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**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

A G E N D A

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. ADOPTION OF AGENDA**
- IV. MINUTES:**
 - A. Special Meeting of July 19, 2021
- V. PUBLIC REQUESTS AND COMMENTS**
- VI. REPORTS OF VILLAGE OFFICERS AND AGENTS**
- VII. SUBMISSION OF CURRENT BILLS**
- VIII. SPECIAL REPORTS**
 - A. President's Report
 - B. Council Report
 - C. Administrator Report
 - D. Clerk Report
 - E. Main Street Franklin Report
 - F. Planning Commission Report
 - G. Diversity Equity & Inclusion Committee Report
- IX. NEW BUSINESS**
 - A. Consider the Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement.
 - B. Consider Proposal from Hubbell, Roth, and Clark to Analyze Notable Effects of recent Storm Flooding.
 - C. Consider Proposal from Hubbell, Roth, and Clark for 2021 Annual Storm Sewer Maintenance Program.
 - D. Consider the Appointment of an Alternate Board Member for the Zoning/Sign Board of Appeals.
 - E. Consider Declaration of Emergency for the COVID-19 Resurgence until December 31, 2021.
 - 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.)
 - G. Consider Civic Events Permit for the Labor Day Round Up on September 06, 2021.
 - H. Consider Civic Events Permit for Art in the Village on September 03-06, 2021.
 - I. Consider Civic Events Permit for the Friends of the Franklin Public Library Oktoberfest on Friday, October 8, 2021.
- X. ADJOURNMENT**

Posted: August 06, 2021

Heather Mydloski / Village Clerk

POSTED IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)

The Village of Franklin will provide necessary, reasonable auxiliary aids and services to individuals with disabilities requiring such services. All requests must be made to the Village Clerk at least five (5) business days before a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the Village in writing at 32325 Franklin Road, Franklin, MI 48025 or by calling the Clerk's Office, at 248-626-9666.

**VILLAGE OF FRANKLIN
SPECIAL COUNCIL MEETING
MONDAY, JULY 19, 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 7:00 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: Mike Bastianelli, Police Lieutenant; Tony Averbuch, Fire Chief; Roger Fraser, Village Administrator, Village Attorney Peter Gojcaj, Heather Mydloski, Village Clerk, Karen Couf-Cohen, Communications; and Ed Zmich of Hubbell, Roth, and Clark.

III. ADOPTION OF AGENDA

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

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

NAYS: None

IV. MINUTES

A. Regular Meeting of June 14, 2021

Erlich asked for the following to be added to the minutes of June 14, 2021:

(Page 11 of 22) Erlich's interpretation of the study was that it was only those who really cared about whether they have well or city water were the ones who filled out the survey. Whereas, most likely, the half who did not fill out the survey are happy enough with their water that they did not care to fill it out.

Gordon requested the following correction for the minutes of June 14, 2021:

(Page 11 of 22, third paragraph from the bottom) Gordon thought the regulations of the GFE's might be inconsistent with the desired rural feel of Franklin.

Motion by Seltzer, seconded by Hanke to adopt the Minutes for the Regular Meeting of June 14, 2021, as amended.

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

NAYS: None

V. PUBLIC REQUESTS AND COMMENTS

Public Comments were opened by President, Bill Lamott at 7:02 PM.

Rick David-27201 Wellington

- David asked the Council for clarity with the Open Meetings Act (OMA) compliant standard requirements for committees. He mentioned that the issue had been addresses by Council a few months ago and was to be reviewed by the Village Attorney. He also stated he had not seen any postings of meetings for the Liquor Committee report that was listed in the Council agenda tonight, and he was not aware of it being posted according to the OMA requirements.
- Gordon quoted from the OMA under the Advisory committees and the OMA which states:
 - *the OMA does not apply to committees and subcommittees composed of less than a quorum of the full public body if they "are merely advisory or only capable of making 'recommendations concerning the exercise of governmental authority.'"40 Where, on the other hand, a committee or subcommittee is empowered to act on matters in such a fashion as to deprive the full public body of the opportunity to consider a matter, a decision of the committee or subcommittee "is an exercise of governmental authority which effectuates public policy" and the committee or subcommittee proceedings are, therefore, subject to the OMA. 41 If a joint meeting of two committees of a board (each with less than a quorum of the board) results in the presence of a quorum of the board, the board must comply in all respects with the OMA and notice of the joint meeting must include the fact that a quorum of the board will be present.42.*
- Gordon reiterated that the Council is still awaiting the Village Attorneys opinion to be certain of compliance with the OMA.

Nena Downing 30645 Bruce Lane

- She mentioned the Franklin Community Association was hosting the Music on the Green on Wednesday, July 21, 2021. She asked the Council if we have the budget to spray for mosquitoes considering the recent weather conditions.
- Downing asked if a chipper could be sent around the Village to pick up the debris from the recent storm.
- Council discussed and agreed it was a good idea under the unique weather circumstances.
- Lamott stated the Council should develop a fair criterion for such clean up in the future.

- Fraser said he was willing to arrange for the clean up to be done and notify the residents.
- The Council discussed the budget for such, and it was determined that they were funds that could be used for this purpose under tree maintenance and trimming in the roadway and right away. Fraser asked that a cap of \$7500.00 be placed on a one-time clean-up, to be defined as whatever fits in a chipper.
- Erlich asked if the Village currently sprayed? She proposed alerting Villagers by posting the chemicals used if the Green was sprayed.
- Hansen asked if we were a mosquito-controlled district. Fraser responded we are not.

Public Comments were closed by President, Bill Lamott at 7:11 PM.

VI. REPORTS OF VILLAGE OFFICERS AND AGENTS

Tony Averbuch, Fire Chief

- Reviewed Submitted Report.
- Informed the Council it had been a long week with a months' worth of calls in 5 days mitigating the recent storm damage. He is proud of the excellent emergency response of the Franklin Police and Fire Departments.
- Had a wire that went down over North Crowell and Tudor that was a transmission line (feed subdivision) it melted concrete. The road was closed off to the public and someone decided to go through it and melted their tires. He asked that the public remember that electricity is dangerous and that they adhere to road closures.

Mike Bastianelli, Police Lieutenant

- Reviewed Submitted Report.
- Commended the excellent effort extended from the Franklin- Bingham Farms Police and Fire Departments who worked together to stay on top of the needs that arose from the storm.
- Large increase in traffic violations due to the road construction traffic.
- LIEN Audit (Law Enforcement Information Audit) was conducted on June 16, 2021. The State of Michigan audits the law enforcement computer data bases every three (3) years. The department passed with flying colors. Nearly 100 different metrics are used to include the computer polices and procedures. He Commended Sgt. Mydloski who spearheaded the audit as he was on top of it making it a smooth process.
- FBFPD will present awards to deserving officers at the next Council meeting on August 9, 2021.
- In response to Hanke's inquiry regarding the larceny for mail, Bastianelli stated that the resident did not receive a package that was delivered. The investigation is still open.

VII. SUBMISSION OF CURRENT BILLS

Lance Vainik, Village Treasurer (was absent)

- Council reviewed Submitted Report.

Totals: 07-19-2021	
CATEGORY	SUB TOTALS
General	\$ 55,803.92
Major Streets	\$ 20,266.99
Local Streets	\$ 21,179.08
Police	\$ 63,847.35
Garbage and Rubbish	\$ 15,190.01
Building Dept.	\$ 24,423.29
Library	\$ -
Street Project	\$ 372.50
Road Millage	\$ 500.00
Pressure Sewer	\$ -
Tax Collection	\$ 6,759.65
Wastewater	\$ 698.32
TOTALS	\$ 209,041.11

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

Nothing reported.

B. Council Report

Trustee Seltzer

- Responded to the comments made about him at the last Council Meeting, as he was absent, regarding his impatience at the May Special Village Council meeting. He was accused of being disrespectful, and insensitive regarding his stance on the streetscape plan toward two (2) residents, President Lamott and Trustee Erlich. He stated for the record the two (2) residents were not protecting their property but rather, prohibiting safe passage for all Villagers on the Village property. The property in question is the Village right of way not their individual properties. He further stated that the Village Attorney had determined these actions were lawful and a judge then ruled otherwise.

The issue was brought before the community for a public vote. The public voted to approve. After the Council vote to proceed 6-1. Seltzer addressed Lamott's decision publicly and directly. He further stated that he makes no apologies for his actions as he stands by his actions and comments he made.

Trustee Hansen

- She feels that Villagers had been properly informed on the Streetscape updates from Karen-Couf Cohen's weekly updates and Newsletter. She implored residents to sign up for the Newsletter by calling the office.
- Construction is beginning from Scenic down to thirteen Mile Road. Trees are being cleared on the east side of the street. There will be a crosswalk put in the intersection across Thirteen Mile Road. The Village is working with the County.
- She further mentioned that Mike Barger, the Village Arborist had walked the path and surveyed the trees. She reported that there were 17 or 18 trees removed and that most of the trees removed were diseased or decayed.
- She implored Villagers to be mindful of the new landscape downtown, wide turns are damaging the new landscape.
- Hanke publicly thanks Hansen for the excellent job hearing residents and responding to their needs throughout the streetscape process.

C. Administrator Report

Roger Fraser, Village Administrator

- He was pleased to announce that Megan Schubert was selected to become the new Village of Franklin Economic Director working with Main Street Franklin. She has a master's degree in business. She will begin on August 2, 2021. She is currently employed as a Director by the Isabella County Child Advocacy Center. She resides in Warren. She is a welcome addition to our staff.
- Hanke reiterate that Schubert is an excellent choice that will hit the ground running.
- Fraser asked to Gojcay to comment on Village Attorney, Tim Currier's status. Gojcay Currier fell ill and required surgery, developed a serious infection and is now recovering at a long-term facility. Gojcay will keep the Council posted.
- He praised Peter Halick who was contracted to paint the Village Hall to repair damaged wood and peeling paint. Halick's work was impressive and Halick will be invited to do more work for the Village because of his exceptional work.
- He stated that the contractual bookkeeper was not funded in this year's budget cycle. He stated the position will be filled by a full-time employee. In the meantime, a full review of the position requirements and compliance standards to be conducted by Plante Moran.

D. Clerk Report

Heather Mydloski, Village Clerk

- Reviewed Submitted Report.

- Southfield Township Clerk, Sharon Tischler was retiring after thirty-seven (37) years of service to our community. She will be greatly missed. Mydloski implored any Franklin resident interested in becoming appointed to her position contact Southfield Township.
- Point and Pay System for the Building Department is up and running. The Village has received eight payments online so far. It is expected that the Building Department will be able to accept permits online by the end of August.
- Setting up the Tax System is next on the list and then a phone system replacement.
- Mydloski praised Doreen Martin for the excellent work done to upgrade the Village's internal operations on top of supporting Mydloski, training Megan Bohm, handling the Finance Clerk duties, supporting Fraser as well as doing her own job.
- Mydloski also praised Martin and Bohm for creating the new binders for the Council packets. Martin's intent was to create a professional and efficient way for the Council to find the supporting documentation to the agenda items during meetings.
- Hanke thanked Martin for her excellent work! Council agreed.

E. Main Street Franklin Report

Karen Couf-Cohen, Village Communications

- Excited about the Summer Block Party on August 18, 2021, from 5:00 PM – 8:30 PM in downtown Franklin. It is an excellent way to support our merchants and to celebrate a brighter, greener, and safer downtown, historic Franklin. Good, unusual kids' activities, recycled scrap mobile for crafts and mobile bus that explains the recycling process to the children. The Franklin Grill will participate. There will be food trucks, hot dog cart and an ice cream cart. A wine tent hosted by Tangerine Wine will be a fundraiser for Main Street Franklin. Encouraging merchants to have a sidewalk sale. Access Academy Music School will be performing by marching around the Village from store to store. Connie Ettinger will be the Master of Ceremonies and Sean Balkman will perform.
- Seltzer stated that Main Street had not received \$2500.00 that had been previously allocated for Light the Night that had to be canceled due to COVID-19 restrictions.
- Gordon stated the funds not used were from last year's budget. He suggested we use those funds to fund this event.
- Fraser stated a \$2500.00 check had been issued to Main Street Franklin. Council praised Fraser's efficiency.
- Hanke mentioned that this is one of the biggest events that have been planned and he was thrilled to see it come to fruition.
- Fraser praised Couf-Cohen for her demonstrated enthusiasm with helping the business community. She has done a great job of connecting the Village to merchants.
- Seltzer informed the Council that Music on the Green was Couf-Cohen's idea.
- Merchant Appreciation Plan suggestion that would allow merchants to receive vouchers for complimentary food truck items to show appreciation for doing business in Franklin.

- Hansen praised Couf-Cohen for publishing an ad about the event in the Birmingham Eagle.

F. Planning Commission Report.

Planning Commission Chairman, David Goldberg

- The next Planning Commission meeting on July 21, 2021, will be an hour earlier, at 6:00 PM to accommodate the Music on the Green event.
- The PC is currently reviewing the use of Temporary Signs in the Village, Village Owned Land analysis and inventory, also the JenStan review.
- Mike Barger had been asked to suggest a Wetlands Consultant to the PC that could help in identifying protect wetlands, woodlands, and wildlife inventory. He recommended a consultant that handles all areas. They will provide a proposal.

G. Diversity Equity & Inclusion Committee Report

Nothing reported.

IX. UNFINISHED BUSINESS

A. Consider the Appointment of an Ad Hoc Water Study Subcommittee.

Responding to Hansen, Fraser defined his vision for the Ad Hoc Water Study Subcommittee. Jamie Burton, Eddie Zmich of Hubbell, Roth, and Clark and Fraser had participated in a lot of brainstorming to envision how the Village could create an ongoing role for the Village. His vision of an advisory board is for a small group to find a way for the Village to work with the Community

and help them maintain, appreciate, and use their water. What kind of help can we provide to our residents that is within our realm to do so?

Gordon agreed with Fraser to strive to get more residents satisfied with their water and move the percentage of residents dissatisfied with their water north. He reiterated that the water is safe to drink as reported by EGLE. He would like to see water testing availability for residents.

Hanke agreed that we hadn't found anything wrong with the water yet, but we needed to be prudent in our future process to ensure water safety.

Seltzer asked what the bigger picture was. He wants to know if there is an appetite for residents to connect to the Detroit Municipal Water System.

Saenz piggy backed on that, he feels there is an interim focus, but he believes we should pursue Municipal water for multiple reasons but specifically safety in terms of fire hydrants and water usage during power outages.

Erlich stated that the results of the survey were split 50/50 and she did not feel the result was a resident appetite for municipal water.

Hansen stated that we do not have a problem currently, but we need to institute a plan for the future so we can prepare for a drastic change if needed. She doesn't feel that municipal water is the topic of discussion now. She wants to focus on monitoring the water now and in the future.

Fraser was tasked with coming up with a date for the Water Survey Sub Committee to meet.

Seltzer stated that the information should be in the Newsletter to inform residents who may want to participate. He mentioned residents could also reach out to the Village Clerk with their interest.

B. Consider Reconciliation Budget Amendment Fiscal Year 2020-2021.

Fraser reviewed his submitted report.

Hanke asked for clarification on an apparent mathematical error he noticed in the supporting documentation submitted from Fraser.

Fraser stated the critical numbers were in the Resolution. Hanke was satisfied with Fraser's explanation.

**RESOLUTION TO AMEND FY2020-21 BUDGET
JULY 19, 2021**

WHEREAS on June 8, 2020, the Franklin Village Council adopted a general appropriations act approving the annual Village Budget for fiscal year 2020-2021, and

WHEREAS the Village Administrator has prepared a report to Council detailing the changes needed to the various activities and that report is attached hereto and incorporated herein, and

WHEREAS certain departments within the General Fund and Police Fund have exceeded amounts budgeted in particular activities, and

WHEREAS certain departments within the General Fund and Police Fund have underspent the amount budgeted in specific activities, and

WHEREAS total revenues in the General Fund exceed budget amounts by \$105,223.23, and

WHEREAS the following General Fund departments underspent their budget by the specified amounts:

101-172 Administration \$23,071.27
101-252 Treasury 3,196.22
101-721 Bds & Comm. 801.72
101-901 Capital Exp. 8,653.00
207-301 Police 45,454.72
Total Unspent \$79,175.91

WHEREAS the difference between total department expenditures exceeding amounts budgeted of \$119,912.22 and those expenditures under amounts budgeted of \$79,175.91, is \$40,636.31, and

BE IT RESOLVED the following changes be made in the amounts budgeted for General Fund revenues: 101-000-995.004 transfer out to Police Fund is decreased by \$43,454.72 and \$40,636.31 is appropriated from General Fund non-departmental revenues, and

IT IS RESOLVED the following changes be made in amounts budgeted for General Fund expenditures:

101-101 Village Council is increased by \$103,996.44
101-215 Village Clerk is increased by \$3,532.72
101-721 Building and Grounds is increased by \$11,676.06
101-851 General Insurance is increased by \$607.00, and

IT IS FINALLY RESOLVED the following change be made in the amount budgeted for Police Fund expenditure: 207-265 Building and Grounds is increased by \$2,153.56.

Motion by Gordon, seconded by Seltzer to approve the Reconciliation Budget Amendment Fiscal Year 2020-2021 as presented.

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

NAYS: None

Motion carried.

C. Discussion Connectivity Pathways

Lamott gave a brief synopsis of the letter developed by HRC and Fraser that was sent to Congressman, Andy Levin's office, at his request, for grant monies that could fund Connectivity

Pathways. The Village was not able to apply for the funds as they did not qualify for the find disbursement.

Lamott suggested the Planning Commission review it so we could improve walkability in the Village.

Gordon pointed out that the proposed plan seemed to indicate the need for approval from affected residents. He was not sure if residents would agree to participate.

Zmich from HRC gave a brief synopsis for the Council. The proposed total is \$765,000.00. In response to Hanke, he agreed that the proposal was all-inclusive with normal built-in contingences.

The goal of this project was to provide connectivity of the subdivisions to connect them to each other and to downtown Franklin.

Zmich agreed with Gordon that the map was not exact, and it would be contingent upon easements acquisition.

Erlich liked the idea and reminisced of her childhood pathway usage.

Hanke stated that his lake property did this exact concept and created a seven (7) mile loop around the lake and changed the entire dynamic and enhanced community enjoyment. It was a long-term plan and took sixteen (16) years to acquire the easements, but it was worth it.

Saenz asked if HRC has seen this concept in comparable communities. Zmich stated that it was not uncommon with communities that did not have sidewalks. Saenz persisted that he was on board with walkability but was not comfortable with sidewalks going through someone's yard. He is open to a PC review but uncomfortable with the concept.

Seltzer said he felt there already was an element of walkability in the Village.

Gordon agreed with Hanke that he has another property that has a similar walk path for his morning run. He would like to see this accomplished but with a long-term vision.

Rick David asked, for the sake of procedure, who authorized the initial cost for HRC to prepare an estimate for the Connectivity Pathways. Lamott clarified that he authorized the amount of around \$2,000.00 as encouraged by Congressman Any Levin's Office.

Motion by Gordon, seconded by Seltzer to submit the Connectivity Pathways Program to the Planning Commission for their review and recommendation.

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

NAYS: None

Motion carried.

X. NEW BUSINESS

- A. Consider (2nd reading) to amend 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.**

ORDINANCE NO. 2021-03

AN ORDINANCE TO AMEND SECTION 1268.28, ZONING, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF FRANKLIN, OAKLAND COUNTY, MICHIGAN, TO ADOPT REGULATIONS CONCERNING GARDEN FENCE STANDARDS.

THE VILLAGE OF FRANKLIN ORDAINS:

1268.28 FENCES.

Every fence constructed or erected in the Village shall comply with the regulations in this section. No fence shall be erected, constructed, relocated, or altered until a permit has been issued in accordance with the requirements of this section.

(a) Definitions.

