, 2021

Motion by Seltzer, seconded by Saenz to adopt the Minutes for the Regular Meeting of July 19, 2021, as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion Carried.

V. PUBLIC REQUESTS AND COMMENTS

Public Comments were opened by President Bill Lamott at 7:00 PM.

Jeff Kopelman, 30895 Oakleaf

- Asked the Council for an update from the Ad Hoc Water Study Committee Meeting.
 - Hansen and Seltzer informed Kopelman that the issue would be discussed by Fraser during his Administrator's report.

Nena Downing 30645 Bruce Lane

- Invited residents to the next Mobile Watch meeting on August 26, 2021, at 7:00PM at the Village Hall. Lt. Bastianelli will conduct a presentation for the FBFPD P.A.S.T. (Police And Seniors Together) Program.
 - Seltzer plans to attend. He was at the last meeting late and found it had already ended.
- The Franklin Historical Society will be participating in the Summer Block Party on August 18, 2021, from 5-8 PM, she invited residents to come to their booth.

Public Comments were closed by President Bill Lamott at 7:03 PM.

VI. REPORTS OF VILLAGE OFFICERS AND AGENTS

Dan Roberts, Police Chief

- Reviewed Submitted Report.
- Award Presentation to deserving Officers.
 - Ofc. Thomas Goodroe: Waded through a river in January to save a dog that was stranded. He returned the dog back it's the owner, safe and sound.
 - Ofc. Kimberly Bonacorsi: Dispatched to Bingham Farms for a crime in progress. She arrived quickly and found the reported vehicle to have been ransacked. She and her partner moved quickly to survey the area for a suspect. She noticed an individual, walking down the street and was able to investigate the individual, which linked them to other surrounding community crimes.
 - Ofc. Jeff Gorski: Pulled up to a motorist that seemed to need help with a flat tire and was blocking traffic. Once he approached the motorist, he determined the motorist was not coherent. It turned out that the individual had multiple warrants for his arrest. The individual became combative. The individual was significantly larger in stature than Gorski, but he was able to defuse the situation without incident and the arrest was made peacefully.
 - Lt. Mike Bastianelli, Ofc. Jeff Gorski, Ofc. Kimberly Bonacorsi, Ofc. Logan Hall and Sgt. Bob Mydloski: In the area of Cheviot Hills and Thirteen Mile, some packages were seen taken from resident doorsteps. The officers found three (3) suspects based on the given description. When the individuals were stopped, they had multiple packages on their person that were reported missing from surrounding communities. It ended up that some of the individuals were wanted for other crimes including some violent crimes in the city of Detroit.
 - Ofc. Chris Doolan: While conducting building checks in the downtown Franklin business district, she observed a vehicle moving erratically. She ran to her patrol car and started

to pursue the vehicle. She tried to stop the vehicle, but it lost control and crashed on Thirteen Mile and Franklin Road. The driver was aggressive and non-compliant to her commands. She summoned Bloomfield Twp and Farmington Hills for back up. It was determined the motorist was under the influence of alcohol and it was his 3rd DUI. Her action kept a dangerous motorist off the roadways.

Tony Averbuch, Fire Chief

- Reviewed Submitted Report.
- FBFD had 96 runs in July.
- Thanked the Village and Mydloski for pushing him to create safety content.
- Thanked Civic Groups for including the Fire Department in their safety discussions surrounding their upcoming events.

VII. SUBMISSION OF CURRENT BILLS

Lance Vainik, Village Treasurer

- Council reviewed Submitted Report.

Totals: 08-09-2021	
CATEGORY	SUB TOTALS
General	\$ 63,378.57
Major Streets	\$ 27,787.94
Local Streets	\$ 26,881.23
Police	\$ 41,134.68
Garbage and Rubbish	\$ 15,132.13
Building Dept.	\$ 10,907.16
Library	\$ -
Street Project	\$ 5,403.00
Road Millage	\$ -
Pressure Sewer	\$ -
Tax Collection	\$ -
Wastewater	\$ -
TOTALS	\$ 190,624.71

Gordon inquired of the disbursement of \$54,240.00 to Johnson Landscaping. Fraser confirmed it was due to debris cleaned up from the recent storm along with the normal disbursement for regularly scheduled maintenance.

Motion by Seltzer, seconded by Saenz to approve the Bills List as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

VIII. SPECIAL REPORTS

A. President's Report

President Lamott

- NEXT was having an open house in August for 50+ individuals, residents could learn more about the programs they offer to our community.