(1) Fence. "Fence" means an artificially constructed, non-vegetative barrier of natural or artificial materials used to prevent or control ingress/egress, confine within, or mark a boundary. A fence may be decorative or ornamental. Gates or barriers to entry and exit, driveway entrance features, screening walls, and other types of boundary protection shall be included in this definition.

(2) Perimeter feature. "Perimeter feature" means a type of fence running along the perimeter of a lot either on or within six feet of a lot line.

(3) Privacy screen. "Privacy screen" means a type of fence that is a substantially opaque barrier intended to screen a selected use or particular area in a private residential yard.

(4) Interior fence. "Interior fence" means a type of fence that is not a perimeter feature or a privacy screen.

(5) Road. "Road" has the same meaning as "street" as defined in Section 1240.08 (b)(69).

(6) Construction fence. "Construction fence" means a temporary artificially constructed fence used to prevent or control entrance or access pursuant to a permit issued by the Village of Franklin Building Official under Section 1268.19 of the Zoning Code.

(7) Garden enclosure. "Garden enclosure" is a type of interior fence that is used to enclose an area used for the growing of vegetables, flowers, etc. used for human consumption but not for commercial sale.

(b) General Requirements Applicable to All Fences.

(1) Ownership. Ownership and responsibility for maintenance of a fence resides in the owner of the property on which the fence is located.

A. Provision for joint ownership. Owners of adjoining properties may jointly apply for a fence permit, in which case the Building Official may permit the fence to be constructed on the common property line. Both property owners shall jointly own the fence and shall be jointly and severably responsible for maintenance of the fence.

(2) Fence materials. In order to protect the beauty and established historic character of the Village, the following standards shall apply:

A. The exterior of a fence shall be constructed primarily of wood, stone, brick, wrought iron, or other material determined by the Zoning Board of Appeals to mimic an above listed material.

B. Fence materials and construction pattern must be consistent along a single lot line.

C. Fences constructed on properties where one did not exist before must be constructed of the same material along any lot line where the fence is proposed to be constructed.

D. Prohibited materials. Razor wire and barbed wire are prohibited on any type of fence. Fences utilizing wire mesh or chain link are also prohibited, except as otherwise expressly permitted (e.g., garden enclosures, tennis court enclosures, dog runs, baseball backstops, cemeteries, fences enclosing public areas, construction fences).

E. Prohibited designs. No permitted fence of any variety may contain decorative fence toppers, finials, spears or other fence toppers which contain a pointed finish if such decorative items are situated along the top of the primary fencing material. Ball finials are permissible but only if they measure not less than three inches each in diameter. A fence topper shall be considered to be pointed if the upper most portion of the topper is not larger than its base, or, if in the opinion of the Building Official, such a fence topper is considered to be capable of impaling or otherwise penetrating the flesh of any person or animal, either intentionally or through accidental or forceful contact with same.

F. Electricity-conducting fences. A fence erected around the perimeter of a pasture where horses or other permitted large animals are restrained may include electrified wire strands around the top or interior of the pasture fence. Other fences which carry electric current are prohibited, except for underground electric fences as defined in Section 1240.08 (b)(23A).

(3) Finished appearance. If, because of design or construction, one side of a fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall face the exterior of the lot. This provision concerning the finished appearance does not apply to jointly owned fences located on a property line.

(4) Height. Except as otherwise expressly permitted herein, fences shall not exceed 48 inches in height. As used in this section, the height of a fence is measured from the surrounding surface of the ground and not from any structure or localized raised surface on which the fence is situated.

A. Fences enclosing public areas. Fences that enclose public parks, playgrounds, or similar public areas located within a residential district shall not exceed 8 feet in height, except that a fence enclosing one or more public tennis courts can extend to 12 feet in height and a protective screening used for a public baseball field backstop can be made at a suitable height and length for its intended purpose. Tennis court fences and baseball backstops can be made of chain link fencing.

(5) Location. A fence shall be located entirely on the private property of the person responsible for the construction and maintenance of the fence.

A. Permitted locations. Except as specifically provided below, fences are permitted only in rear yards and side yards. No fence shall be permitted to extend into the front yard, except as otherwise specifically provided herein. For side yards and rear yards abutting a street, no fence shall be constructed or maintained within any required setback from the street.

B. Path setback. No fence shall be located closer than 12 inches from the edge of a public sidewalk or other public path.

(6) Fence maintenance. Fences shall be maintained in good condition. Rotten or broken components shall be replaced, repaired, or removed. If a fence is found to be in need of repair by the Building Official, he or she shall issue orders to complete such repairs to the owner of the land where the fence is located. Failure to comply with written notice from the Building Official shall be deemed a violation of this Zoning Code.

(7) Obstruction of use of adjoining property. No fence shall be erected where it would prevent or unreasonably obstruct the use of or access to adjacent property. The Building Official may require a fence to be set back up to two feet from a driveway or property line to provide for the safe passage of pedestrians, bicyclists, or vehicular traffic, or for other safety-related concerns.

(8) Driver visibility. No fence shall be erected, established or maintained on any lot which will obstruct the view of drivers in vehicles traveling around sharp curves in the road or approaching an intersection of two roads or the intersection of a road and a driveway.

A. Sharp curves. Fences located along a curve in a road shall provide drivers with an unobstructed sight distance that is reasonable in view of the road curvature and applicable speed limit for the road. The Building Official may restrict or deny a fence permit as necessary to provide this unobstructed sight distance.

B. Intersections. Fences located adjacent to an intersection of two roads or an intersection of a road and a driveway shall not exceed 30 inches in height. An unobstructed triangular area shall be maintained at each intersection of roads and streets and driveways. Fences located in the triangular area shall not be permitted to obstruct cross-visibility above a height of 30 inches above the lowest point of the intersecting road(s) or driveway(s). The unobstructed triangular area shall consist of:

1. In the case of two roads, the triangular area formed at the corner intersection of the two road right-of-way lines, with two sides of the triangular area being 25 feet in length measured along the intersecting right-of-way lines, and the third side being a line connecting the distal ends of the two 25 foot sides; and

2. In the case of an intersecting road and driveway, the triangular area formed at the corner intersection of the road right of way and an edge of the driveway, with one side of

the triangular area being ten feet in length measured along the right-of-way line, a second side being 10 feet in length measured along the edge of the driveway, and the third side being a line connecting the distal ends of the two ten foot two sides.

(9) Tennis court enclosures. A private tennis court located on a residential lot may include a chain link fence enclosing each end of the court and extending towards the net no farther than the midpoint between the base line and service line. The chain link fence may have a maximum height of 12 feet and the opacity of such fence shall not exceed 50 percent.

(10) Outdoor dog runs. One fenced pet exercise area ("dog run") may be permitted per residential lot, subject to the following:

A. Location. A dog run shall not be permitted in any required front yard or required street side yard.

B. Setback. A dog run shall be set back a minimum of ten feet from any lot line.

C. Fence height. A fence enclosing a dog run shall not exceed six feet in height.

D. Fence materials. Chain link fencing may be used to enclose a dog run.

E. Maximum dimensions. Dog runs shall not exceed ten feet in width by 25 feet in length.

F. Landscape screening. Dog runs shall be screened from view from adjoining properties with evergreen landscaping sufficient to create a complete visual barrier.

(11) Garden enclosures. Garden enclosures may be placed on the interior of a lot, subject to the following:

A. Location. A garden enclosure shall not be permitted in any front yard nor any required side or rear yard.

B. Height. Garden enclosures shall not exceed eight feet in height, inclusive of any structures on which they sit, including raised planter beds.

C. Materials. Garden enclosures shall be constructed of any combination of treated wood or galvanized or welded wire, which may be coated with vinyl or PVC. The fencing commonly referred to as "chicken wire" is expressly permitted, only so long as it is made of galvanized wire. Chain link fencing is a prohibited material.

- D. Opacity. Garden enclosures' opacity shall not exceed 20 percent.
- E. Spacing. There shall be a maximum spacing of 1" by 2" between the enclosure wires.
- F. Maximum area. Garden enclosures shall surround an area not larger than 1,000 square feet. Multiple garden enclosures may be permitted on one lot, subject to the following allowances:

<i>TABLE OF ALLOWANCES FOR GARDEN ENCLOSURES</i>							
Zoning District	R-E	R-L	R-M	R-1	R-2	R-3	R-4
Maximum number of enclosures	3	3	3	3	2	2	1
Maximum size of all garden enclosures in sq. ft.	1,000	1,000	1,000	1,000	1,000	1,000	1,000

Fraser responded to Gordon's question stating there had not been any discussion from the community, Planning Commission, or the Administrator since the First Reading.

Erlich, being the Village Council Liaison to the Planning Commissions, reported to the Council that she can attest, with confidence, that each item they review has been thoroughly vetted.

Motion by Seltzer, seconded by Erlich to approve to amend 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 as presented.

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

NAYS: None

Motion carried.

B. Consider (2nd reading) to amend Ordinance 1240.08; and Ordinances 1250 and 1256; Creating a Public / Institutional Zoning District -, amendments are proposed to Chapter 1240.08, Definitions; Chapter 1250, Single-Family

Residential Districts; Chapter 1256, C-1 Commercial District; and Appendix B, Schedule of Regulations to address the proposed regulation of land in the newly-created Public Institutional District and to address other Code sections to account for a comprehensive regulatory approach to same.

ORDINANCE NO. 2021-02

AN ORDINANCE TO AMEND SECTIONS 1240.08, 1250.02, 1250.03, 1256.02, 1256.06, AND TO ADD SECTION 1259 (PI PUBLIC INSTITUTIONAL DISTRICT), ZONING, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF FRANKLIN, OAKLAND COUNTY, MICHIGAN, TO ADOPT REGULATIONS NEW ZONING DISTRICT TITLED "PI, PUBLIC/INSTITUTIONAL." THE VILLAGE OF FRANKLIN ORDAINS:

Chapter 1240.08 DEFINITIONS

Special event. "Special event" means a temporary indoor or outdoor use on private or public property that extends beyond the normal uses and standards allowed in the Zoning Code, including, but not limited to, art shows, music and other artistic performances, festivals, and bazaars.

Chapter 1259

PI Public Institutional District

1259.01 Statement of purpose

1259.02 Permitted uses

1259.03 Special approval uses

1259.04 Accessory uses, buildings and structures

1259.05 Off-street parking facilities

1259.06 Protective screening

1259.07 Site plan approval

1259.08 Area, height, bulk and placement requirements

1259.01 STATEMENT OF PURPOSE

The PI Public Institutional District is intended to recognize the public, quasi-public, and institutional nature of particular parcels of land and provide standards and guidelines for their continued use and future development; to ensure that those public, quasi-public, and institutional land uses will be compatible with the surrounding districts and uses; and to ensure that the public, quasi-public, and institutional use of property will promote the most desirable use of land in accordance with the Village's Master Plan.

1259.02 PERMITTED USES

In the PI District, the following uses are permitted:

- a) Municipal buildings, offices, community centers and facilities owned and operated by the Village of Franklin for the purposes of the government of the Village of Franklin.
- b) Public, quasi-public, and institutional buildings, offices, centers and facilities, such as, but not limited to libraries and post offices, owned or operated by governmental or quasi-governmental entities for the purposes of providing civic services and functions.
- c) Public parks and public recreation areas operated by governmental, quasi-governmental, or private entities exclusively for the use and enjoyment of the public.
- d) Churches and other facilities normally incidental thereto, including but not limited to community and civic group meetings, events and activities, and religious, social, cultural and educational services, instruction and programs. A proposed site for a church shall not be less than two acres, shall have adequate access to all required off-street parking areas, and be located on a site adjacent to a major thoroughfare as defined by the Village's Master Plan.
- e) Public, parochial and private elementary, junior high and / or senior high schools offering courses in general education, which may contain libraries and other facilities customarily found within a school, not operated for profit, and situated on a site not less than two acres.
- f) Public utility buildings, telephone exchange buildings, electronic transformer stations and substations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating of such uses in order to serve the immediate vicinity.
- g) Museums displaying or exhibiting items or artifacts of an historical nature and not operated for profit.
- h) Accessory structures, buildings, uses and signs, customarily incidental to the above permitted uses in accordance with Section 1268.13.

1259.04 SPECIAL APPROVAL USES

Reserved.

1259.04 ACCESSORY USES, BUILDINGS AND STRUCTURES

The following accessory uses, buildings and structures shall be permitted in the PI District, subject to Section 1268.13:

- a) Accessory structures, uses and signs, excluding buildings, customarily incidental to uses permitted by Section 1259.02.
- b) Accessory buildings customarily incidental to uses permitted by Section 1256.02, subject to site plan requirements in Section 1268.30.
- c) The Village of Franklin encourages the development and use of alternative energy sources, such as energy generated by solar and wind facilities, provided that the devices to generate, process and store the energy are safe and will cause no harm to the well-being of adjacent residents or the surrounding area as a whole. Solar and wind energy facilities, whether freestanding or attached to the principal building, are considered accessory structures and require site plan review and special use approval. Alternative energy facilities, considered accessory structures, are subject to the following site plan and use approval requirements:
 - 1. Wind energy facilities, whether freestanding or attached to the principal building, require site plan review in accordance with Section 1268.30 and special use approval in accordance with Section 1268.32.
 - 2. Ground-mounted solar energy facilities require site plan review in accordance with Section 1268.30, and special use approval in accordance with Section 1268.32.
 - 3. Roof-mounted solar energy facilities require zoning compliance approval in accordance with Section 1242.02 and shall comply with Section 1268.13A, Roof-Mounted Solar Energy Systems.
- d) Special events, limited to four consecutive calendar days, single days for two consecutive weeks, or two consecutive weekends. If in excess of four consecutive calendar days, single days for two consecutive weeks, or weekend events for more than two consecutive weekends, a special event shall be subject to the requirements in Section 1268.32(h).
- e) Retail activity. In the PI District, a limited amount of retail activity is permitted where the retail activity is accessory to the principal public, quasi-public, and institutional use of property. Retail activity shall be deemed an acceptable accessory use if the following criteria are met:
 - 1. Character of the principal use. The principal use on the site must be public, quasi-public, or institutional in character. The retail activity must be an integral part of the principal use such that separation of the public, quasi-public, or institutional and retail activity would adversely affect operating and management procedures.
 - 2. Percent of floor area. The retail activity shall occupy no more than 49% of the total floor area or 1,000 square feet, whichever is less.

3. Compatibility of traffic. The type and quantity of traffic generated by the retail sales operation shall be compatible with permitted uses in the district.

1259.05 OFF-STREET PARKING FACILITIES

Off-street parking facilities shall be provided as specified in Chapter 1262, with the further condition that no parking be permitted in the required front yard, said front yard area being the 40-foot yard space abutting the front property line, nor within the required side or rear setback adjacent to any side or rear property zoned R-1, R-2, R-3 or R-4, or which is adjacent to any property or lot used for residential purposes. (See Section 1262.02 for off-street parking development regulations.)

1259.06 PROTECTIVE SCREENING

PI parcels adjacent to property within a Single-Family Residential District or used for residential purposes shall provide protective screening in compliance with the regulations set forth in Sections 1268.28 and 1268.29.

1259.07 SITE PLAN APPROVAL

For all uses in the PI District, site plan approval is required in compliance with the requirements set forth in Section 1268.30.

1259.08 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS

Area, height, bulk and placement requirements for the PI District shall be as established in the schedule provided in Appendix B following the text of this Zoning Code.

Chapter 1250

Single-Family Residential Districts

1250.01 Statement of purpose. *(no change proposed)*

1250.02 Permitted uses. *(housekeeping change proposed, text provided for context)*

1250.03 Special approval uses. *(no change proposed, but text provided for context)*

1250.04 Accessory uses, buildings and structures. *(no change proposed)*

1250.05 Site plan review. *(no change proposed)*

1250.06 Area, height, bulk and placement requirements. *(no change proposed)*

1250.07 Lot dimensions. *(no change proposed)*

1250.02 PERMITTED USES.

In all Single-Family Residential Districts, the following uses are permitted:

- a) Single-family detached dwellings.

- b) Public parks and public recreation areas operated by governmental, quasi-governmental, or private entities exclusively for the use and enjoyment of the public.
- c) State licensed residential facilities, subject to the provisions of Section 206 of the Michigan Zoning Enabling Act, PA 110 of 2006, as amended (MCL 125.3206).
- d) Accessory structures, buildings, uses and signs, customarily incidental to the above permitted uses in accordance with Section 1268.13.

1250.03 SPECIAL APPROVAL USES.

In all Single-Family Residential Districts, the following uses shall be permitted only after approval in accordance with Section 1268.32.

- a) Municipal buildings, offices, community centers and facilities owned and operated by the Village of Franklin for the purposes of the government of the Village of Franklin.
- b) Public, quasi-public, and institutional buildings, offices, centers and facilities, such as, but not limited to libraries and post offices, owned or operated by governmental or quasi-governmental entities for the purposes of providing civic services and functions.
- c) Churches and other facilities normally incidental thereto, including but not limited to community and civic group meetings, events and activities, and religious, social, cultural and educational services, instruction and programs. A proposed site for a church shall not be less than two acres, shall have adequate access to all required off-street parking areas, shall prohibit parking in the required front yard and be located on a site adjacent to a major thoroughfare as defined by the Village's Master Plan.
- d) Public, parochial and private elementary, junior high and/or senior high schools offering courses in general education, which may contain libraries and other facilities customarily found within a school, not operated for profit, and situated on a site not less than two acres.
- e) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating of such uses in order to serve the immediate vicinity.
- f) Museums displaying or exhibiting items or artifacts of an historical nature and not operated for profit. It is the express intent of this section to prohibit any displays or exhibits of a commercial nature or which are operated for profit, provided, however, that certain nonprofit activities may be permitted under Section 1268.32 (h).

The following additional conditions shall apply to any special approval use under this subsection:

- (1) No item or display shall bear any indication of cost, value or price.

(2) No income, revenue or compensation of any kind shall be received as part of any such museum use or exhibition, except that a nominal door fee or entrance fee may be imposed.

(3) No artifact, souvenir or any other article or item of any type or nature whatsoever shall be offered for sale upon the premises.

(4) All exhibitions, displays or programs shall be related to the history of the Village of Franklin, the State of Michigan or the United States.

(5) No museum shall be located closer than 2,500 feet to any other museum.

Chapter 1256

C-1 Commercial District

1256.01 Statement of purpose. *(no change proposed)*

1256.02 Permitted uses. *(change proposed to add "fire station")*

1256.03 Special approval uses. *(no change proposed)*

1256.04 Accessory uses, buildings and structures. *(no change proposed)*

1256.05 Site plan review. *(no change proposed)*

1256.06 Protective screening *("housekeeping" change proposed)*

1256.07 Area, height, bulk and placement requirements. *(no change proposed)*

1256.02 PERMITTED USES.

In the C-1 District, the following uses are permitted:

- (a) All uses permitted in the RO-1 District.
- (b) Automobile service stations, subject to the requirements of Section 1268.15.
- (c) Bake shops, provided that at least 75% of all baked goods produced on the premises are sold on said premises at retail, and further provided that floor area used for bakery production shall be limited to 500 square feet per establishment.
- (d) Bank, savings and loan, brokerage or other type of financial institution.
- (e) Barber shop.
- (f) Beauty shop.
- (g) Clothes pressing and repair.
- (h) Custom dressmaking, millinery and tailoring.
- (i) Fire station.
- (j) Household furniture and appliance shops.
- (k) Institutions and establishments of a philanthropic or charitable nature, but not including car washes, credit unions and other related activities operated or sponsored by such institutions or establishments.
- (l) Laundry agency or dry cleaning agency and hand laundry, except laundry and dry cleaning establishments with customer-operated equipment.
- (m) Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations.
- (n) Repairs to electrical or other household appliances, locks, radios, televisions, shoes, time pieces and the like.