B. Council Report

Nothing reported.

C. Administrator Report

Roger Fraser, Village Administrator

- Introduced Meg Schubert, Economic Development Director/Main Street Franklin. She has an MBA from Central Michigan. She comes from Isabella County Child Advocacy, where she served as a director. She has exhibited a high level of enthusiasm having met with Main Street Board Members, merchants and Karen Couf-Cohen, Communications Director along with others all within her first week.
- Plante Moran is conducting an extensive review of our internal processes and procedures in our Finance Department to ensure maximum efficiency.
- Ad Hoc Water Survey Committee Update: Results from the Water Survey have been submitted and now is the time to address resident concerns. There was an additional analysis from HRC (Hubbell, Roth, and Clark) suggesting the categorization of resident water concerns and subsequent resources to address each one. The subcommittee discussed various kinds of water safety, water treatment and well maintenance information to educate and provide solutions to resident concerns. The Subcommittee discussed the idea of suggesting voters consider a municipal water system solution that would allow residents to tap into the municipal water system, based on their demographics within the Village. By connecting to a bordering community water system in sections, the Village could merge those connections in the future when a Village wide municipal water system becomes necessary and/or feasible.
- Seltzer mentioned that the Water Survey results were submitted 45% not in favor and 55% in favor of their water systems as they are. He felt the Village may consider a vote in the future to see if there is a resident interest for municipal water.
- Hanke thought the minutes should be published and that the meeting should be accessible to residents. He moved that the Council meet to discuss the water issues at hand.
- Erlich stated that we cannot generalize the results of the study to the entire population, as those who filled out the study were likely those who cared most about the issue, and those who did fill it out were more likely to not care either way.
- Hansen asked Hanke if he was willing to use his demonstrated skill of statistics to help produce a thoughtful summary of the Water Study result. Gordon agreed.
- Hansen noticed Fraser had not expounded on water health in his report. Fraser stated although data had been obtained, additional data was required to properly ascertain the status of water health. All agreed that water health should be a key topic of discussion.
- It was determined the Council would meet an hour prior to the next Council meeting for the Ad Hoc Water Study Committee Meeting. This would afford the transparency they wish to provide for Village residents. (6:00 PM at the Village Hall on September 13, 2021.) This meeting will continue monthly until the issue is resolved.

#2021-67 Motion to conduct an Ad Hoc Water Study Committee Meeting an hour prior to the next scheduled Regular Village Council Meeting on September 13, 2021, at 6:00 PM.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

D. Clerk Report

Heather Mydloski, Village Clerk

- Mydloski reported several lost and found items retrieved from the Village Green.
- She further mentioned that bug spray and mosquito repellent were free to residents and available at the Village Hall.

E. Main Street Franklin Report

Karen Couf-Cohen, Village Communications

- Excited for all that is going on in the Village. She is confident that the event will be well received, and that the community will come.
- She was also confident of maximum merchant exposure. She has published the event in multiple outlets: The Village Newsletter, Facebook, Twitter, Next Door, Event Brite, the Birmingham Eagle, a banner, lawn signs, Ads, and a Press Release.
- COVID precautions are in place to anticipate and prepare for the safety of all attendees. Personal protection equipment will be on hand and available complimentary.

Roger Fraser, Village Administrator

- Read a submitted letter from Lisa Dunn of Main Street.
- The letter commended Schubert for her excellent work within a short time, she is already scheduled to work with the Oakland County Main Street Program.
- The letter also praised the upcoming Summer Block party event.

Megan Schubert, Economic Development Director, Main Street Franklin

- Getting acclimated to her new position. Meeting with various merchants and community leaders to ascertain the rich history of the Village and the history of Main Street Franklin.
- She is looking forward to assisting with the Summer Block Party.
- She is scheduled to meet with John Bry of the Oakland County Main Street Program.
- Has already spoken to potential investors for downtown Franklin.
- She referenced her one hundred (100) day plan to include understanding the nuances of the relationship between Oakland County Main Street and Main Street Franklin, develop the Main Street Board of Directors, establish a strategic plan to create a benchmark for her desired goals.

F. Planning Commission Report

David Goldberg, Planning Commission Chairman

- Nothing reported.

G. Diversity Equity & Inclusion Committee Report

David Sahli, Diversity Equity & Inclusion Committee Chairman

- Currently working on the development of language for Village Communications.