- (o) Restaurants, but not including drive-in or drive-thru restaurants.
- (p) Carry-out restaurants.
- (q) Outdoor dining, subject to the provisions in Section 1268.33.
- (r) Retail food stores.
- (s) Shops or stores for the retail sale of art supplies, beverages, confections, delicatessen, drugs, dry goods, flowers, food stuffs including meats, gifts, hardware, jewelry, leather goods, music, notions, paint, periodicals, sewing machines for households only, sports goods, stamps or coins, stationery, sundry, small household articles, tobacco or wearing apparel.
- (t) Single family residential uses, when located on the second floor of a building that is designed for a retail, service, or office use on the first floor.
- (u) Accessory structures, uses and signs, excluding buildings, customarily incidental to the above permitted uses in accordance with Section 1268.13, subject to the following restrictions:
 - (1) Outdoor advertising signs, only when pertaining to the sale, rental or use of the premises on which they are located, or to goods sold or activities conducted thereon, shall be displayed flat against the front or side elevation of the building and shall not project above the roof line. (See also Chapter 1474 of these Codified Ordinances.)
- (v) Off-street parking and loading, in accordance with the requirements of Chapter 1262, provided that, on or after December 5, 2005:
 - (1) No new parking or loading area shall be established on a parcel unless a principal permitted structure is first constructed on the parcel; and
 - (2) No new parking or loading facilities shall be located in the front yard (between the front face of the building and the street) except by special approval. Where front yard parking is proposed, the applicant must demonstrate to the satisfaction of the Planning Commission and Village Council that:
 - A. No other reasonable and safe location for parking exists on the site and that front yard parking can be provided without compromising vehicular or pedestrian traffic safety; and
 - B. The proposed parking satisfies the special approval criteria in Section 1268.32.

Appendix B

Zoning District	Maximum Lot Coverage (percentage)	Minimum Size of Lot		Maximum Height of Building in Feet	Minimum Yard Setbacks in Feet (Unobstructed)					Minimum Cubic Content per Dwelling Unit in Cubic Feet
		Area per Dwelling Unit in Sq. Ft.	Width in Feet		Front	At Least One Side	Total of Two Sides	Side Yard Adjacent to a Street	Rear	
R-E	10	130,000	120	(a)(c)	50	(b)	(b)	50	(c)	30,000
R-L	15	65,000	120	(a)(c)	50	(b)	(b)	50	(c)	30,000
R-M	25	42,000	120	(a)(c)	50	(b)	(b)	50	(c)	30,000
R-1	25	30,000	120	(a)(c)	50	(b)	(b)	50	(c)	30,000
R-2	30	22,500	100	(a)(c)	40	(b)	(b)	40	(c)	22,500
R-3	35	15,000	80	27	30	10	25	30	40	20,000
R-4	35	12,000	80	27	20	10	25	20	30	15,000
RO-1	30	*	*	14 ½	40	12	35	40	35	*
C-1	*	*	*	14 ½	*	*	*	*	*	*
PI	*	*	*	29	*	*	*	*	*	*

Schedule of Regulations

- * Site Plan Review required for those items. Also for P-1 and H Districts (see Chapters 1258 and 1230)
- ** The minimum cubic content shall be calculated as defined herein (see Section 1240.07(20))
- a) The maximum building height in the R-E, R-L, R-M, R-1, and R-2 districts shall be determined in accordance with the following graphic representation 1 or mathematical representation 2:

1256.06 PROTECTIVE SCREENING.

C-1 parcels adjacent to land within a Single-Family Residential District or used for residential purposes shall provide protective screening in compliance with the regulations set forth in Sections 1268.28 and 1268.29.

Graphic representation 1: In the appropriate location and at the proper scale on the front elevation, draw a 15' x 20' "measurement triangle" as illustrated below. Extend the dashed line to 35 feet high. No portion of the building may extend into the setback or above the dashed line.

Mathematical representation 2: The maximum permitted height relative to the side property line is equal to: (1.33 x side setback measured in feet), up to a maximum height at the peak of roof of 35 feet.

- b) The total of both side setbacks shall not be less than one-third (1/3) of the lot width. The smaller of the side setbacks shall be equal to or greater than 37% of the total of both side setbacks.

- c) In the R-E, R-L, R-M, R-1, and R-2 districts, the maximum height measured at the rear of the building shall be determined using a measurement triangle, in accordance with the following guidelines (see graphic 2):
1. Extend the average grade line horizontally from the rear face of the house to the rear property line (point A).
 2. Mark the 40-foot rear yard setback (35-foot in the R-2 district) on the horizontal grade line.
 3. At the 40-foot mark (35-foot mark in the R-2 district), extend a 20-foot long line upward and perpendicular to the horizontal grade line. The top of the perpendicular line is point B.
 4. Connect points A and B and extend the line until it intersects the maximum height line established for the front elevation.
 5. No portion of the building may extend into the setback or above the rear elevation maximum height line.

SECTION 12.02 – SCHEDULE OF REGULATIONS

All buildings, structures, uses and parcels of land shall comply with the regulations set forth in the following Schedule of Regulations and footnotes thereto, except as otherwise provided for accessory buildings and structures under Section 13.11.

Table 12.02 SCHEDULE OF REGULATIONS

Zoning District	Lot Minimum		Maximum Lot Coverage	Maximum Building Height (feet)	Minimum Setback Requirement (Feet)				Min Floor Area(sq. ft.) per Dwelling Unit ^{b, j}	Max. 1 st Floor Area (sq. ft.)
	Area (sq. ft.)	Width (feet)			Front (Street)	Each Side	Rear	Water Front ^c		
RV, Village Single Family Residential	7,200 ^k	60 ^k	40%	30	25 ^m	10 ^{a, d}	25	--	1,200	--
RL, Lake Single Family Residential	7,200 ^l	60 ^l	40%	30	25	5 ^a	25	25	900	--
RM, Multiple Family Residential	8,000 ^{g, h}	70 ^g	35% ^g	40 ^g	25	25 ^g	25	25	i	--
DC, Downtown Center	--	--	--	42 ^o	p	p, f	p, f	--	i	20,000
CC, Commercial Corridor	--	60	40%	42 ^o	25	e, f	f	25	--	--
MU, Mixed Use	--	60	50%	42 ^o	10 ^q	e, f	25	25	900 (single family detached) i (single family attached)	12,500

Gordon stated, for sake of discussion, that the proposed Ordinance creates a zoning category and at this time there is no part of the Village that is incumbered by this zoning category. What is required to make that happen? What do we need to do to make this effective? A change driven by zoning laws, the Master Plan?

Goldberg responded to Gordon that it would be 100% at the request of the private property owners. The Village Council retains the jurisdiction to rezone anyone's land within the Villager Limits without their request but that was not the intent here. The first step to be considered would be Village owned land being rezoned from residential to this category. Private property owners that have this Maser Plan designation would do so at their own request. The existing Master Plan currently has thirteen (13) properties designated to this category.

Hansen mentioned that years ago, there was a rezoning study conducted by the Planning Commission reclassifying zoning districts in the Village to cut done on the non-conforming lots within the Village. Was that because it was all residential and there was no classification change, and could certain residents opt out?

Responding to Hansen, Goldberg clarified the study she was referring to didn't rezone, rather, they amended zoning district categories and the size of the properties that fell within those categories. Since the ordinance already existed the change was done in the form of an amendment. Since this category (PI) didn't exist, a whole new section of the Zoning Ordinance was created to address it with what is proposed.

Lamott stated he was not comfortable with the proposed Ordinance, he felt it may be best to leave things alone.

Goldberg stated that it was untraditional to have a category in your Master Plan that designates a zoning use and then not then have a zoning use section in your ordinance to provide for it. A resident that has land zoned residential, as it is today, and has Master Plan designating as Public Institutional – the Master Plan designation is going to state that. Creating this category, because if there is no zoning category to put the property into; your Master Plan is incomplete. None of the thirteen (13) properties would ever be rezoned without an amendment to the Zoning Map for their property but if you don't have a zoning category to put it into, you have an incomplete zoning category. This recommendation of correction to an inconsistency was brought to the Planning Commission by McKenna, their planning consultant.

(A Master Plan is a land usage policy intended for future use a Zoning Map is for current use.)

Motion by Seltzer, seconded by Hanke to approve to amend Ordinance 1240.08; and Ordinances 1250 and 1256; Creating a Public / Institutional Zoning District –,

amendments are proposed to Chapter 1240.08, Definitions; Chapter 1250, Single-Family Residential Districts; Chapter 1256, C-1 Commercial District; and Appendix B, Schedule of Regulations to address the proposed regulation of land in the newly-created Public Institutional District and to address other Code sections to account for a comprehensive regulatory approach to same as presented.

Roll Call Vote

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

Motion carried.

C. Consider 27281 Ovid Ct. Demolition Application.

Responding to Gordon, Fraser stated the application was complete.

Motion by Gordon, seconded by Seltzer to approve the 27281 Ovid Ct. Demolition Application as presented.

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

NAYS: None

Motion carried.

D. Consider Civic Events Permit for Mainstreet Franklin Summer Block Party on August 18, 2021.

Hanke mentioned that there was an unchecked box on the application that indicated street closure, he asked Couf-Cohen to clarify.

Couf-Cohen stated that Chief Roberts had been contacted and he said no to a street closure.

Seltzer asked Couf-Cohen if Chief Roberts had a reason for denying the street closure. Couf-Cohen said no. Fraser stated Chief had indeed made a comment and he would require additional resources to accommodate overtime.

Hanke insisted the application should request street closure. He strongly felt a street closure would enhance the attendee experience.

Saenz stated his hesitation with moving in a direction contrary to the direction of the Chief of Police in his absence and it was his desire to defer to his decision and that safety is paramount.

The Council agreed that an official request for a street closure should be submitted to Chief Roberts and his decision would stand.

Gordon inquired of parking access and a proposed street closure. The church parking lot and an office building behind the grill. Couf-Cohen stated the road would be closed at Fourteen Mile and

Franklin and at Carol, so motorist going northbound would be diverted to the church and motorist going southbound on Franklin Road would be diverted to the office building parking lot.

The Retailers will be encouraged to participate and offer incentives and/or promotions to spotlight their business'.

Hanke proposed amending the motion to include a request for street closure pending the approval of the Chief of Police, Dan Roberts.

Motion by Seltzer, Seconded by Erlich to approve the Civic Events Permit for Mainstreet Franklin Summer Block Party on August 18, 2021, to include a request for the street closure, pending the approval of Chief Dan Roberts as amended.

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

NAYS: None

Motion carried.

E. Consider Civic Events Permit for Tot Shabbat on August 14, 2021.

Motion by Seltzer, seconded by Gordon to approve the Civic Events Permit for Tot Shabbat on August 14, 2021, as presented.

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

NAYS: None

Motion carried.

F. Consider Civic Events Permit for Movie on the Green on August 4, 11 and 18, 2021.

Motion by Seltzer, seconded by Erlich to approve the Civic Events Permit for Movie on the Green on August 4, 11 and 18, 2021 as presented.

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

NAYS: None

Motion carried.

Fraser stated the this a request for the Council to Consider Improvements to Crestwood/13 Mile failed to make it onto the Agenda.

Fraser recommended the Council approve a request for proposals be sent out to address concerns on Crestwood and Thirteen Mile. The east bound section of Crestwood would remain one lane and the (south)west bound section will be widen two (2) lanes and to create a larger landing pad where the south bound "Y" intersects with Thirteen (13) Mile. Council agreed it was a dangerous intersection, they were open to reviewing bids and exploring other options to correct the problem.

Erlich inquired of Fraser if there were available grant funds the Village could apply for in regard to Thirteen Mile. Fraser was not familiar. Zmich mentioned it is a Tri Fund for Thirteen Mile Road.

Motion be Seltzer, seconded by Lamott to approve a Request for Proposals be sent out to address concerns on Crestwood and Thirteen Mile.

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

NAYS: None

Motion carried.

G. Discussion Storm Water Maintenance Plan.

Ed Zmich of Hubbell, Roth, and Clark gave a synopsis of the Storm Water Maintenance Plan. He suggested an estimate of \$40,000.00, to include regular maintenance and any issues uncovered in the process requiring attention, to be added to the budget moving forward. HRC will present a proposal to the Council.

Lamott expressed concern as the recent storm had raised the seriousness of a regular maintenance program. He suggested an amount of \$50,000.00 with a focus on downtown Franklin.

Gordon was interested in a proposal of the current status of the storm water system in order to create a maintenance benchmark. He also mentioned that the Council had not been informed by engineering firms of available grants, now obsolete, that could have funded this issue and he found that frustrating.

Hansen stated that Nowak and Frause (NFE) had done extensive work on the Storm Sewers and their findings could be used to enhance future maintenance efforts. She supports the

maintenance program, but there is a need for more data from NFE and more bids to ensure a fair bid process.

H. Consider Liquor Committee Recommendation for the Renewal of the Franklin Grill Liquor License.

Hansen pointed out that the Liquor Committee had not met, so how could it be approved.

Lamott stated there was a list submitted by the Building Official of items that needed to be corrected.

Hansen stated that Dinnan said the liquor license is expiring in 2022 in his report. So, there is no issue.

Fraser will confirm and if so, a Special Meeting can be held.

XI. ADJOURNMENT

Motion by Seltzer, 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

VILLAGE OF FRANKLIN
OAKLAND COUNTY
MICHIGAN
FRANKLIN - BINGHAM FARMS POLICE DEPARTMENT

32311 FRANKLIN RD
FRANKLIN, MICHIGAN

DANIEL D. ROBERTS
Chief of Police

Telephone
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MONTHLY REPORT
JULY 2021

CALLS FOR SERVICE

	<u>NUMBER</u>	<u>PERCENT</u>	<u>YEAR - TO - DATE</u>	<u>YEAR-TO DATE LAST YEAR</u>
BINGHAM FARMS w/S.A.D.	115	21%	761	613
FRANKLIN	212	39%	1007	957
OTHER	7	1%	78	37
TRAFFIC STOPS ONLY	213	39%	1708	1146
TOTAL:	547	100%	3554	2753
 S.A.D. Only: S.A.D.=Special Assessment District	 33		 254	 221

WRITTEN COMPLAINTS

	<u>NUMBER</u>	<u>PERCENT</u>	<u>YEAR - TO - DATE</u>	<u>YEAR-TO DATE LAST YEAR</u>
BINGHAM FARMS	30	54%	172	116
FRANKLIN	23	41%	147	153
S.A.D./OTHER	3	5%	50	25
TOTAL:	56	100%	369	294

BREAKING AND ENTERING/HOME INVASION

RESIDENTIAL

<u>THIS MONTH</u>	<u>YEAR - TO - DATE</u>
0	0
<u>THIS MONTH</u>	<u>YEAR - TO - DATE</u>
<u>LAST YEAR</u>	<u>LAST YEAR</u>
0	1

	<u>DATE</u>	<u>INCIDENT</u>	<u>ADDRESS</u>
BINGHAM FARMS	n/a	n/a	n/a
FRANKLIN	n/a	n/a	n/a

COMMERCIAL

<u>THIS MONTH</u>	<u>YEAR - TO - DATE</u>
0	1
<u>THIS MONTH</u>	<u>YEAR - TO - DATE</u>
<u>LAST YEAR</u>	<u>LAST YEAR</u>
0	0

	<u>DATE</u>	<u>INCIDENT</u>	<u>ADDRESS</u>
BINGHAM FARMS	n/a	n/a	n/a
FRANKLIN	n/a	n/a	n/a
S.A.D.	n/a	n/a	n/a

ARRESTS

	<u>NUMBER</u>	<u>YEAR - TO - DATE</u>	<u>YEAR - TO - DATE 2020</u>
FELONIES	0	6	5
MISDEMEANORS	13	107	56

MISDEMEANOR INCIDENTS

	<u>DATE</u>	<u>INCIDENT</u>	<u>COMMENTS</u>
(A)=Arrest	7/2/2021	21-3034(B)	DWLS OPS License Suspended/Revoked (A)
(B)=Bingham Farms	7/8/2021	21-3168(B)	DWLS OPS License Suspended/Revoked (A)
(F)=Franklin	7/13/2021	21-3255(F)	License/Title/Registration (A)
(S)=S.A.D.	7/13/2021	21-3258(B)	OPS-Never Acquired-NOLEA (A)
(O)=Other	7/14/2021	21-3273(B)	Operating While Intoxicated-OWI 2nd Offense (A)
	7/14/2021	21-3284(B)	DWLS OPS License Suspended/Revoked (A)
	7/18/2021	21-3342(B)	OPS-Never Acquired-NOLEA (A)
	7/18/2021	21-3345(B)	DWLS OPS License Suspended/Revoked (A)
	7/18/2021	21-3346(F)	Trespass (Other)
	7/19/2021	21-3356(B)	DWLS OPS License Suspended/Revoked (A)
	7/20/2021	21-3378(B)	Operating Under the Influence of Alcohol/Liquor (A)
	7/21/2021	21-3401(B)	DWLS OPS License Suspended/Revoked (A)
	7/22/2021	21-3411(B)	DWLS OPS License Suspended/Revoked (A)
	7/31/2021	21-3544(B)	License/Title/Registration (A)

FELONY INCIDENTS

	<u>DATE</u>	<u>INCIDENT</u>	<u>COMMENTS</u>
(A)=Arrest	n/a	n/a	n/a
(B)=Bingham Farms			
(F)=Franklin			
(S)=S.A.D.			
(O)=Other			

TRAFFIC CITATIONS:

	<u>NUMBER</u>	<u>PERCENT</u>	<u>YEAR - TO - DATE</u>	<u>LAST YEAR-TO-DATE</u>
BINGHAM FARMS/S.A.D.	119	68%	711	554
FRANKLIN	57	32%	475	228
OTHER	0	0%	0	0
TOTAL:	176	100%	1186	782

OTHER MATTERS

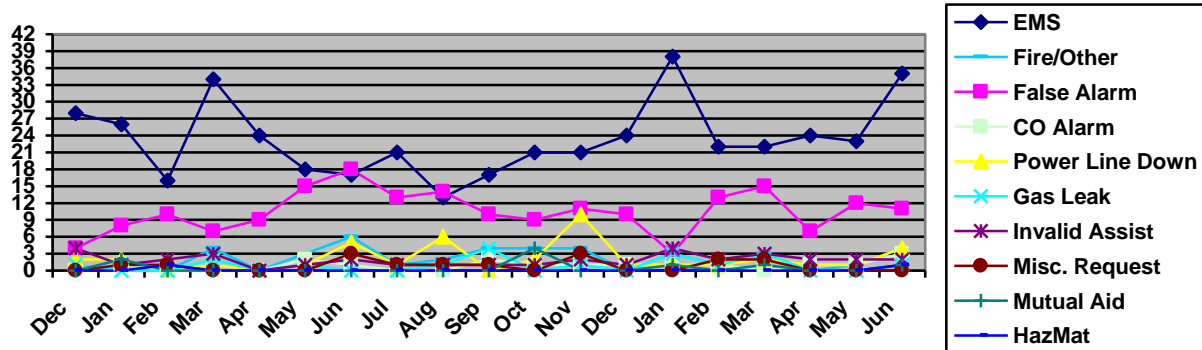
<u>DATE</u>	<u>INCIDENT</u>	<u>COMMENTS</u>
n/a	na	n/a

 8/3/2021

Daniel D. Roberts, Chief of Police

To: The Board of Fire Commissioners
 From: Chief of Department Tony Averbuch
 Subject: Report for the 19 July Meeting

Past 18 Months Response Trends:



June Response Information (857):

INCIDENT TYPE	# INCIDENTS
Station: ST1 - STATION 1	
113 - Cooking fire, confined to container	1
251 - Excessive heat, scorch burns with no ignition	2
321 - EMS call, excluding vehicle accident with injury	33
322 - Motor vehicle accident with injuries	2
410 - Combustible/flammable gas/liquid condition, other	1
412 - Gas leak (natural gas or LPG)	1
444 - Power line down	4
554 - Assist invalid	2
611 - Dispatched & cancelled en route	2
733 - Smoke detector activation due to malfunction	1
735 - Alarm system sounded due to malfunction	8
746 - Carbon monoxide detector activation, no CO	3

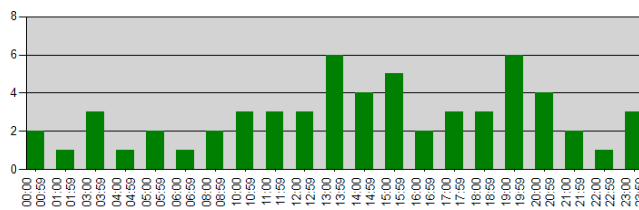
Incidents for ST1 - Station 1:

60

Average response time for the month (72)

RESPONSE MODE	NUMBER of APPARATUS	AVERAGE RESPONSE TIME in MM:SS (Dispatch to Arrived)
Initial Lights and Sirens, Downgraded to No Lights or Sirens	11	5:55
Lights and Sirens	48	5:37
No Lights or Sirens	60	5:50
Total:	119	5:45

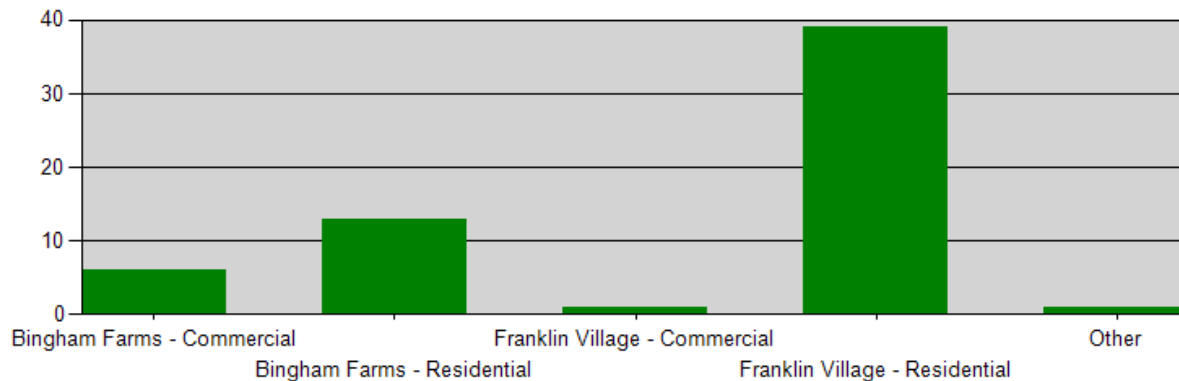
Incidents Calls by Hour (1010):



Top Ten Responders (YTD)(1512):

1. LT Croyle
2. CAPT Kelly
3. LT Johnson
4. FF Kolar
5. FF Longworth
6. FF Kelly
7. FF Stefancin
8. FF Rubin
9. LT Adams
10. FF Johnson

Village Zone Responses for the Previous Month (1285)



False alarms that have occurred during the month (1692):

Incident Date	Incident #	Address	Zone	Custom Questions
611 - Dispatched & cancelled en route				
06/24/2021	2021-21268	26520 Willowgreen DR Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: Unknown
06/27/2021	2021-21277	30685 N Greenbriar Franklin, MI 480254802	Franklin Village - Residential	Was this alarm caused by contractors?: No
733 - Smoke detector activation due to malfunction				
06/05/2021	2021-21231	0806 River Crossing Bingham Farms, MI 48025	Bingham Farms - Residential	Was this alarm caused by contractors?: Yes
735 - Alarm system sounded due to malfunction				
06/07/2021	2021-21237	32766 Bingham LN Bingham Farms, MI 480254802	Bingham Farms - Residential	Was this alarm caused by contractors?: No
06/08/2021	2021-21240	30800 Timberbrook LN Bingham Farms, MI 480254802	Bingham Farms - Residential	Was this alarm caused by contractors?: Unknown
06/12/2021	2021-21245	26955 Wellington RD Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No
06/12/2021	2021-21256	25815 Franklin Park DR Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No
06/19/2021	2021-21260	26520 Willowgreen DR Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No
06/26/2021	2021-21274	25900 Romany WAY Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No

06/27/2021	2021-21278	29900 Bristol LN Bingham Farms, MI 480254802	Bingham Farms - Residential	Was this alarm caused by contractors?: No
06/28/2021	2021-21280	30715 River Crossing Bingham Farms, MI 480254802	Bingham Farms - Residential	Was this alarm caused by contractors?: No
746 - Carbon monoxide detector activation, no CO				
06/16/2021	2021-21252	26393 Normandy RD Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No
06/26/2021	2021-21271	26393 Normandy RD Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No
06/26/2021	2021-21272	25240 Franklin Park Franklin, MI 48025	Franklin Village - Residential	Was this alarm caused by contractors?: No

Total for fund 101 GENERAL	63,378.57
Total for fund 202 MAJOR STREETS	27,787.94
Total for fund 203 LOCAL STREETS	26,881.23
Total for fund 207 POLICE	41,134.68
Total for fund 226 GARBAGE & RUBBISH	15,132.13
Total for fund 249 BUILDING DEPARTMENT	10,907.16
Total for fund 402 STREET PROJECT	5,403.00
TOTAL - ALL FUNDS	190,624.71

08/05/2021 04:58 PM
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DB: Franklin Villag

CHECK REGISTER FOR VILLAGE OF FRANKLIN
CHECK DATE FROM 07/17/2021 - 08/05/2021

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank GEN GEN FUND CHECKING						
08/02/2021	GEN	32763	00002	A.K. PAULSEN BOOKKEEPING SVC, INC.	JULY BOOKKEEPING	1,087.50
08/02/2021	GEN	32764	00003	ACAAT AUTO	BRAKES	354.75
08/02/2021	GEN	32765	00248	AMANDA D DAVIS	HDC MEETING	100.00
08/02/2021	GEN	32766	00417	APPLIED CONCEPTS INC	POLICE CAR RADAR REPAIRS	573.00
08/02/2021	GEN	32767	00017	ARROW OFFICE SUPPLY CO.	TONER, STAMP, RUBBERBANDS	211.96
08/02/2021	GEN	32768	00249	AVON ENTERPRISE, INC	STANDARD CARTRIDGE	144.20
08/02/2021	GEN	32769	00025	BIG WATERTechnologies Corp	PHONE REPAIR	155.00
08/02/2021	GEN	32770	00028	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTH INSURANCE- AUG	16,679.15
08/02/2021	GEN	32771	00035	BS&A SOFTWARE	ANNUAL SUPPORT	2,181.00
08/02/2021	GEN	32772	00042	CINTAS CORPORATION	MATS JULY	60.33
08/02/2021	GEN	32773	00046	COMCAST	INTERNET 8529102590019773	250.14
08/02/2021	GEN	32774	00048	COMCAST CABLE	INTERNET 8529102590019732	198.58
08/02/2021	GEN	32775	00049	COMMAND OFFICERS ASSN OF MICHIGAN	DUES AUGUST 2021	195.60
08/02/2021	GEN	32776	00051	CONSUMERS ENERGY	0619-072021	123.32
					0619-072021	19.19
					0619-072021	21.09
						<u>163.60</u>
08/02/2021	GEN	32777	00316	DETROIT REGIONAL CHAMBER	MEMBERSHIP	99.00
08/02/2021	GEN	32778	00062	DTE	0626-072821 STREET LIGHTS	48.83
					0629-072821	94.62
					0629-072821	184.18
					0629-072821	592.37
						<u>920.00</u>
08/02/2021	GEN	32779	00063	ECONO SIGNS	CHILDREN PLAYING SIGN	62.40
08/02/2021	GEN	32780	00403	FIDELITY SECURITY LIFE INS CO	VISION-AUGUST	269.81
08/02/2021	GEN	32781	00354	FORD MOTOR CREDIT CO LLC	2020 POLICE INTERCEPTOR	11,641.08
08/02/2021	GEN	32782	00082	GFL	RES HAND PICK UP	14,828.90
					FRONT LOAD	93.23
						<u>14,922.13</u>
08/02/2021	GEN	32783	00087	GREAT LAKES INTERNET AND CONSULTING	EMAIL HOSTING	50.00
					NETWORK SWITCH KREGER	132.48
						<u>182.48</u>
08/02/2021	GEN	32784	00089	GUARDIAN INSURANCE	DENTAL	1,231.69
					DENTAL	1,231.69
						<u>2,463.38</u>
08/02/2021	GEN	32785	00096	HUBBELL, ROTH & CLARK, INC	STORM STRUCTURES AND SEWERS INVENTORY	950.64
08/02/2021	GEN	32786	00110	K & M LEASING	CANON IR COPIER	171.00
					POLICE COPIER	79.00
						<u>250.00</u>
08/02/2021	GEN	32787	00422	KAREN COUF COHEN PUBLIC RELATIONS	PUBLIC RELATIONS, MSF SUMMER BLOCK PART	4,040.00
					FACEBOOK ADS, INFORUM PRINT AD	198.00
						<u>4,238.00</u>

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CHECK REGISTER FOR VILLAGE OF FRANKLIN
 CHECK DATE FROM 07/17/2021 - 08/05/2021

Page: 2/3

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
08/02/2021	GEN	32788	00115	LEADER BUSINESS	COPIES	93.84
08/02/2021	GEN	32789	MISC MR	MICHAEL TUCCI AND GINGER URICK	TREE BOND	2,700.00
08/02/2021	GEN	32790	00138	MICHIGAN MUNICIPAL RISK MANAGEMENT	M0000960 1ST QUARTERLY PMT	36,754.50 9,000.00
						45,754.50
08/02/2021	GEN	32791	00145	MML WORKER'S COMP FUND	PAYROLL AUDIT 07012019-07012020	449.00
08/02/2021	GEN	32792	00398	NOWAK & FRAUS ENGINEERS	STREETSCAPE STREETSCAPE	360.00 5,043.00
						5,403.00
08/02/2021	GEN	32793	00153	OAKLAND COUNTY	CLEMIS	2,370.25
08/02/2021	GEN	32794	00161	OAKLAND SCHOOLS	VILLAGE TAX BILLS	100.58
08/02/2021	GEN	32795	00165	OFFICE DEPOT	TOWELS, TISSUE SOAP	21.15 17.98
						39.13
08/02/2021	GEN	32796	00169	POLICE OFFICERS ASSOCIATION	DUES AUGUST 2021	451.40
08/02/2021	GEN	32797	00227	PROSOURCE SPECIALTIES LLC	BADGES, PENCILS	415.48
08/02/2021	GEN	32798	00173	REYNOLDS WATER CONDITIONING CO	SALT	20.45
08/02/2021	GEN	32799	00174	ROAD COMMISSION FOR OAKLAND COUNTY	SIGNAL MAINTENANCE	1,017.94
08/02/2021	GEN	32800	00297	SOCRRA	HAZARDOUS WASTE AND ELECTRONICS	210.00
08/02/2021	GEN	32801	00454	TENDER CORPORATION	MOSQUITO WIPES-SPRAY WEST NILE GRANT	435.89
08/02/2021	GEN	32802	00425	TOWN SQUARE PUBLICATIONS LLC	BB CHAMBER AD	325.00
08/02/2021	GEN	32803	00293	ULINE	WHITE TOTE	305.03
08/02/2021	GEN	32804	00396	VERIZON WIRELESS-VSAT	480840343-00001 PHONES	108.96
08/02/2021	GEN	32805	00065	WEX BANK	FUEL JULY	1,069.13
08/02/2021	GEN	32806	00125	WEX BANK	JULY	58.85
08/02/2021	GEN	32807	00414	WEX BANK	FUEL	659.55
08/02/2021	GEN	32808	00198	WILLIAM DINNAN	BUILDING OFFICIAL JULY 2021	4,460.00
08/05/2021	GEN	32809	00017	ARROW OFFICE SUPPLY CO.	TOWEL, 600 HARDROLL	67.19
08/05/2021	GEN	32810	00019	AT & T	JULY 2021 TELEPHONE JULY 2021 TELEPHONE	527.09 57.52
						584.61
08/05/2021	GEN	32811	00442	BEIER HOWLETT PC	JULY 2021 GENERAL AND PROSECUTION	3,300.00
08/05/2021	GEN	32812	00421	CHARTER TWP OF BLOOMFIELD	07-15-21 THRU 08-15-21 DISPATCH SERVICE	4,166.66
08/05/2021	GEN	32813	00073	FRANKLIN AUTO SERVICE LLC	UNIT 9-3, 9-2, 9-1 AUTO SERVICE	25.30
08/05/2021	GEN	32814	00106	JERRY L HOBSON	JULY 2021 MECHANICAL & PLUMBING	785.83
08/05/2021	GEN	32815	00108	JOHNSON LANDSCAPING, INC	LAWNCUTTING JULY 2021	54,240.00
08/05/2021	GEN	32816	00166	ORKIN PEST CONTROL	AUGUST 2021 PC STANDARD	168.00
08/05/2021	GEN	32817	00392	PERFECT CLEANERS OF DETROIT INC.	JULY 2021 UNIFORM CLEANING	37.50
08/05/2021	GEN	32818	00177	RON SHELTON	JULY 2021 INSPECTIONS	763.53
08/05/2021	GEN	32819	00190	SUNSET MAINTENANCE LLC	JULY 2021 JANITORIAL SERVICES JULY 2021 JANITORIAL - POLICE	1,159.00 220.00
						1,379.00
08/05/2021	GEN	32820	00244	THOMSON REUTERS - WEST	AUGUST 2021 ONLINE/SOFTWARE SUBSCRIPTIO	281.39
08/05/2021	GEN	32821	00241	WALNUT LAKE ACE HARDWARE	DESK FAN	23.99
GEN TOTALS:						
Total of 59 Checks:						190,624.71
Less 0 Void Checks:						0.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Total of 59 Disbursements:						190,624.71



July 8, 2021

To: The Officials and Representatives of the 15 Municipalities Served
by the Evergreen-Farmington Sanitary Drain

Re: Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement

The Evergreen-Farmington Sanitary Drain is under an Administrative Consent Order, issued by the Michigan Department of the Environment, Great Lakes, and Energy (EGLE). The Evergreen-Farmington Sanitary Drain serves 15 Oakland County municipalities. On behalf of these communities, as the Oakland County Water Resources Commissioner, I submitted a Corrective Action Plan to EGLE on April 1, 2020. The Administrative Consent Order requires execution of this plan by November 1, 2022. The plan includes purchasing additional outlet capacity from the Great Lakes Water Authority (GLWA) and the construction of projects along 8 Mile and Evergreen Roads. This allows peak wet weather flow from the apportioned communities to reach the outlet that discharges to GLWA.

In order to facilitate the Corrective Action Plan projects, two communities petitioned the County to form the Evergreen-Farmington Sanitary Drain under Chapter 20 of the drain code. As part of the transition to a drain a new service agreement between the customer communities and the Evergreen-Farmington Sanitary Drain, often called a 471 Agreement named after section 471 of the Drain code, is needed. The Evergreen-Farmington Sanitary Drain 471 agreement:

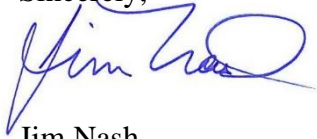
- Provides the system authority for establishing regional operations
- Replaces the 1989 intermunicipal agreement, effectively extending the contract beyond the bond period (the current agreement expires in 2029)
- Requires approval of all communities served by the Evergreen-Farmington Sanitary Drain
- Establishes new community capacities
- Includes apportionment assessments
- Includes the preliminary improvement plan and cost estimates
- Describes rate methodology approach (current methodology is not anticipated to change)

My office has worked on the agreement with the Evergreen-Farmington Sanitary Drain communities over the past several months. The last outreach meeting was held on June 28, 2021. No additional customer comments were received. Therefore, the provided agreement is amenable to all parties. Approval of the 471 Agreement moves the Evergreen-Farmington Sanitary Drain one step closer to the goal of getting out of the Administrative Consent Order by reducing the frequency and volume of sanitary sewer overflows. The Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement will be on the drain board meeting agenda for approval on July 27, 2021.

In order to maintain the Corrective Action Plan project schedule, I am seeking your approval and signature on the attached Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement by August 20, 2021. If you have questions or need support to obtain approval, my team and I are here to assist you. We welcome the opportunity to attend a board or council meeting to discuss. If you need assistance in seeking approval, please contact Carrie Ricker Cox, P.E., at coxc@oakgov.com or 248-470-1314.

Thank you for helping us move this project forward and partnering with my office to work towards eliminating both the Evergreen-Farmington Sanitary Drain and customer community Administrative Consent Orders to reduce the frequency and volume of sanitary sewer overflows.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Nash", with a stylized flourish at the end.

Jim Nash

EVERGREEN-FARMINGTON SANITARY DRAIN DRAINAGE DISTRICT
CHAPTER 20 SECTION 471 AGREEMENT

This Agreement, dated the _____ day of _____, 2021, by and among the Drainage Board for the Evergreen Farmington Sanitary Drain Drainage District (the “Drainage Board”), the City of Auburn Hills, the Village of Beverly Hills, the Village of Bingham Farms, the City of Birmingham, the Charter Township of Bloomfield, the City of Bloomfield Hills, the City of Farmington, the City of Farmington Hills, the Village of Franklin, the City of Keego Harbor, the City of Lathrup Village, the City of Orchard Lake Village, the City of Southfield, the City of Troy and the Charter Township of West Bloomfield (each, a “Public Corporation” and collectively, the “Public Corporations”). The Drainage Board and the Public Corporations are sometimes referred to each as a “Party” and collectively as the “Parties.”

WHEREAS, by Resolution No. 7674, adopted September 2, 1976, and pursuant to the provisions of Act No. 342 of the Public Acts of Michigan of 1939, as amended (“Act 342”), the County of Oakland (the “County”) established the Evergreen-Farmington Sewage Disposal System (the “EFSDS” or the “System”) and designated and appointed the Oakland County Drain Commissioner, now the Oakland County Water Resources Commissioner, as the “county agency” for the System pursuant to Act 342 (the “County Agency”), with all the powers and duties with respect to the acquisition, construction and financing of facilities for the System as are provided by law especially Act 342; and

WHEREAS, Section 3 of Act 342 authorizes the County Agency to make and execute proposed alterations, changes, and extensions of the improvements, facilities, or services authorized herein; to locate, acquire, purchase, construct, alter, repair, maintain, and operate the improvements, facilities, and services authorized herein and enter into and execute contracts therefor; and

WHEREAS, the County Agency and the Public Corporations serviced by the EFSDS entered into the Evergreen and Farmington Sewage Disposal Systems Intermunicipal Contract Concerning Wastewater Treatment and Pollution Control Projects, dated September 30, 1989 (the “342 Agreement”); and

WHEREAS, certain of the Public Corporations petitioned for the location, establishment and construction of an intra-county drain project consisting of the sewage disposal system previously known as the EFSDS and all improvements necessary or prudent to bring the EFSDS into compliance with Administrative Consent Order 04995 entered by the State of Michigan Department of the Environment, Great Lakes, and Energy on August 14, 2019 (the “ACO”); and

WHEREAS, the Drainage Board named said drain project the Evergreen-Farmington Sanitary Drain (the “Drain”, and the improvements to be undertaken to comply with the ACO also referred to herein as the “Project”) and named the drainage district composed of the Public Corporations the Evergreen-Farmington Sanitary Drain Drainage District (the “Drainage District”) composed of the Public Corporations to be assessed for the Drain, pursuant to Chapter 20 of the Michigan Drain Code, Act No. 40 of the Public Acts of Michigan of 1956, as amended (the “Drain Code”) and issued its Final Order of Determination as executed by the Chairperson of the Drainage Board on November 17, 2020 (the “Final Order of Determination”); and

WHEREAS, as provided in the petitions, the issuance of bonds to finance the Project is contingent upon the Public Corporations and the Drainage District entering into an agreement as provided by law setting forth the services and operations of the Drainage District and to provide for methods of addressing and apportioning future improvements to the Drainage District; and

WHEREAS, Section 471 of the Drain Code authorizes the Drainage Board to contract with any public corporation including any agency thereof, including the Public Corporations and the County Agency; and

WHEREAS, the Drainage Board and the Public Corporations acknowledge that the underlying purpose of this Agreement, entered into pursuant to the authority provided in Section 471 of the Drain Code, is to fully satisfy the terms of the petitions and allow for the issuance of bonds to finance the Project; supersede and replace the Act 342 Agreement; provide for the operations, maintenance, and administration of the Project and the Drainage District by the Drainage Board; acknowledge responsibilities with respect to outstanding debt obligations issued to finance EFSDS improvements; and promote communication by and among the Drainage Board and the Public Corporations; and

WHEREAS, it is understood and agreed that the entire cost of the Project and the entire cost for the operations, maintenance, and administration of the Drainage District is to be assessed against the Public Corporations pursuant to Chapter 20 of the Drain Code.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS.