- Implementation of available training to post in the Newsletter. Praised Couf-Cohen for her assistance with the process.
- Seltzer congratulated Sahli and his family on the birth of their new baby.

IX. NEW BUSINESS

A. Consider the Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement.

Coburn stated the agreement outlines that Oakland County has been under a consent judgment with fifteen (15) members/communities since the late 1980's.

Lamott stated the agreement formalizes the infrastructure program.

Gordon asked for the Village Legal Counsel to weigh in. Gojcaj had no issue.

Hanke inquired of the budget impact. Fraser clarified that it is not a tax-based program. It is a user fee funded program identifying reserve funds for payment.

Coburn stated that this project will eliminate sanitary system overflows.

#2021-68 Motion by Seltzer, seconded by Saenz to approve Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

B. Consider Proposal from Hubbell, Roth, and Clark to Analyze Notable Effects of recent Storm Flooding.

Hansen read the background of the proposal, she asked for clarification as to why the proposal seemed to include redundancies by charging for 3 of the 4 areas had already been analyzed with the Streetscape project. Zmich clarified that it was more than simply individual drains but rather the drainage process as a whole and the topography of the entire area.

Hanke asked if residents in those locations would be contacted to learn of their experiences. Zmich explained he could schedule a time that would afford surrounding residents the opportunity to voice their concerns and share their experiences.

Gordon was concerned that this is a reactionary approach and that it may be prudent to wait and see how the Streetscape project drains perform. He didn't feel the proposal was the correct option at this time.

Erlich mentioned these events keep occurring and have damaged homes. She believes further investigation is necessary as the weather events may continue to escalate and residents need to find answers.

Hansen requested that community input be added to the proposal. She also requested that Nowak & Frause Engineers (NFE) be contacted to ensure there is no redundancy from the work that has already been completed. She asked if the proposed work is enough to access the current drainage system or is it merely reactionary due to the extraordinary rain fall this year, yet she agreed with Erlich that there is a need for a drain assessment to address the extraordinary circumstances. Zmich explained ultimately there can be no drain system constructed to handle every single problem, and if it were possible, it would not be feasible financially. Zmich stated it would make sense to wait until the completion of the Streetscape project before enacting this proposal. He further stated the proposal was prepared in response to Village request.

Saenz stated the recent storms were record breaking and he agreed with Gordon that it would be prudent to wait.

Zmich reminded the Council that the sewers are the responsibility of the Village and compliance with the MS4 Permit needs to be maintained. The County has sanitary but not storm drains.

Lamott was not comfortable with flooded basements even with extraordinary rain fall. He proposed the Council move forward with the proposal contingent on the completion of the Streetscape project.

Hanke inquired of the ordinance code for the maintenance of culverts.

Erlich believes an initial study of the drain system would help to alleviate the negative perception of our residents of the Council not remaining attentive to drainage complaints.

Zmich asked for clarity on the first proposal, as written or to look at 2 of the 4 areas defined? Lamott clarified to go ahead with the proposal as written but to focus on Items 3 and 4 of the proposed line items immediately, and to wait on the other two.

Hanke asked that a public notice be sent to residents within 1000 feet of the project.

#2021-69 Motion by Seltzer, seconded by Saenz to approve the Proposal from Hubbell, Roth, and Clark to Analyze Notable Effects of recent Storm Flooding as presented.

Saenz	AYE
Erlich	AYE
Gordon	NAY
Hansen	NAY
Seltzer	AYE
Hanke	AYE
Lamott	AYE

5-2, motion carried.

C. Consider Proposal from Hubbell, Roth, and Clark for 2021 Annual Storm Sewer Maintenance Program.

Zmich reviewed the submitted proposal. He gave an overview of the Sewer Maintenance Proposal. It is designed as an RFP (Request for Proposal.) In the RFP there are specific questions and qualification benchmarks to ensure the nature of the contractor not only is thoroughly vetted but conducive to the needs of the Village. A contractor is selected and retained for a span of three (3)-five (5) years and then it is suggested to go back out to bid. The RFP also entails the preparation of maps, details, and the proposed specifications. The fees are broken down into four (4) tasks:

1. Prepare the Request for Proposals (RFP) Bid Package
2. Evaluate the Proposals and Qualifications of the Applicants
3. Village Council Meetings and Preparation of Contract Documents
4. Storm Manhole and Catch Basin Inspection

For clarification of Trustee Gordon's' question on the SAW Grant. Zmich stated the Village received a SAW Grant administered from OCWRC and HRC assisted with the process for \$300,000.00 (the sanitary wastewater side.) The question was raised, "What about the Storm Water side?", in 2012 the Village Administration declined moving forward with the Storm Water as they felt sanitary water was their sole concern at that time.

Over time, it became apparent that there was a storm drain issue. The process had become reactionary. A regular Storm Sewer Maintenance system is needed to fulfill the Village obligation to the MS4 permit program compliance standards.

Saenz asked who recommended this and why is it needed now?

Fraser stated that when the storm drainage issues were discovered downtown for the Streetscape project, it was largely due to an apparent lack of maintenance.

Seltzer and Saenz stated we hadn't done routine maintenance in 20+ years, so we can delay the process if need be.

Gordon stated it was a millage issue and would require a vote.

Responding to Hansen, Fraser explained that he had reviewed the proposed plan with HRC and reviewed the budget situation both short and long term.

The Council discussed the possibly of a grant to pay for this project. Fraser agreed to explore grant opportunities with HRC.

Responding to Hansen, Fraser explained that Johnson Landscaping handled emergency repairs of the sewers but was not equipped to handle regular maintenance.

Fraser reiterated the importance of regular maintenance of the storm sewer.

#2021-70 Motion by Gordon, seconded by Saenz to table the Proposal from Hubbell, Roth, and Clark for 2021 Annual Storm Sewer Maintenance Program until it can be determined how this project can be funded.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

D. Consider the Appointment of an Alternate Board Member for the Zoning/Sign Board of Appeals.

Hanke asked if all the residents have had the opportunity to apply. Mydloski mentioned that the Newsletter and the website have standing application links for all Boards.

Hanke was concerned that it seemed that the DE&I Committee has not been involved in the process.

Gordon stated that he did not know Chairman Randy Brakeman personally but did not deny he was a devoted community servant. However, there was an item on the ZBA agenda that pertained to Brakeman's residence and his neighbors which is a conflict of interest. Gordon stated it appeared to also be a conflict of interest for Brakeman to recommend Nick Bevins for the Alternate position under the circumstances.

Hansen mentioned that we had agreed to post volunteer openings. Also, there were two (2) other interested applicants from the last time Nick Bevins was considered and they needed an opportunity to re-apply.

Rick David spoke from the public that there was not a clear application process as there was not a notice of a vacancy posted anywhere. The Council agreed.

Saenz asked Sahli what part DE&I would add to this process. Sahli responded that DE&I would not have guidance for this specifically other than to illuminate any potential bias with how the process is being handled. The process needs to be evaluated to ensure full transparency of all opportunities.

Saenz amended his motion to ensure all have an opportunity to apply.

#2021-71 Motion by Saenz, seconded by Erlich to table the Appointment of an Alternate Board Member for the Zoning/Sign Board of Appeals until the next meeting on September 13, 2021.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

E. Consider Declaration of Emergency for the COVID-19 Resurgence until December 31, 2021.

Council clarified that extending the Declaration of Emergency until the end of the year afforded all Boards, Commissions and Committees to have a choice of meeting in person or virtually (online) and remain in compliance with the Open Meetings Act.

VILLAGE OF FRANKLIN, MICHIGAN

RESOLUTION TO ADOPT RULES FOR ELECTRONIC MEETINGS

WHEREAS, the Michigan Open Meetings Act, MCL 15.261 et seq. was recently amended by the adoption of Public Act 228 of 2020 to permit the remote attendance by members of a public body using telephonic or video conferencing means; and

WHEREAS, at its May 10, 2021, the Village Council Resolved to provide the opportunity to meet electronically due to the COVID-19 Pandemic, which Resolution is set to expire by its own terms by August 31, 2021;

WHEREAS, a recent surge in confirmed novel coronavirus cases, including the Delta variant, Oakland County has expressed that it is within a seven-day average of 78 COVID-19 cases per day, which is firmly in the “substantial” range of the CDC’s guidance for everyone to wear a mask indoors regardless of vaccination status;

WHEREAS, the above stated recent surge is likely to escalate based upon CDC warnings, which may require that Village Council to meet and conduct the public business of the Village in a manner that permits both the general public and members of the Village Council and other Village boards and commissions subject to the Open Meetings Act to participate by electronic means for the safety and health of the community;

WHEREAS, the Village Council desires to extend the above Resolution until December 31, 2021, under the below terms.