AGREEMENT

1. **Evergreen-Farmington Sanitary Drain Drainage District.** The Parties acknowledge the legal establishment of the Drain and the Drainage District pursuant to the Final Order of Determination and in accordance with applicable law including, but not limited to Chapter 20 of the Drain Code. The Parties acknowledge that the Project is to provide improvements necessary or prudent to bring the EFSDS, now the Drainage District, into compliance with the ACO.

2. **Town Outlet Capacity.** The Parties acknowledge that each Public Corporation's respective ability to discharge to the Drain is limited to that provided in the Town Outlet Capacities attached as **Exhibit 1 (Town Outlet Capacities)**. The Town Outlet Capacities provided herein will not be available until after the full completion of the project described in this Agreement. After a Public Corporation reaches its Town Outlet Capacity, that Public Corporation shall have the right to contract for any additional needed capacity outside of the Drain, but it shall retain its obligation to deliver its Town Outlet Capacity to the Drain. The Drainage District agrees that each Public Corporation shall retain the right to deliver wastewater in the amount as set forth for its respective Town Outlet Capacity, to the Drain subject to the terms and conditions of this Agreement, including any extension thereof, so long as each Public Corporation shall continue to pay the amount specified herein for its respective assessment of the cost of the Project, the operation, maintenance and improvement, and administration of the Drainage District, and any additional facilities of the Drainage District as provided herein. No Public Corporation shall have the right unilaterally to terminate or reduce such payments, but if any such Public Corporation

shall breach such obligation, the Drainage District shall be authorized to terminate or reduce such delivery rights or to transfer such delivery rights to other public corporations, whether a party hereto or not. The discharge of wastewater into the Drain from any Public Corporation whether a Party or not, shall not exceed the Town Outlet Capacity of such public corporation. Responsibility and authority will be vested with the Drainage District to oversee and regulate the discharge of wastewater from each Public Corporation and take appropriate actions to protect the rights of the Drainage District to promote each Public Corporations to discharge up to but not in excess of its respective Town Outlet Capacity. The Drainage District acknowledges that exceedances may occur from time to time. If a Public Corporation exceeds their respective Town Outlet Capacity, all Public Corporations tributary to that location will meet with the Drainage District to discuss the reasons for non-compliance. Public Corporations found by the Drainage District to be in exceedance of their respective Town Outlet Capacity can be required by the Drainage District to develop and implement a written corrective action plan acceptable to the Drainage District within 90 days of the Drainage District's finding or as otherwise agreed. A written corrective action plan shall be consistent with the Evergreen-Farmington Sanitary Drain Cohesive Operating Protocol or successor protocol, plan, or document. In the event it becomes necessary or prudent to install meters to monitor the flow of wastewater into the Drain, the costs for installation and operation of such meters shall be borne by all Public Corporations as a general system cost and shall be assessed or otherwise be obligated to be paid in accordance with Chapter 20 of the Drain Code.

3. **EFSDS Transfer And Legal Title.** The Parties acknowledge that the EFSDS is hereby transferred to and established as the Drain in accordance with law and the ACO notice provisions. The Drainage Board shall be responsible for the operations, maintenance, and administration of the Drainage District in accordance with Chapter 20 of the Drain Code.

4. **EFSDS Outstanding Debt Obligations.** The Parties acknowledge that there are outstanding debt obligations issued by the County for improvements to the EFSDS, attached as **Exhibit 2 (Index of Outstanding EFSDS Bonds)**. The Parties hereby covenant and agree that, so long as any such bonds or other debt obligations remain outstanding and unpaid, the provisions of this Agreement shall not impair the security for the bonds or other obligations or the prompt payment of principal or interest thereon. The Public Corporations, the Drainage Board, and the County Agency further covenant and agree that they will comply with their respective duties and obligations under the terms of this Agreement promptly, and will not suffer to be done any act which would in any way impair bonds or other debt obligations, the security therefor, or the prompt payment of interest thereon. The Parties acknowledge that such outstanding debt obligations will continue to be serviced in the manner that they are currently being serviced, and that the County Agency shall continue to pay the County of Oakland the amounts necessary to meet all such bond payments, debt service, and obligations until and unless otherwise agreed between the Drainage District and the County. The Parties further acknowledge that with respect to any debt issued pursuant to Act 342, the Oakland County Water Resources Commissioner will continue in the capacity as County Agency, as designated and appointed by the County for the EFSDS for carrying out the purposes of and exercising the powers and duties vested in any contract entered into by and among the County and any of the Public Corporations pursuant to Act 342 (any such contract referred to herein as an "Act 342 Contract"). Any Party that is party to an Act 342 Contract ratifies and confirms its obligations under any such Act 342 Contract and agrees to continue to carry out its obligations under such Act 342 Contract, including the payment of amounts required to be paid by any Public Corporation to the County Agency for the payment of debt service and any County

Agency administrative expenses, as provided in the Act 342 Contract. To the extent there is any inconsistency between an Act 342 Contract and this Agreement, the terms of the Act 342 Contract will prevail.

5. **Drainage District Operations.** The Drainage District shall operate in accordance with accepted public utility operational procedures. The Drainage District shall not be liable to any Public Corporation, or any individual user therein, for any interruption in service. The Public Corporations agree to comply with their respective administrative consent orders. A list of the Public Corporation's Administrative Consent Orders is provided in **Exhibit 3 (Public Corporation Administrative Consent Orders)**.

6. **Public Corporation Consent To Location of Drainage District.** The Public Corporations, by way of compliance with Section 29, Article VII, Michigan Constitution of 1963, consent and agree to the establishment and location of the Drain and of other extension, improvement or enlargement thereof, within their corporate boundaries and to the use by the Drainage District of their streets, highways, alleys, lands, rights-of-way or other public places for the purpose and facilities of the Drain and any improvement, enlargement or extension thereof. The Public Corporations further agree that in order to evidence and effectuate the foregoing agreement and consent, they will execute and deliver to the Drainage District such grants of easement, right-of-way, permit or consent as may be requested by the Drainage District. Each Public Corporation agrees to transmit to the Drainage District wastewater collected within its respective boundary or otherwise provided by contract up to its Town Outlet Capacity, at reception points designated by the Drainage District, and the Drainage District agrees that the Drainage District shall accept and dispose of such wastewater for treatment.

7. **Public Corporation Wastewater.** Each Public Corporation shall be responsible at its own expense to properly operate and maintain its respective sewer system to collect and deliver wastewater flow to the Drain. The Drainage District shall have no responsibility for the Public Corporations' sewer systems. The Public Corporations shall be responsible for the character of their respective wastewater flows and shall comply with standards, rules, and regulations controlling the transportation and discharge of wastewater to the Drain. Each Public Corporation by the adoption of appropriate ordinances or rules or regulations shall enforce all legal requirements and Drainage District requirements including those relating to industrial pretreatment. Each Public Corporation shall not deliver wastewater to the Drain in violation of applicable standards, rules, and regulations, causes physical damage to the Drain, or contributes to an event of noncompliance to the Drainage District's permit or other regulatory requirements.

8. **Service Area.** The service area of the Drain is depicted in **Exhibit 4 (Service Area Map)** which service area consists of the EFSDS interceptor system as configured as of the date of establishment of the Drain and Drainage District by execution of the Final Order of Determination, and includes areas served pursuant to existing service agreements of certain Public Corporations with other municipalities outside of the Drainage District as listed in **Exhibit 5 (Index of Public Corporation Agreements to Accept Wastewater From Other Municipalities)**. The Parties understand that the Drainage District is currently subject to the contract between the EFSDS (and as anticipated to be transferred and assigned to the Drainage District) and the Detroit Water And Sewerage Department (as has been assigned to the Great Lakes Water Authority). The Parties also understand that the Drainage District is currently negotiating a new contract with the Great Lakes

Water Authority. No Public Corporation that is a party to this contract shall divert flow that is presently tributary to the Drain to another sewage treatment plant or facility or construct or permit the construction of any new sewage treatment plant or facility within the Drainage District without the approval of the Drainage Board.

9. **Assessments of Public Corporations For the Payment Of Project Costs.** The Parties acknowledge and approve the Project and the preliminary plans and cost estimates for the Project attached as **Exhibit 6 (Project Preliminary Plans And Cost Estimates)**. The Project is limited to those improvements described in the petitions of the Charter Township of West Bloomfield dated July 13, 2020 and the City of Southfield dated July 20, 2020 and the Final Order of Determination of the Drainage Board dated November 17, 2020. The Public Corporations acknowledge and agree to pay the Drainage District for all Project costs, including the acquisition, construction, and financing of the Project in accordance with the approved Final Order of Apportionment, executed by the Chairperson of the Drainage Board on June 22, 2021, establishing the assessment percentages as described in **Exhibit 7 (Final Order of Apportionment Assessment Percentages)**. All matters relating to engineering plans and specifications, together with the making and letting of final contracts for acquisition and construction of the Project, the approval of the work and materials therefor, and construction supervision, shall be under the exclusive control of the Drainage Board. The Drainage Board shall maintain appropriate insurance coverage for the Project. The insurance premiums for policies secured by the Drainage Board for the Project shall become a Project cost. In the event the amount of any judgment, arbitration award or settlement, including litigation costs, are payable by the Drainage Board, such amount shall be a Project cost. It is specifically recognized by all Public Corporations that the Drainage Board may issue bonds on behalf of the Drainage District in anticipation of the collection of assessments or other payments required to be made by the Public Corporations under the provisions of Chapter 20 of the Drain Code and as described in this Agreement, and the Public Corporations covenant and agree that they will make all required payments to the Drainage Board promptly and at the times specified herein.

10. **Assessments and Charges to Public Corporations For The Payment Of Drainage District Operations, Maintenance, and Administration Costs.** The Public Corporations shall pay the Drainage Board for the operation, maintenance, and administration of the Drain and related wastewater services at such amounts as the Drainage Board may establish from time to time based on the aggregate quantity of wastewater on a multi-year rolling average method entering the Drain attributable from the Public Corporations or any other method as determined by the Drainage Board, based on the benefits that accrue to each Public Corporation and the extent to which each Public Corporation contributes to the conditions that make the Drainage District necessary. At least annually, representatives of the Drainage Board shall offer to meet with the Public Corporations and discuss the method of assessment of operation, maintenance, and administration of the Drain. The Parties acknowledge that amounts charged by the Drainage Board to each Public Corporation will include all applicable costs and expenses associated with financing, administration, operation and maintenance, sewage disposal charges or other applicable expenses as determined by the Drainage Board, and will include an allocable share of debt service owed on outstanding bonds and other obligations issued by the County for improvements to the EFSDS. In the event that the Drainage District is billed directly by the Great Lakes Water Authority for charges associated with high strength and industrial wastewater flows, such charges may be invoiced directly to the responsible Public Corporation(s) as determined by

the Drainage Board. Each of the Public Corporations reserves the right to establish the manner in which it assesses and charge properties within the Public Corporation benefiting especially from the Drain or otherwise provide for the amounts needed to pay for the Drainage District assessments, in accordance with the Drain Code and other applicable law. Operation, maintenance, and administrative expenses shall include, but not be limited to, such amounts as in the judgment of the Drainage Board to pay for any losses or legal expenses arising from the operation, maintenance and improvement, and administration of the Drain and the repair and replacement of the Drainage District's administrative facilities, equipment, accessories, or appurtenances as may be reasonably necessary or prudent. If the character of wastewater transmitted from any Public Corporation is in violation of applicable standards, rules, and regulations, causes physical damage to the Drain, or contributes to an event of noncompliance to the Drainage District's permit or other regulatory requirements, the Drainage Board may apply an additional assessment to the respective Public Corporation and, if necessary or prudent, the Drainage Board shall have the right for the protection of the Drainage System and the public health or safety, to deny discharge of wastewater to the Drainage District.

11. **Administration, Auditing, Financial Services, and Other Overhead Expenses.**

The Drainage Board is authorized, but not required, to use the Oakland County Water Resources Commissioner, the County of Oakland, or third party personnel, equipment, or services for the operations, maintenance, or administration of the Drain. The Public Corporations agree that the costs of contract, administration, auditing, financial services, and other overhead expenses are part of the Drain costs whether provided by County personnel or third parties. This includes allocable share of reasonable personnel cost, salary, and fringe benefits as determined by the Drainage Board.

12. **Billing.** The assessments and charges as herein provided shall be billed on either a monthly or quarterly basis by the Drainage Board to the Public Corporations. It is understood and agreed, that the payment of charges for services as provided herein for each Public Corporation shall be the general obligation of such Public Corporation, and the Drainage Board shall have the right to utilize any method permitted by law for the collection of such charges due to the Drainage Board under this contract.

13. **Nonassignment.** A Public Corporation shall not assign any claim, right, or privilege it may have under this Agreement or under law from or against the Drainage District to any other Public Corporation, person, or entity whatsoever without the prior written approval of the Drainage Board.

14. **Drainage District Rules And Regulations.** The Drainage Board may establish general rules and regulations for the Drainage District consistent with applicable law, rules, and regulations controlling the quantity and quality of the discharge of the users to the Drain. Nothing herein shall prohibit the Drainage Board from establishing rules and regulations more stringent than those required by applicable law, rules, and regulations, if, in the judgment of the Drainage Board stricter rules and regulations are necessary or prudent to protect the integrity of the Drainage District. Further, each Public Corporation agrees to enforce such rules and regulations as the Drainage Board adopts from time to time.

15. **No Territorial Change of Public Corporation.** No change in the jurisdiction over territory in any Public Corporation shall in any manner impair the obligations of this Agreement, supplement or amendment. In the event all or any part of the territory of a Public Corporation is incorporated as a new city or is annexed to or becomes a part of the territory of another Public Corporation or another public corporation, the Public Corporation or public corporation into which such territory is incorporated or to which such territory is annexed, shall assume the proper proportionate share of the contractual obligations and rights in the Drainage District of the Public Corporation from which territory is taken and such a Public Corporation shall become a Public Corporation in this Agreement, based upon a division determined by the Drainage Board in its sole discretion.

16. **Term.** This Agreement shall remain in full force and effect for an initial term of thirty (30) years from the Effective Date as provided in Section 26, and shall be automatically extended for an addition ten (10) year term beyond the initial term and thereafter automatically extended for ten (10) year intervals unless terminated by the Parties as provided herein; provided that, in no event shall this Agreement be terminated if any bonds, notes or other debt of the Drainage District remain outstanding. It is understood that this Agreement shall automatically and without further action of the Parties, be extended to such date beyond the initial term and any extension thereto to coincide with the date on which all of the principal of and interest on any such bonds, notes or other debt have been fully paid. Expiration or termination of this Agreement shall not impact in any way the Parties rights, duties and obligations and the Drainage Board's rights and obligations to the continued operation, maintenance and improvement, and administration of the Drain under Chapter 20 of the Drain Code.

17. **Termination.** Following the initial term or the full payment of the principal of, and interest on, any and all bonds, notes or other debt of the Drainage District, whichever is later, this Agreement may be terminated by any Party upon a minimum of 365 calendar days written notice to each of the other Parties to this Agreement. The written notice shall state the effective date of the termination.

18. **Governing Law.** This Agreement is made and entered into in the state of Michigan and shall be interpreted, enforced, and governed under the laws of the state of Michigan. The language of this Agreement is intended to be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

19. **Lawsuits or Claims.** The Parties agree that the costs and expenses of any lawsuits, disputes, or claims of any kind arising directly or indirectly out of this Agreement to the extent such costs and expenses are chargeable against the Drainage District shall be deemed to constitute part of the cost of the Drain and shall be paid by the Public Corporations in the same manner as other costs of the Drain.

20. **Third Party Beneficiaries.** There are no intended third party beneficiaries to this Agreement.

21. **Government Function.** This Agreement does not, and is not intended to, impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege power,

obligation, duty, or immunity of the Parties. The obligations in this Agreement are in the exercise or discharge of a governmental function.

22. **Notices.** Notice of a legal nature shall be sent by certified first class mail, return receipt requested or by personal delivery as follows:

Drainage District:

Oakland County Water Resources Commissioner
One Public Works Drive, Building 95-West
Waterford, Michigan 48328

Public Corporation:

Authorized representative for such Public Corporation

All Notices shall be considered delivered to a Party on the date of receipt as represented by the return receipt or by proof of personal service. Any Notice given must be signed by an authorized representative.

23. **Entire Agreement, Amendment, Counterparts, and Enforceability.** This Agreement sets forth the entire understanding of the Parties concerning its subject matter and specifically supersedes and replaces the Act 342 Agreement. The terms and conditions are contractual and not mere recital. This Agreement may be amended by a writing executed by all Parties with persons with legal authority to bind the respective Party. This Agreement may be executed in several counterparts, each of which shall be considered an original, but all of which shall constitute one and the same instrument. The recital and whereas provisions of this Agreement are considered an integral part of this Agreement. If any provision of this Agreement is judicially determined to be invalid or unenforceable, the remainder of this Agreement (other than those found to be invalid or unenforceable) is not affected and is enforceable, provided that the invalid or unenforceable provision does not substantially alter the Agreement or make execution impractical.

24. **Public Purpose.** The Drainage Board and the Public Corporations enter this Agreement to serve the public health and welfare of the people of the state of Michigan, especially in the Drainage District.

25. **Successor and Assigns.** This Agreement is binding on, and for the benefit of, the Parties and their respective their successors and assigns, subject to the provisions of this Agreement precluding assignment.

26. **Existing Rights.** Nothing in this Agreement shall impact the existing rights or obligations of any Party.

27. **Effective Date.** This Agreement shall become effective as of the date first written above.

[Signatures on next page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective as of the date and year first above written.

**EVERGREEN-FARMINGTON SANITARY
DRAIN DRAINAGE DISTRICT**

By:_____

Its:_____

COUNTY OF OAKLAND

By:_____

Its: County Agency, pursuant to Act No. 342 of the
Public Acts of Michigan, 1939, as amended

CITY OF AUBURN HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF BEVERLY HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF BINGHAM FARMS

By: _____

Its: _____

And: _____

Its: _____

CITY OF BIRMINGHAM

By: _____

Its: _____

And: _____

Its: _____

TOWNSHIP OF BLOOMFIELD

By: _____

Its: _____

And: _____

Its: _____

CITY OF BLOOMFIELD HILLS

By: _____

Its: _____

And: _____

Its: _____

CITY OF FARMINGTON

By:_____

Its:_____

And:_____

Its:_____

CITY OF FARMINGTON HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF FRANKLIN

By:_____

Its:_____

And:_____

Its:_____

CITY OF KEEGO HARBOR

By: _____

Its: _____

And: _____

Its: _____

CITY OF LATHRUP VILLAGE

By: _____

Its: _____

And: _____

Its: _____

CITY OF ORCHARD LAKE VILLAGE

By: _____

Its: _____

And: _____

Its: _____

CITY OF SOUTHFIELD

By: _____

Its: _____

And: _____

Its: _____

CITY OF TROY

By: _____

Its: _____

And: _____

Its: _____

**CHARTER TOWNSHIP OF WEST
BLOOMFIELD**

By: _____

Its: _____

And: _____

Its: _____

INDEX OF EXHIBITS

1. Exhibit 1 (Town Outlet Capacities). Para 2.
2. Exhibit 2 (Index of Outstanding EFSDS Bonds). Para 4.
3. Exhibit 3 (Public Corporation Administrative Consent Orders). Para 5
4. Exhibit 4 (Service Area Map). Para 8.
5. Exhibit 5 (Index of Public Corporation Agreements to Accept Wastewater From Other Municipalities). Para 8.
6. Exhibit 6 (Project Preliminary Plans And Cost Estimates). Para 9.
7. Exhibit 7 (Final Order of Apportionment Assessment Percentages). Para 9.