THEREFORE, IT IS RESOLVED by the Franklin Village Council that the Rules of Conduct, as codified in Chapter 220 of the Codified Ordinances, are hereby amended to add the following provisions:

ELECTRONIC MEETINGS

Rule 31. ELECTRONIC MEETINGS AUTHORIZED

The Village Council may meet and conduct its meetings, in whole or in part, by electronic means using telephone conferencing or video conferencing technology without regard to physical place and physical presence requirements, in accordance with Section 3a of the Open Meetings Act, MCL 15.263a, as amended, through December 31, 2020.

Beginning January 1, 2021 through December 31, 2021, Village Council meetings may be held, in whole or in part, by electronic means using telephone conferencing or video

conferencing technology due to circumstances requiring accommodation of any Village Councilmember absent because of military duty, a medical condition, or when a declared statewide or local state of emergency or state of disaster exists and the personal health or safety of members of the public or public body would be at risk if the meeting were held in person. As used in these Rules, the term “medical condition” means an illness, injury, disability, or other health-related condition, including the quarantine or isolation of a Village Councilmember to minimize the spread of a contagious disease.

Beginning January 1, 2022 members of the Village Council may participate by electronic means in Village Council meetings only to accommodate their absence due to military duty.

Rule 32. CONDUCT OF ELECTRONIC MEETINGS

An electronic meeting of the Village Council will be conducted in a manner that permits two-way communication so that members of the Council can hear and be heard by one another, and so that public participants can hear members of the Village Council and be heard by both the Council and other public participants. The Village may use technology to facilitate typed public comments submitted by members of the public participating in the electronically-held meeting that shall be read to or shared with members of the Village Council and other participants.

As permitted by the Open Meetings Act, a physical place is not required for an electronically-held meeting. Members of the Village Council and members of the public participating electronically in a meeting that occurs in a physical place are considered present and in attendance at the meeting for all purposes. For a meeting at which Village Councilmembers are physically absent due to military duty or a medical condition and who are being accommodated by remote participation, all other Village Councilmembers must be physically present at the meeting to be able to participate.

In addition to any other notice required by the Open Meetings Act, advance notice of an electronically-held meeting shall be posted on a portion of the Village’s website that is fully accessible to the public. The public notice must be included on either the home page or a separate webpage dedicated to public notices for non-regularly scheduled or electronically-held public meetings that is accessible through a prominent and conspicuous link on the Village's website home page that clearly describes its purpose for public notification of non-regularly scheduled or electronically-held public meetings. Any scheduled meeting of the Village Council may be held as an electronic meeting as permitted by the Open Meetings Act if a notice consistent with this Rule is posted at least 18 hours before the meeting begins. Any notice of the meeting of the Village Commission held electronically must clearly contain all of the following:

- (a) Why the Village Council is meeting electronically;
- (b) How members of the public may participate in the meeting electronically (if a telephone number, internet address or both are required to participate, that information must be provided in the notice);

- (c) How members of the public may contact members of the Village Council to provide input or ask questions on any business that will come before the Council at the meeting; and
- (d) How persons with disabilities may participate in the meeting.

If an agenda exists for an electronically held meeting of the Village Council, the Village shall, on a portion of its website that is fully accessible to the public make the agenda of the meeting available to the public at least 2 hours before the meeting begins. This publication of the meeting agenda does not prohibit subsequent amendment of the agenda at the meeting.

A member of the general public is not required to register or otherwise provide his or her name or other information or otherwise fulfill a condition precedent to attend an electronically-held meeting, other than mechanisms established and required by the Village necessary to permit the individual to participate in a public comment period of the meeting.

Members of the general public otherwise participating in an electronically-held meeting of the Village Council are excluded from participation in a closed session of the Village Council that is held electronically provided that the closed session is convened and held in compliance with the requirements of the Open Meetings Act applicable to closed sessions.

Rule 33. AGENDA FOR REGULAR BUSINESS MEETINGS; ELECTRONIC MEETINGS

The order of business for all meetings of the Village Council conducted electronically and held during through December 31, 2020, and held beginning January 1, 2021 through December 31, 2021 for Village Council meetings held, in whole or in part, by electronic means using telephone conferencing or video conferencing technology when a declared statewide or local state of emergency or state of disaster exists shall be as follows: Call to Order; Roll Call; Adoption of Agenda; Approval of Minutes of previous meeting(s); Reports of Village Officers and agents; Submission of current bills; Public requests and comments; Unfinished business; New business; and Adjournment. The order of business outlined in this paragraph is not applicable when electronic means is used to accommodate the absence of individual Village Councilmembers due to military duty or a medical condition.

Rule 34. PUBLIC COMMENTS

During Village Council meetings conducted electronically, members of the public attending the meeting, once recognized by the chair, shall identify themselves for the record and indicate the municipality where they reside. Comments by the public will be limited to 2 minutes for each speaker unless the time is extended by the chair or by vote of the Council. Comments by the public during electronic meetings will be restricted to the public requests and comments portion of the meeting.

Rule 35. COUNCILMEMBER ATTENDANCE BY PHONE/VIDEO

A member of the Village Council who anticipates being absent from a meeting due to the circumstances set forth in the Open Meetings Act and these Rules may request accommodation of their absence to permit their remote participation in and voting on Commission business by two-way telephonic or video conferencing communication. A Village Councilmember who desires to attend a meeting by telephonic or video conferencing shall inform the Village Administrator, or the Village Administrator's designee, at least 24 hours before the meeting to permit any necessary technology to be put in place to accommodate participation of the absent member. Village Councilmembers attending a meeting by telephone or video conferencing may fully participate in the meeting, including voting and attendance in any closed session of the Village Council. A Councilmember participating by telephonic or video conferencing is not permitted to chair the meeting unless all Council members are participating by telephone or video conferencing.

Any member of the Village Council attending a meeting remotely must publicly announce at the outset of the meeting (which shall be included in meeting minutes) that the member is attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must identify the member's physical location by stating the city, village or township and the state from which the member is attending the meeting remotely.

Rule 36. OTHER BOARDS AND COMMISSIONS

All other Village boards and commissions and the members thereof are governed by and shall conform to the provisions contained in these Rules setting forth the requirements and procedures by which absent members and the public may remotely participate in meetings electronically by telephone or video conferencing. In the event of any conflict between these rules and the bylaws or procedural rules of the other board or commission, this Rule is controlling authority.

#2021-72 Motion by Seltzer, seconded by Saenz to approve the Declaration of Emergency for the COVID-19 Resurgence until December 31, 2021, as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

- F. Consider Correction to Ordinance; Section 1268.28; Creating Standards for Garden Enclosures amendments are proposed to Section 1268.28, Fences, to create standards for enclosures around gardens, including requirements governing their locations, size,**

and materials (Approval date of July 19, 2021. Suggested Correction to add in the remaining portion of the current Fence Ordinance.)

#2021-73 Motion by Seltzer, seconded by Saenz to approve the Correction to Ordinance; Section 1268.28; Creating Standards for Garden Enclosures amendments are proposed to Section 1268.28, Fences, to create standards for enclosures around gardens, including requirements governing their locations, size, and materials (Approval date of July 19, 2021. Suggested Correction to add in the remaining portion of the current Fence Ordinance.) as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

G. Consider Civic Events Permit for the Labor Day Round Up on September 06, 2021.

#2021-74 Motion by Seltzer, seconded by Hanke to approve the Civic Events Permit for the Labor Day Round Up on September 06, 2021, as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

H. Consider Civic Events Permit for Art in the Village on September 03-06, 2021.

Hanke asked about the comment for the vendor parking. Erlich and Lamott stated the artists do not park there.

#2021-75 Motion by Seltzer, seconded by Hanke to approve the Civic Events Permit for Art in the Village on September 03-06, 2021, as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

I. Consider Civic Events Permit for the Friends of the Franklin Public Library Oktoberfest on Friday, October 8, 2021.

#2021-76 Motion by Hanke, seconded by Erlich to approve the Civic Events Permit for the Friends of the Franklin Public Library Oktoberfest on Friday, October 8, 2021, as presented.

AYES: Saenz, Hansen, Hanke, Erlich, Gordon, Seltzer and Lamott

NAYS: None

Motion carried.

X. ADJOURNMENT

Motion by Lamott, seconded by Saenz to adjourn.

AYES: Seltzer, Saenz, Hansen, Hanke, Erlich, Gordon and Lamott

NAYS: None

Motion carried.

There being no further business, the meeting was adjourned at 9:20 PM.

William Lamott
Village Council President

Heather Mydloski
Village Clerk