EXHIBIT 1

TOWN OUTLET CAPACITIES

Exhibit 1
Evergreen-Farmington Sanitary Drain
Town Outlet Capacities

Meter	Most Downstream Public Corporation	Town Outlet Capacity* (cfs)	Tributary Public Corporations																		
			AHC	BFV	BHC	BHV	BIC	BLT	FAC	FHC	FRV	KHC	LVC	OLC	SOC	TRC	WBT	AP	BV	Birm	EFSD
3460	AHC	2.72	✓					✓												✓	
3707	BFV	2.63		✓							✓									✓	
3390	BHC	15.19	✓		✓			✓												✓	
3510	BHC	0.29			✓															✓	
3240	BHV	54.08	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	✓	
3230	BHV	2.26				✓														✓	
3340	BLI	6.67		✓		✓		✓		✓						✓				✓	
3320	BLT	26.34	✓		✓		✓	✓							✓				✓	✓	
3500	BLT	11.48			✓			✓							✓					✓	
3530	BLT	0.17						✓												✓	
3450	BLT	0.18						✓												✓	
3440	BLT	4.19	✓		✓			✓												✓	
3430	BLT	2.30			✓			✓												✓	
3420	BLT	1.91						✓												✓	
3640	BLT	2.89			✓			✓								✓				✓	
3630	BLT	0.91			✓			✓												✓	
3610	BLT	0.33			✓			✓												✓	
3470	BLT	0.49						✓												✓	
4840	BLT	6.88						✓								✓				✓	
4810	BLT	8.67						✓								✓				✓	
4920	FAC	7.30							✓	✓										✓	
4930	FHC	2.23								✓										✓	
4940	FHC	4.09								✓										✓	
4000	FHC	76.16						✓	✓	✓		✓		✓		✓				✓	
3910	FHC	8.07						✓		✓		✓		✓		✓				✓	
4050	FHC	32.00						✓		✓		✓		✓						✓	
4500	FHC	23.97								✓						✓				✓	
3753	FRV	0.51									✓									✓	
3763	FRV	0.15									✓									✓	
4130	KHC	3.48										✓		✓		✓				✓	
3100	LVC	2.66																		✓	
3130	LVC	6.05											✓							✓	
4110	OLC	0.49												✓		✓				✓	
4121	OLC	4.93												✓						✓	
4125	OLC	0.51												✓						✓	
3003	SOC	195.51	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
3260	SOC	2.34												✓						✓	
3700	SOC	18.26		✓							✓			✓						✓	
3800	SOC	9.88						✓		✓		✓		✓		✓				✓	
3900	SOC	9.69						✓		✓		✓		✓		✓				✓	
3520	TRC	7.86						✓								✓				✓	
3540	TRC	1.02						✓								✓				✓	
4541	WBT	3.07								✓							✓			✓	
4560	WBT	2.08															✓			✓	
4580	WBT	2.82															✓			✓	
4600	WBT	4.33															✓			✓	
4140	WBT	1.55															✓			✓	
4100	WBT	13.19										✓		✓			✓			✓	
4801	WBT	2.98						✓									✓			✓	
4820	WBT	0.74						✓									✓			✓	
4850	WBT	2.96															✓			✓	
4860	WBT	1.00															✓			✓	
4870	WBT	0.82						✓									✓			✓	
4804+4806	WBT	12.63						✓		✓							✓			✓	

Each Public Corporation's Town Outlet Capacity is limited to the particular flow from the respective meter, irrespective of whether the flow rates listed were derived from flow generated from multiple Public Corporations including tributary portion(s) of each Public Corporation. Corrective action by a Public Corporation may be required by the Drainage District because of flow generated from a tributary Public Corporation contributing to a flow rate that is greater than a Town Outlet Capacity.

* As measured on a rolling hourly average as defined as the average of uniform time step data across any 60 minute period where each 60 minute average shifts one time step.

EXHIBIT 2

INDEX OF OUTSTANDING EFSDS BONDS

<u>Name of Bonds</u>	<u>Original Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Dates</u>
Evergreen-Farmington Sewage Disposal System 8 Mile Road Pumping Station Bonds, Series 2012	\$2,415,000	4/10/2012	10/1/2013-2032
Evergreen and Farmington Sewage Disposal Systems Middlebelt Transport and Storage Tunnel Bonds, Series 2014	\$36,855,000	9/17/2014	10/1/2017-2036
Evergreen and Farmington Sewage Disposal Systems North Evergreen Interceptor Bonds, Series 2015	\$3,700,000	10/13/2015	10/1/2016-2027, 2029, 2031, 2033, 2035
Evergreen and Farmington Sewage Disposal Systems North Evergreen Interceptor Bonds, Series 2017	\$4,805,000	5/31/2017	3/1/2018-2037
Evergreen and Farmington Sewage Disposal Systems Middlebelt Transport and Storage Tunnel Bonds. Series 2017	\$995,000	9/28/2017	Mandatory redemption 9/1/2018-2027
Evergreen-Farmington Sewage Disposal System Refunding Bonds. Series 2018	\$3,065,000	2/28/2018	4/1/2019-2031

<u>Name of Bonds</u>	<u>Original Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Dates</u>
Evergreen and Farmington Sewage Disposal System Capital Improvement Bonds. Series 2018A	\$8,300,000	9/20/2018	4/1/2019-2033
Evergreen and Farmington Sewage Disposal System Capital Improvement Bonds. Series 2020A	\$3,910,000	3/26/2020	7/1/21-2029

EXHIBIT 3

PUBLIC CORPORATION ADMINISTRATIVE CONSENT ORDERS

Community	ACO #
Beverly Hills	AFO-SW-09-002
Bloomfield Hills	AFO-SW-09-004
Bloomfield Township	AFO-SW-09-003
Farmington	ACO-SW-05-005
Farmington Hills	ACO-SW-05-006
Lathrup Village	AFO-SW-09-007
Troy	AFO-SW-09-006
West Bloomfield Township	AFO-SW-09-005

EXHIBIT 4

SERVICE AREA MAP

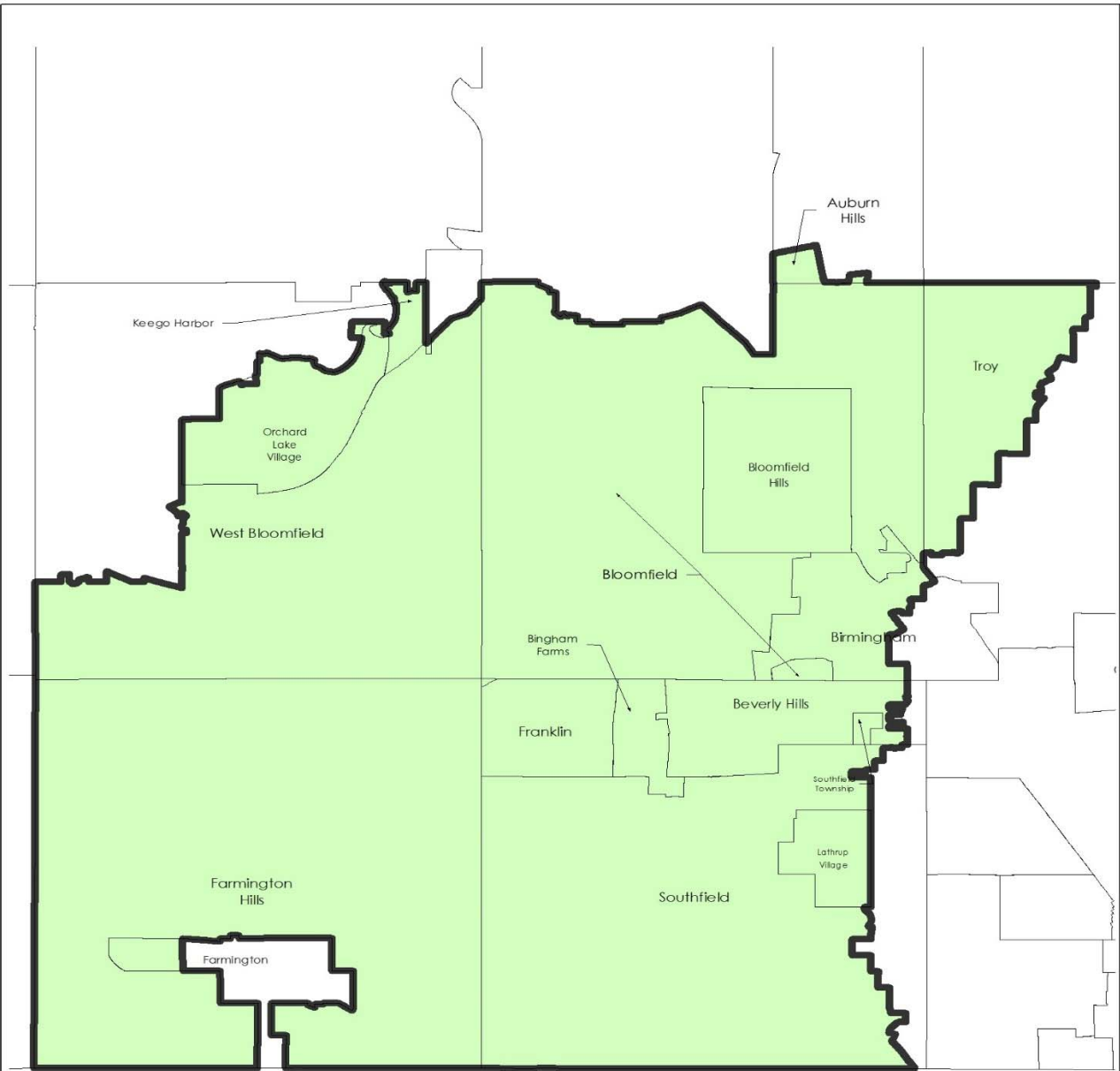


EXHIBIT B EVERGREEN-FARMINGTON AREA TO BE SERVED

Legend

- Municipal District
- Evergreen Farmington Sanitary Drain

Disclaimer: The information provided in this system has been compiled from recorded deeds, plats, tax maps, surveys and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information.



Revised: June 16/2021
C:\Users\james\OneDrive\Documents\WRC\GIS\MapDocs\ExhibitB\ExhibitB_SanitaryDrain.mxd

EXHIBIT 5

**INDEX OF PUBLIC CORPORATION AGREEMENTS TO ACCEPT
WASTEWATER FROM OTHER MUNICIPALITIES**

1. That certain Letter Agreement between the Township of West Bloomfield and the City of Sylvan Lake dated circa December 24, 1963 and countersigned on January 8, 1964 respecting the Sylvan Manor Arm.

EXHIBIT 6

PROJECT PRELIMINARY PLANS AND COST ESTIMATES

Overall Project Preliminary Plans and Cost Estimates

Total Estimated Project Cost: \$72,700,000

The Total Estimated Project Cost is \$72,700,000.00. This includes the 4 component projects described below including the following: (1) Great lakes Water Authority (“GLWA”) Capacity Purchase Project; (2) 8 Mile Road Outlet Conveyance Project; (3) Evergreen Road Conveyance, Walnut Lake Pump Station #1 Project; and (4) Lathrup Village Sanitary Retention Tank Improvements. The preliminary plans including the basis of design and other projects documents are on file with the Water Resources Commissioner’s office and have been the subject of monthly meetings of the Corrective Action Plan Steering Committee of the EFSD since 2019 and presented and discussed at the public meetings of the EFSD.

Project Name: GLWA Capacity Purchase

Owner: Evergreen-Farmington Sanitary Drain

Location: Various

Engineer of Record: Applied Science, Inc.,

Estimated Purchase Capacity: \$33,000,000

Total Estimated Project Cost: \$34,130,000

Tentative Purchase Date: December 2021-January 2022

The existing contractual outlet capacity pursuant to the August 29, 1984 Detroit-Oakland Agreement for the Use of Certain Detroit Sewers for the Evergreen – Farmington District is a maximum rate of discharge of 170 cubic feet per second (cfs). The contractual agreement includes provision for increasing the maximum rate of discharge as may be agreed to by the parties. A proposed increase in the EFSD maximum rate of discharge of 57 cfs, for a revised total contractual capacity of 227 cfs is tentatively agreed to among parties. In order to accept this additional flow, GLWA must remove offsetting flow from the system. Two projects are requested for GLWA to meet these EGLE requirements, the DWSD West Warren Sewer Separation Project and the GLWA West Warren Outfall project. The purchase capacity cost is guided by but not tied directly to the anticipated project costs from these two projects. The engineer for the GLWA Purchase Capacity is Applied Science, Inc. The anticipated negotiated purchase capacity is \$33,000,000. The cost for the corrective action plan and coordination with EGLE, GLWA and DWSD is anticipated to be \$1,250,000. Evergreen-Farmington Sanitary Drain anticipates purchasing the capacity in the last part of 2021 or early 2022.

Project Name: 8 Mile Road Outlet Conveyance

Owner: Evergreen Farmington Sanitary Drain

Location: 8 Mile Pump Station and along 8 Mile Road in Southfield, Michigan

Engineer of Record: Fishbeck

Engineer’s Estimate of Construction Cost: \$18,610,000

Total Estimated Project Cost: \$32,060,000

Tentative Bid Date: Spring of 2022

The project to allow more flow to be conveyed involves modifications to the 8 Mile Pump Station and existing discharge piping by slip lining approximately 3,800 feet of the downstream 60-inch I.D. South Evergreen Interceptor to a 54-inch diameter sewer. In addition, modifications will be made to the pump station pumping capacity to help control the water levels upstream of the 8 Mile Pump Station. A new tributary collector sewer will be constructed to capture and convey flows from areas disconnected from the newly lined section of the South Evergreen Interceptor. In addition, the 8 Mile Drain at the Evergreen Emergency SSO Chamber will be modified.

Project Name: Lathrup Village Sanitary Retention Tank Improvements

Owner: Lathrup Village

Location: 19600 Sunnybrook Avenue, Lathrup Village, Michigan

Engineer of Record: Hubbell, Roth & Clark, Inc.

Engineer's Estimate of Construction Cost: \$520,000

Total Estimated Project Cost: \$1,030,000

Tentative Bid Date: Spring of 2022

The project involves improvements and modifications to the Lathrup Sanitary Retention Basin. The major work items include electrical and mechanical improvements to the SRT heating, influent pumping and dewatering systems; structural restoration to the roof and walls; upgraded instrumentation and controls; SCADA improvements; piping and valve system changes; and revised operational controls. The improvements will allow Lathrup Village to discharge its town outlet capacity during wet weather when the Evergreen Interceptor levels are elevated. A cost sharing agreement for the design and construction will be utilized on this project between Lathrup Village and the Evergreen Farmington Sanitary Drain.

Project Name: Evergreen Road Conveyance Project – Walnut Lake Pump Station #1 Corrective Action Plan

Owner: Evergreen-Farmington Sanitary Drain

Location: Evergreen Road 8 Mile to 14 Mile

Engineer of Record: Applied Science, Inc.

Engineer's Estimate of Construction Cost: \$2,900,000

Total Estimated Project Cost: \$5,480,000

Tentative Bid Date: January-February 2022

The project will increase Evergreen Interceptor operating levels and coordinated operations of facilities in the EFSDS and customer communities to avoid SSOs through certain modifications to Walnut Lake Pump Station #1 for continued operations during wet weather. This may include grade separation stations, sealed manholes, and other system improvements.

Below is a chart of the estimated cost for the respective Public Corporation.

Public Corporation	Peak Share			Total Estimated Cost
Auburn Hills	0.460%			334,420
Bingham Farms	0.690%			501,630
Bloomfield Hills	1.440%			1,046,880
Beverly Hills	5.750%			4,180,250
Birmingham	0.110%			79,970
Bloomfield Twp	9.540%			6,935,580
Farmington	0.340%			247,180
Farmington Hills	28.290%			20,566,830
Franklin	0.210%			152,670
Keego Harbor	0.320%			232,640
Lathrup Village	3.060%			2,224,620
Orchard Lake Village	0.370%			268,990
Southfield	38.170%			27,749,590
Troy	3.150%			2,290,050
West Bloomfield Twp	8.100%			5,888,700
Total	100.000%			72,700,000

EXHIBIT 7

FINAL ORDER OF APPORTIONMENT ASSESSMENT PERCENTAGES

City of Auburn Hills	0.46%
Village of Beverly Hills	5.75%
Village of Bingham Farms	0.69%
City of Birmingham	0.11%
Charter Township of Bloomfield	9.54%
City of Bloomfield Hills	1.44%
City of Farmington	0.34%
City of Farmington Hills	28.29%
Village of Franklin	0.21%
City of Keego Harbor	0.32%
City of Lathrup Village	3.06%
City of Orchard Lake Village	0.37%
City of Southfield	38.17%
City of Troy	3.15%
Charter Township of West Bloomfield	<u>8.10%</u>
	100%

August 06, 2021

Village of Franklin
32325 Franklin Road
Franklin, Michigan 48025

Attention: Village President and Council Trustees
Roger Fraser, Village Administrator

Re: Proposal for Professional Study/Design Engineering Services
2021 Village Drainage Studies (Flooding Investigations)

HRC Job No. 20210744.86

Dear Ladies and Gentlemen:

Thank you for the opportunity to allow Hubbell, Roth & Clark, Inc. (HRC) to submit this proposal for professional study and design engineering services. The Village recently experienced significant occurrences of flooding as the majority of southeastern Michigan has over the past several months. We understand that there are four (4) locations that experienced significant flooding that the Village would like to have investigated. This proposal contains scope of services and associated costs for implementation of drainage studies for these locations.

Background:

Southeastern Michigan, including the Village of Franklin, has experienced some of the highest intensity rainfall events on record thus far in the summer of 2021. More importantly, these significant rain events have caused regional basement and street flooding, river and stream overflows, and consequently, building and utility infrastructure damage. Earlier in the summer, several sections of Franklin Road as well as some sections of other residential streets in the Village were impassable due to flooded roadways. Most recently, on July 24, 2021, the Village had four (4) areas that experienced significant flooding:

- 1) Franklin Road at Carol,
- 2) Franklin Road at Vincennes,
- 3) Franklin Road, between Evelyn Court and Vincennes, and
- 4) Greenbriar (at the east end of the road).

Review of the rain gauge data at a nearby station on Inkster Road in West Bloomfield indicated that for the recent July 24th rain event, approximately 1.13" of rain fell in an approximate 10 min period (which equates to a 65-year storm event, or a 1.5% chance of occurring in any given year) and 2.24" of rain fell in an approximate 30 min period (which equates to a 179-year storm event, or a 0.56% chance of occurring in any given year). Primarily due to the flooding occurrences this summer, the Village has expressed concerns with the existing drainage in these areas and have requested HRC to evaluate the storm sewer pipes and ditches, their limitations and/or deficiencies, the topography, and to offer recommendations for resolution of the drainage issues.

Scope of Study/Design Engineering Services and Fees:

Based on the above expectations for the four (4) drainage studies, the estimated timeline and fees for our services is as follows:

Delhi Township 2101 Aurelius Rd. Suite 2A Holt, MI 48842 517-694-7760	Detroit 535 Griswold St. Buhl Building, Ste 1650 Detroit, MI 48226 313-965-3330	Grand Rapids 1925 Breton Road SE Suite 100 Grand Rapids, MI 49506 616-454-4286	Howell 105 W. Grand River Howell, MI 48843 517-552-9199	Jackson 401 S. Mechanic St. Suite B Jackson, MI 49201 517-292-1295	Kalamazoo 834 King Highway Suite 107 Kalamazoo, MI 49001 269-665-2005	Lansing 215 S. Washington SQ Suite D Lansing, MI 48933 517-292-1488
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1. Visit each location, observe and document site conditions: HRC would complete this task within two (2) days at a cost not to exceed **\$1,500**.
2. Obtain minimal topography at each location: HRC would complete this task within one (1) week at a cost not to exceed **\$2,000**. This work may be done in conjunction with the site visits as schedule allows.
3. Provide Recommendations for Remediation/Improvements and Estimated Costs: HRC would complete this task within four (4) weeks of the completed site visit and survey work at a cost not to exceed **\$5,500**. Work would include deliverables in the form of minimal drawings with obtained survey grades and proposed improvements if drawings are necessary and/or letters with description of the proposed improvements and the estimated costs for the improvements.

Summary:

In summary, the overall budget to investigate and provide recommendations for improvements along with the associated engineering fees can be accomplished at a cost not to exceed **\$9,000**. This does not include preparation of a bid package, bidding assistance, or construction engineering costs. HRC will provide a cost estimate for these costs as requested.

At this time, we are requesting your authorization to proceed in this manner. We are available to discuss this matter in more detail should you so desire. If you have any questions or require any additional information, please feel free to contact our office at 248-454-6300.

Very truly yours,

Accepted By:

HUBBELL, ROTH & CLARK, INC.

Village of Franklin



James F. Burton, P.E.
Vice President

Signature: _____



Edward Zmich
Project Manager

Written Name: _____

Title: _____

EDZ/edz

Dated: _____

pc: Village of Franklin; Heather Mydloski
HRC; Business Office, File

August 06, 2021

Village of Franklin
32325 Franklin Road
Franklin, Michigan 48025

Attention: Village President and Council Trustees
Roger Fraser, Village Administrator

Re: Proposal for Professional Design Engineering Services
Storm Sewer Maintenance Services Contract (RFP)

HRC Job No. 20210745.86

Dear Ladies and Gentlemen:

Thank you for the opportunity to allow Hubbell, Roth & Clark, Inc. (HRC) to submit this proposal for professional design engineering services. We understand that the Village wishes to embark on an annual Storm Sewer Maintenance Program as it pertains to the Village's storm water assets (i.e., sewer pipes, drainage structures, outfalls, etc.). In accordance with recent discussions between HRC and the Village, as Consulting Engineers for the Village, HRC has prepared the proposal as per the following guidelines:

- 1) Develop a Request for Proposal (RFP) for a Storm Sewer Maintenance Services Contract and solicit bids from prospective contracting firms, complete with maps, details and technical specifications, to perform annual Village-wide storm sewer maintenance services, including sewer televising, cleaning, and grouting, lining, and/or replacement, as required, for a program duration of three (3) years with optional one (1) year extensions, and
- 2) The first year's work – 2021 – would entail the preparation of maps, details and specifications for a proposed Storm Sewer Maintenance Program within the downtown area which would include sewer televising, cleaning, and grouting, lining, and/or replacement, as required, for all assets within the Franklin Road storm sewer system (between 14 Mile and Scenic Hwy), the Carol Street drain (from Carol Street dead end in the FCA field to the Franklin Branch of the River Rouge outfall east of Bowden).

Background:

In accordance with the Village President's email request in April 2021, HRC provided a map of the Village's storm structures, outfalls and pipe for the entire Village as well as a zoomed in map of downtown Franklin Road and the surrounding area. (See maps attached). Mr. Lamott had communicated with the State Representative Kyra Bolden's staff about potential funding to inspect, clean and repair Village-owned storm sewers that were not rehabilitated as part of the recent Franklin Road Streetscape project. That project's consultants, Nowak & Fraus, Inc. sent HRC their plans from the streetscape project early this year; however, the plans were not clear as far as which of the structures and pipe were rehabilitated and/or cleaned as part of their project. We do know that additional storm structures were added along the downtown area to accommodate the new streetscape. Nowak & Fraus, Inc. stated they would give us a breakdown later when the record drawings are complete.

Delhi Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
1925 Breton Road SE
Suite 100
Grand Rapids, MI 49506
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
401 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-665-2005

Lansing
215 S. Washington SQ
Suite D
Lansing, MI 48933
517-292-1488

Further, as similarly stated in our proposal for the implementation of drainage studies for four (4) areas that experienced significant flooding during the June and July rain events, the Village has great concerns with the flooding occurrences that have occurred this summer, in particular, along Franklin Road, where several sections were impassable during the recent flooding occurrence.

Development of Contractor RFP's:

Based on the aforementioned, we are of the understanding that the Village would like to have a bid package prepared to investigate, evaluate and clean the storm sewer pipes and outfalls and to administer an improvement project for rehabilitation of the storm water assets, as required.

From our GIS records, the total number of known manholes and catch basins in the Village are 94 and 34, respectively, with 30 and 13 of them, respectively, being in the vicinity of downtown Franklin and the Carol Street Drain. Further, the total length of known storm sewer pipes in the Village is approximately 10,800 lft. with 3,300 lft. being in the vicinity of downtown Franklin and the Carol Street Drain. Finally, there are 86 total outfalls in the Village, with only 1 in the downtown area (at the end of the Carol Street Drain); however, a cost to inspect these will not be included herein as these inspections are done as part of the MS4 Program.

With this, HRC will prepare the sewer inspection (televising, cleaning) and rehabilitation (grouting, lining, replacement) contract provisions, the associated bid specifications, GIS maps, insurance and bond requirements, and bid the **Village-wide** project. The Sewer Maintenance Services Contract will be set up with the following expectations:

1. The Village, with HRC's assistance, will take bids and award a three (3) year Contract to a sewer maintenance contractor so the work could commence in Fall, 2021, if required.
2. The new 3-year Contract would be bid and awarded with the flexibility and understanding of the contractor that the Contract may be extended an additional one (1) to two (2) year period.
3. The first year's work – 2021 – would include work for all storm water assets within the downtown area, which includes the Franklin Road storm sewer system (between 14 Mile and Scenic Hwy) and the Carol Street drain (from Carol Street dead end in the FCA field to the Franklin Branch of the River Rouge outfall east of Bowden).
4. The Village will need to establish a budget that will be allocated each year, including contingency and engineering costs. A list of sewers to be investigated and structures to be rehabilitated (based on HRC inspection of them) would be compiled each January (or at another time as per the Village Administrator) and given to the contractor to match the budget for that fiscal year.
5. HRC will perform inspection of the storm manholes and catch basins using Manhole Assessment Certification Program (MACP) ratings. The selected contractor would be responsible for rehabilitation of storm structures, as per HRC's direction.
6. The contractor will be expected to provide a log and video (on flash drive, external hard drive, or cloud-based delivery) of all sewers before and after any type of rehabilitation upon project completion and before final payment is made.
7. The Village and HRC will require the contractor to provide unit prices for pipe sizes ranging from 12" to 36" in diameter with the understanding that the majority of the sewers are 12", 15" and 36" (Carol Street Drain) for each year of the proposed Program.

Scope of Design Engineering Services and Fees:

Based on the above expectations for the Sewer Maintenance Services Contract, we offer the proposed contractor RFP preparation costs and timeline as indicated below. As part of the process, we would also develop a contractor prequalification specification, evaluate all submittals, and provide written recommendations on contractor selection. The tasks, time frames, and estimates of cost to develop the contractor RFPs are as follows:

1. Prepare the Request for Proposals and Prequalification Requirements, Statement of Qualifications, Sewer Lining Contract Provisions, Bid Specifications, Maps (GIS), Insurance and Bond Requirements: HRC would complete this task utilizing our standard specifications format and requirements as a basis within two (2) months at a cost not to exceed **\$8,500**. Included under this task is the following:
 - a. Notify/coordinate this project with Utility Agencies to assist in avoiding future conflicts.
 - b. Access asset inventory/database and record drawings in GIS system and identify the sewer sections to be included in the program.
 - c. Prepare preliminary Construction Documents and Cost Estimates and provide them to the Village for review.
 - d. Conduct Design Coordination Meetings at the beginning of the project and at 50% Construction Document Completion Stages, if required.
 - e. Assist Village staff with the planned public engagement effort, including flyer creation and distribution.
 - f. Prepare permit applications for EGGLE Wetland/JPA, Oakland County Soil Erosion Control, and RCOC ROW permits (as required).
 - g. HRC will prepare and provide the bid package (final maps, details, specifications, Engineer's estimate, and other bid documents, as required) and assist with advertising for bidding.
2. Evaluate the Proposals and Qualifications of the Applicants: HRC and the Village's Administrator will assist in the bidding process, review the submittals, check references, and make recommendation for award to the Village Council. HRC would complete this task within two (2) to three (3) weeks of the submittals at a cost not to exceed **\$3,200**. Should pre-award interviews or facility visits be necessary, this cost would be additional.
3. Village Council Meetings and Preparation of Contract Documents: After HRC and the Village's Administrator have evaluated all Applicants and made their recommendation, HRC will assist the Village in documenting the process. In addition, HRC would attend the Village Council Meeting for the award and prepare the Contract Documents. This task would be done at a cost not to exceed **\$1,500** and be completed within one (1) to two (2) weeks of the Council meeting discussed above.

In addition to the above services for preparation of the RFPs, HRC will provide the following detailed tasks during the design and project planning stages.

1. HRC's GIS Department will assign a unique identification number to each structure and pipe drawn in the GIS which will serve as the link to the remaining attributes and any future inspection data collected by the Village. It is important that all pipes and structures be assigned an ID prior to any inspection or CCTV work being completed. This task would be included in the cost for preparation of the RFP's, as described above.
2. HRC will perform storm manhole and catch basin inspections of the storm sewer system for the entire

Village using Manhole Assessment Certification Program (MACP) ratings. The selected contractor will be responsible for rehabilitation of storm structures, as per HRC's recommendations. As far as the estimated cost for this task, as mentioned earlier, until we receive more detail from Nowak & Fraus, our office's estimated cost would be approximately **\$11,500** for inspection of the approximate 130 known structures.

Design Engineering Fees:

Based on the services described herein, we estimate the total design engineering fees to be as follows:

Task 1 – Prepare the Request for Proposals (RFP) Bid Package	\$ 8,500
Task 2 – Evaluate the Proposals and Qualifications of the Applicants	\$ 3,200
Task 3 – Village Council Meetings and Preparation of Contract Documents	\$ 1,500
Task 4 – Storm Manhole and Catch Basin Inspection	\$ 11,500
Total Not-to-Exceed Fee	\$ 24,700

Estimated Construction Costs:

Estimated construction costs to clean, inspect, televise, and rehabilitate the storm system for the entire Village, including the downtown area and Carol Street Drain, would be as follows. Note that a 10% contingency is included in the costs below.

Village-Wide Summary (includes Downtown/Carol Drain):

Cleaning of Village-owned Storm Manholes and Catch Basins	\$ 93,060
Televising and Cleaning of Village-owned Storm Sewer Pipes	\$ 102,578
Total Estimated Construction Cost – Village-Wide Cleaning	\$ 195,638

Downtown Area/Carol Street Drain Summary:

Cleaning of Village-owned Storm Manholes and Catch Basins	\$ 36,850
Televising and Cleaning of Village-owned Storm Sewer Pipes	\$ 58,388
Total Estimated Construction Cost – Downtown/Carol Drain Cleaning	\$ 95,238

Further, the estimated construction cost would be approximately \$250,000 to \$300,000 (assuming approximately half of the pipes need lining or replacement) for rehabilitation of the structures (grouting, pointing) and pipes (lining or replacement). These costs will be refined once the structure and pipe inspections are complete.

Clarifications:

1. Construction Engineering services are not included in this proposal and will be outlined after the bid opening. HRC will provide an additional proposal to include construction engineering, construction administration, materials testing (if needed), progress meetings, record drawing preparation, and full-time construction observation.
2. Grading easement acquisition services are not included in this proposal but can be provided on a time and material basis if needed.

Summary:

In summary, we estimate the overall design engineering budget to develop the Request for Proposal (RFP) for a Storm Sewer Maintenance Services Contract, with the first year's work being the storm system in the downtown area and Carol Street Drain, to be a cost not to exceed **\$24,700**. This does not include construction engineering costs which HRC will provide after bidding upon the Village's request. This also does not include an evaluation of current sewer conditions or establishing priority lists for the actual work to be performed. HRC may also will provide a cost estimate for that as requested.

We believe this is the most cost-effective way to proceed with annual sewer maintenance work. At this time, we are requesting your authorization to proceed in this manner. We anticipate that the preparation of the Sewer Maintenance Services Contractor RFP's and all the associated documents mentioned herein as well as the bid and recommendation for award of a contractor can be completed prior to the end of summer, 2021 so that the sewer investigations could begin in Fall, 2021, if necessary. We are available to discuss this matter in more detail should you so desire.

Very truly yours,

Accepted By:

HUBBELL, ROTH & CLARK, INC.

Village of Franklin



James F. Burton, P.E.
Vice President

Signature: _____



Edward Zmich
Project Manager

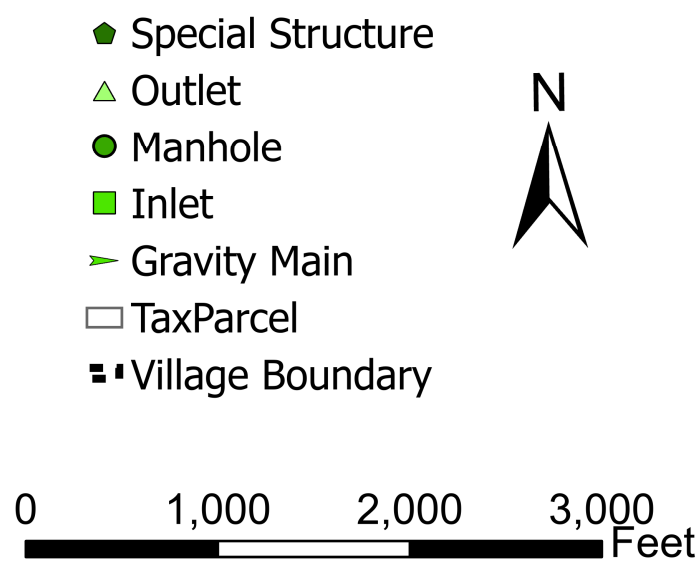
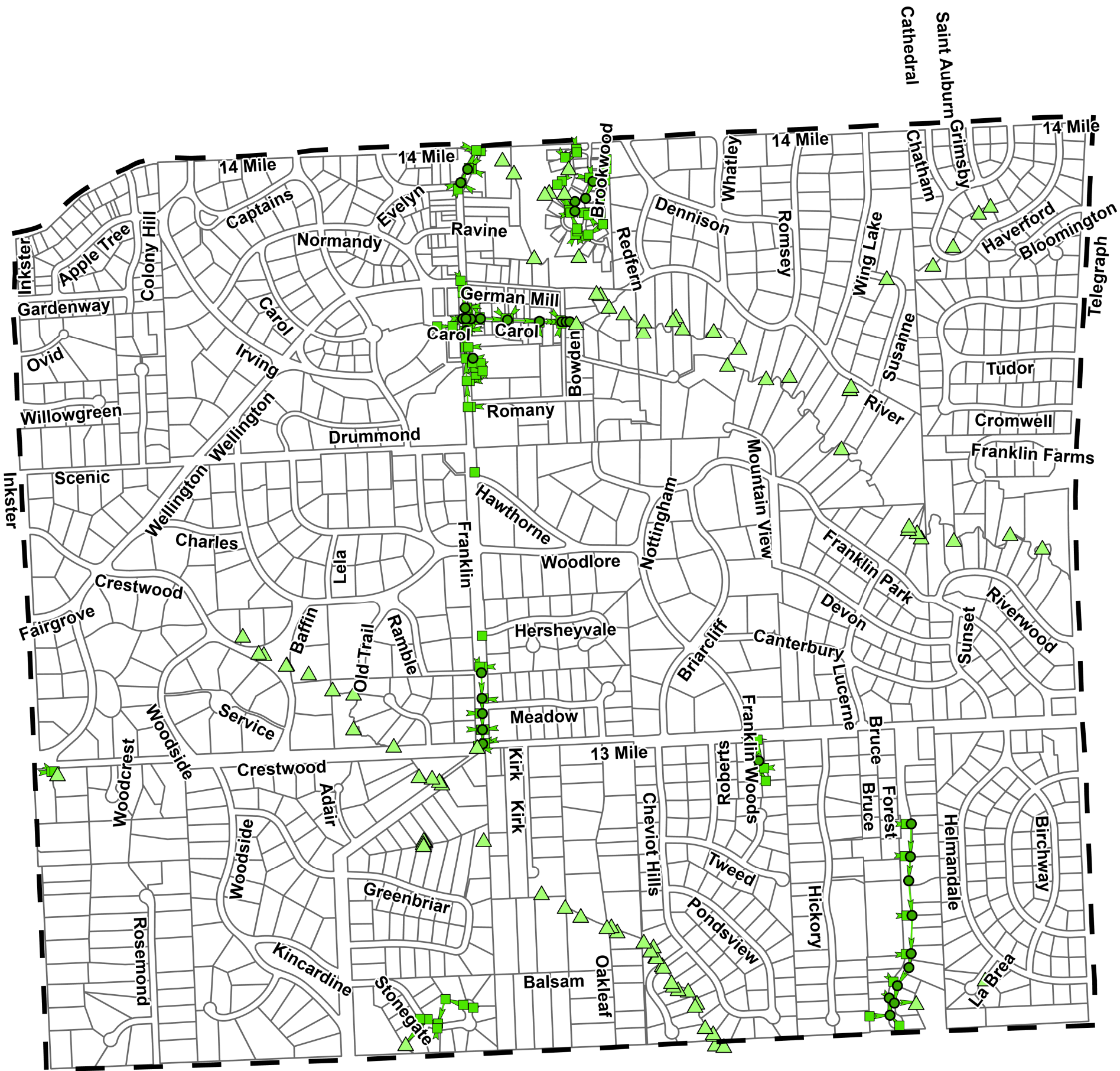
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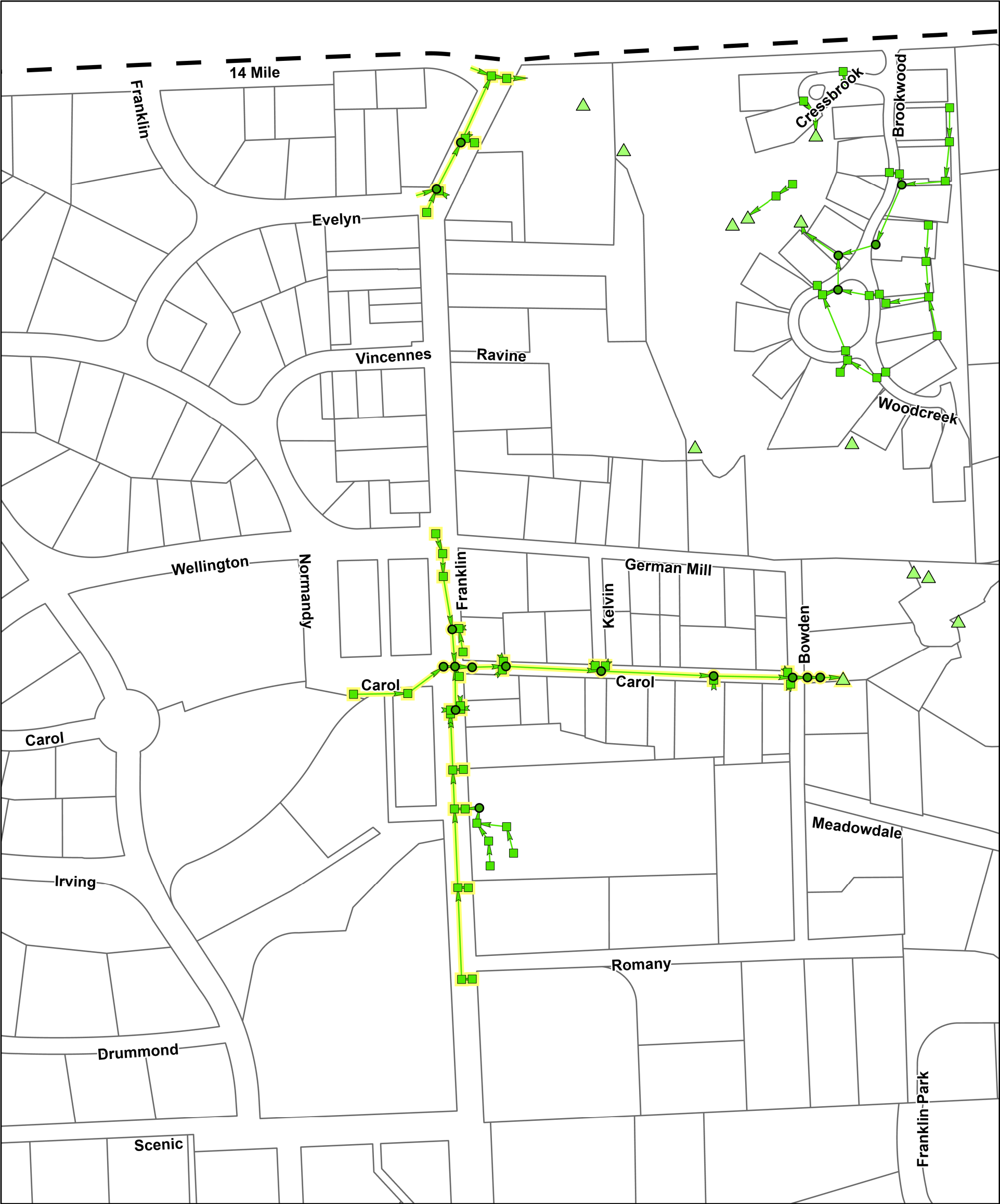
EDZ/edz

Dated: _____

pc: Village of Franklin; Heather Mydloski
HRC; Business Office, File



Village of Franklin Storm Water System



- ◆ Special Structure
- ▲ Outlet
- Manhole
- Inlet
- Gravity Main
- TaxParcel
- ▬ Village Boundary
- Included in Summary Table



0 250 500 750 Feet

Village of Franklin Franklin Road Storm Water System



HRC
HUBBELL, ROTH & CLARK, INC
CONSULTING ENGINEERS SINCE 1915



Village of Franklin
32325 Franklin Road
Franklin, Michigan 48025
Phone: (248) 626-9666
FAX: (248) 626-0538

Memo

To: Bill Lamott, Village President and Village Council

From: Heather Mydloski, Village Clerk

Date: 08-04-2021

Re: ZBA Alternate Appointment

Hello Trustees,

The Zoning/Sign Board of Appeals Chairman, Randy Brakeman came into my office and requested that the Council consider the appointment of two (2) Alternates per the provision for such in the Village Charter. He reiterated that not having a full Board could have a negative impact on the owner/appellant. He explained that if a Board member is absent or needs to recuse themselves for a conflict of interest, an alternate may become necessary to maintain the minimum quorum prerequisite of five (5) Board members. He cautioned that a full Board was advantageous as when a case is denied, the appellant cannot bring the same case before the ZBA.

So, you are aware, we have added a tab to the Newsletter that has a link to a Board Application on our website, giving full accessibility for all to apply to any Board. I have included supporting documentation for you: One (1) Application, Mark Ziessow's Appointment documentation, The Village Ordinance, and two (2) Excerpt's from Michigan Zoning Enabling Act 110 of 2006.

Aug 4, 2021

To Franklin Village Council

This is a letter of recommendation for Nick Bevins to be appointed as an alternate to the ZBA.

He did serve as a regular member of the ZBA earlier this year for several meetings. He was filling out the balance of a term. He did an excellent in our virtual meetings. The virtual forum itself was very difficult, because the actual meeting flow better.

Yet as a new member he was very well prepared, and articulate. He has demonstrated a knowledge and understanding of how our ordinances apply to the cases that are presented to us.

He is an independent thinker who has offered logical points of view and often asks pointed questions.

This promotes discussion, and alternative points of view, which is healthy for the board.

I considered him a valuable member of the board. I would like to have him available as an alternate.

His prior experience would be invaluable.

I strongly support his nomination as an alternate.

Sincerely,

Randy Brakeman
Chairman ZBA
27390 Wellington
248-882-0100

Letter of Recommendation for Nicholas Bevins to be an alternate on the Zoning Board

Dear Village Council,

I would like to recommend Nick Bevins to serve as an alternate to the Zoning Board. During the last year Nick has participated in multiple Planning Commission meetings as a villager in the public comment sections. Each time he participated he showed a commitment to the issue at hand and was respectful to all parties involved. After getting to know Nick better, I learned that even though he was finishing a short term on the Zoning Board, he spent personal time and effort to get certified by the Michigan Board of Planning's zoning appeals board course. You would be hard pressed to find someone as dedicated to not only show up to meetings, but also spend time outside the meetings to make sure they are trained well enough to do the job. This position, though important, is run by volunteers. Having spent decades running and participating in volunteer organizations, Church, Scouting BSA, etc., the volunteers that take the effort to be trained tend to be the most dedicated and pillars of support to the rest of the committee members. Please consider strongly in choosing Nick for this role.

Best Regards,
Stuart

Stuart N. Wooters PhD
Planning Commissioner
Village of Franklin

Zoning Board of Appeals Alternate Application
Submitted as part of the September 2021 Village Council Meeting

Nicholas Bevins
25838 Hersheyvale Drive
Franklin, MI 48025

Village Council Members,

I submit this application for your consideration for an alternate member to the Franklin Zoning Board of Appeals. I served on the ZBA for several months earlier this year and believe I was an effective, fair, and involved member during my tenure. While I was not selected to continue in that seat on the board, I continue to remain interested in serving in whatever capacity is available. I find the work on the ZBA of particular interest to me and feel that it is a good opportunity for me to give back to the Village in a way that suits my experience and skills. To that end, I completed the recent Zoning Board of Appeals training put on by the Michigan Association of Planning on June 30. I hope that my initial experiences and training from both this session and my short stay on the ZBA earlier this year make me a good candidate for this alternate position. I also hope that you'll consider reviewing previous ZBA minutes from the meetings I attended to see that I was actively involved in finding creative ways to balance the interests of fellow community members with the overall goals of the Village outlined in the ordinances.

Please reach out to me using the contact information on the following page if you need further clarification or information on my application. Thank you very much for your consideration.

Best,

A handwritten signature in black ink, appearing to read 'Nick Bevins', written in a cursive style.

Nick Bevins



APPLICATION FOR VILLAGE BOARD OR COMMISSION

(Please print clearly)

Zoning Board of Appeals
Board/Commission of Interest

Name Nicholas Bevins

Address 25838 Hersheyvale Drive, Franklin, MI

Home Phone 814-777-4083 Cell Same

Email nickbevins@gmail.com

Length of Residence 7 years Occupation Medical Physicist

Reason for Interest: I served on the ZBA previously from Mar-Jun 2021 when I was appointed to fill a vacated seat. In that time, I participated in several ZBA calls and found that my involvement on board was a very rewarding way to give back to the Village. In addition to working with my fellow ZBA members, I enjoyed the interactions with the applicants of the cases, the opportunity to explore parts of the Village I hadn't yet seen, and to become more familiar with the ordinances of the Village. While I was not selected to remain in that seat, I am still interested in being part of the board and volunteering my time and abilities to help keep the Village the wonderful place we all call home. I feel that my background in regulatory work and committee experience makes me a strong candidate for this position.

Related Employment: Medical Physicist, Henry Ford Health, July 2014-present. This position has extensive involvement in regulatory compliance across a wide variety of agencies and governing bodies. Many parts of the job involve the interpretation and implementation of rules in much the same way the ZBA operates. I am often challenged with finding creative ways to remain within the spirit of the law or regulation, while remaining practical to a given set of constraints.

Education: Ph.D., Medical Physics, University of Wisconsin-Madison, 2012; M.S., Medical Physics, UW-Madison, 2009; B.S., Physics, Pennsylvania State University, 2007

Past Experience or Other Relevant Information: I was a full ZBA member in the beginning of 2021. As part of my previous ZBA involvement, I attended the Michigan Association of Planning Zoning Board of Appeals Training on June 30, 2021. I am also an active committee member and chairperson across a number of local, national, and international committees which aim to create standards and regulations across a variety of healthcare areas. My full CV is attached for the list of committees, and I'm happy to provide further information for any questions as part of my application.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the Village of Franklin from which you or they derive direct compensation or financial benefit? If yes, please explain:

No, I have no conflicts of interest to declare

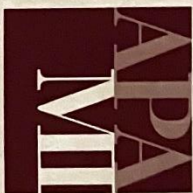
Are you an elector in the Village of Franklin? Yes

Matthew B. Berin

Signature of Applicant

8/4/21

Date



Michigan Association of Planning

Certificate of Completion

This certifies that

Nicholas Bevins

*has successfully completed the Zoning Board of Appeals training held in
Oakland County, Michigan, on June 30, 2021.*

Amy M. Vansen

Amy M. Vansen, AICP
Director of Information and Programs

Andrea Brown

Andrea Brown, AICP
Executive Director

Nicholas B. Bevins

CONTACT	Department of Radiology Henry Ford Hospital 2799 W. Grand Blvd Detroit, MI, 48202	<i>Cell:</i> (313) 694-0187 <i>Office:</i> (313) 916-2878 <i>Email:</i> nick@rad.hfh.edu
EMPLOYMENT	Senior Staff Physicist , Henry Ford Health System, Detroit, MI · Vice Chair, Radiology · Division Head, Imaging Physics · Program Director, Imaging Physics Residency · Primary Areas of Interest: Informatics, CT, Mammography, Fluoroscopy	2014–present 2021–present 2017–present 2017–present
EDUCATION	Imaging Physics Residency , Henry Ford Health System, Detroit, MI Ph.D., Medical Physics , The University of Wisconsin–Madison · Dissertation topic: X-ray phase contrast imaging and computed tomography B.S., Physics , The Pennsylvania State University · <i>Phi Beta Kappa</i> , with <i>Honors and Distinction</i> , Schreyer Honors College	2012–2014 2007–2012 2003–2007
CERTIFICATIONS	American Board of Radiology · Diagnostic Medical Physics	 2015
PROFESSIONAL	American Association of Physicists in Medicine (AAPM) · Chair, Working Group on DICOM Coordination · Vice Chair, Working Group on DICOM Coordination · Chair, Imaging Informatics Subcommittee · Vice Chair, Imaging Informatics Subcommittee · Co-Chair, TG 270: Display QA · Member, Science Council · Member, Imaging Physics Committee · Member, WG on Diagnostic Demand and Supply Projection · Member, WG on IEC Coordination · Member, TG 260: Use of Handheld Devices for Viewing Medical Images · Member, TG 322: Task Group for Color Displays in Medicine · Member, TG 316: Ultrasound Display Presentation Consistency · AAPM Representative, DICOM WG 02: Projection Radiography · AAPM Representative, DICOM WG 11: Display Function Standard Radiological Society of North America (RSNA) · Physics Captain, RSNA Educational Exhibits Award Committee · Member, RSNA Educational Exhibits Award Committee Digital Imaging and Communications in Medicine (DICOM) · Member, DICOM Standard Committee · Member, DICOM Working Group 02: Projection Radiography · Member, DICOM Working Group 11: Display Function Standard · Member, DICOM Working Group 28: Physics · Member, DICOM Working Group 33: Data Archive and Management	 2019-present 2015-2018 2021-present 2016-2020 2014-2019 2019-present 2016-2018, 2021-present 2019-present 2020-present 2015-2018 2017-present 2018-present 2015-present 2015-present 2014-2018 2013 2019-present 2016-present 2016-present 2016-present 2020-present

	American Board of Radiology (ABR)	
	<ul style="list-style-type: none"> · Item Writer, Diagnostic Medical Physics OLA Committee · Oral Examiner 	2017-present
	International Electrotechnical Commission (IEC)	
	<ul style="list-style-type: none"> · Special Expert, SC 62B/WG 51, Medical Image Display Systems 	2020-present
	Peer Reviewer	
	<ul style="list-style-type: none"> · Medical Physics · Journal of Applied Clinical Medical Physics (JACMP) · Journal of Digital Imaging (JDI) 	
TEACHING	Henry Ford Health System	
	<i>Imaging Physics Lectures</i>	2012-present
	<ul style="list-style-type: none"> · Provide physics education lectures and hands-on demonstrations to radiologists, radiology residents, technologists, and staff 	
INVITED PRESENTATIONS	<p>Nicholas Bevins, Joel Gray, Mark Supanich, Zheng Feng Lu, Jeff Frimeth, “Considerations for Evaluating Color Displays,” 63rd Annual Meeting of The American Association of Physicists in Medicine (AAPM) (2021)</p> <p>Nicholas Bevins, Alisa Walz-Flannigan, Michael Flynn, “Display QC,” 60th Annual Meeting of The American Association of Physicists in Medicine (AAPM) in Nashville, TN (2018)</p> <p>Alisa Walz-Flannigan, Nicholas Bevins, Michael Silosky, “Update On Task Group 270: Display Quality Assurance,” 59th Annual Meeting of The American Association of Physicists in Medicine (AAPM) in Denver, CO (2017)</p>	
PUBLICATIONS	<p>Edward H. Lee, Jimmy Zheng, Errol Colak, Maryam Mohammadzadeh, Golnaz Houshmand, Nicholas Bevins, Felipe Kitamura, Emre Altinmakas, Eduardo Pontes Reis, Jae-Kwang Kim, Chad Klochko, Michelle Han, Sadegh Moradian, Ali Mohammadzadeh, Hashem Sharifian, Hassan Hashemi, Kavous Firouznia, Hossien Ghanaati, Masoumeh Gity, Hakan Doğan, Hojjat Salehinejad, Henrique Alves, Jayne Seekins, Nitamar Abdala, Çetin Atasoy, Hamidreza Pouraliakbar, Majid Maleki, S. Simon Wong, Kristen W. Yeom, “Deep COVID DeteCT: an international experience on COVID-19 lung detection and prognosis using chest CT,” <i>Digital Medicine</i> 4(11), (2021). [Link]</p> <p>Yener Yeni, Daniel Oravec, Joshua Drost, Nicholas Bevins, Courtney Morrison, and Michael Flynn, “Bone Health Assessment via Digital Wrist Tomosynthesis in the Mammography Setting,” <i>Bone</i> 144(2021), 115804 (2020). [Link]</p> <p>Ran Zhang, Xin Tie, Zhihua Qi, Nicholas Bevins, Chengzhu Zhang, Dalton Griner, Thomas Song, Jeffery Nadig, Mark Schiebler, John Garrett, Ke Li, Scott Reeder, Guang-Hong Chen, “Diagnosis of COVID-19 Pneumonia Using Chest Radiography: Value of Artificial Intelligence,” <i>Radiology</i> 236(2), 420-426 (2020). [Link]</p> <p>Nicholas Bevins, Michael Silosky, Aldo Badano, Rebecca Marsh, Michael Flynn, Alisa Walz-Flannigan, “Practical Applications of AAPM Report 270 in Display Quality Assurance: A Report of Task Group 270,” <i>Med. Phys.</i> 47(9), e920-e928 (2020). [Link]</p> <p>Nicholas Bevins, Michael Flynn, Michael Silosky, Rebecca Marsh, Alisa Walz-Flannigan, Aldo Badano, “AAPM Report 270: Display Quality Assurance,” <i>AAPM</i> (2019). [Link]</p>	

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Ke Li, **Nicholas Bevins**, Joseph Zambelli, and Guang-Hong Chen, “Fundamental relationship between the noise properties of grating-based differential phase contrast CT and absorption CT: Theoretical framework using a cascaded system model and experimental validation,” *Med. Phys.* **40**(2), 021908 (2013). [\[Link\]](#)

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Nicholas Bevins, Alan Jackson, “Measurements of Radium-223 Activity in Nuclear Medicine Department,” *HPS* (2013).

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RECEIVED

FEB 11 2020

VILLAGE OF FRANKLIN

APPLICATION FOR VILLAGE BOARD OR COMMISSION

(Please print clearly)

Zoning Board of Appeals
Board/Commission of Interest

Name Mark ZiessowAddress 32695 RedfernHome Phone 248-626-2613 Cell 248-515-5413

E-mail _____

Length of Residence 40 yrs Occupation Sales Assoc.Reason for interest want the right things done in the village

Related Employment Experience (Please indicate dates)

A. Pro Contractor Sales Home DepotB. Tree and landscape Contractor

C. _____

Education: High School College

Past Experience or Other Relevant Information (Village Boards, Churches, Civic or Community Group, Memberships, Associations, etc. Attach resume or additional page if necessary):

Subdivison President, Past time with Fire Dept.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the Village of Franklin from which you or they derive direct compensation or financial benefit? If yes, please explain:

No.Are you an elector in the Village of Franklin? yesSignature of Applicant Mark ZiessowDate 2-11-2020

the quoted price of \$18,636.00, payable in annual installments of \$6,824.70 for three years with the first year's payment to include the additional underwriting fee of \$545.00.

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

C. Consider Alternate Members for Zoning/Sign Board of Appeals.

Pulker provided a memo to the Council members regarding this appointment.

#2020-08 Motion by Gallasch, seconded by Stakhiv to appoint J. Hailey, the former Chairman of the Zoning Board of Appeals, as an alternate for the board.

Gallasch said the Board did not meet very often; however, when they did Board members would frequently be out of town. There had been several meetings that did not have a quorum and could not conduct business.

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

D. Consider Proposed Environmental Consultant for the Village.

Fraser provided some background information on this item. After doing some research on local consulting firms which work with municipalities, he invited four (4) to interview with himself, Lamott, and Hansen. Each firm's strategy was the same. All would do an extensive data search, looking at what the state and county had found, prepare an understandable report, and provide the Village with advice on which it could use in determining the long-term impact on its residents, and how to proceed. After many hours of interviewing, two firms, ECT (Detroit) and AKT PEERLESS (Farmington), were asked to submit proposals which were provided to the Council. Hansen stated that both firms were registered contractors with the state, both were familiar with FOIA, both had municipal experience, and both had a similar approach to help the Village.

Council members voiced their opinions about both firms and which one each recommended. It was noted that one proposal (AKT PEERLESS) was a smaller firm than the other and more expensive; however, it was more comprehensive and understood Franklin's concerns and it was felt that it might have a better working relationship with the Village. AKT would be researching for even more data and information that was not readily available. It was noted that AKT knew and had worked with grant programs for communities like Franklin which might be advantageous for the Village.

#2020- 09 Motion by Gallasch, seconded by Saenz to contract with AKT PEERLESS to provide Environmental Consulting Services as presented in the February 7, 2020 letter (Proposal To Provide Environmental Consulting Services) to Roger Fraser.

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.

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~~to continue 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.~~

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.

07/19/2021

ORDINANCE NO. 2021-03

AN ORDINANCE TO AMEND SECTION 1268.28, ZONING, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF FRANKLIN, OAKLAND COUNTY, MICHIGAN, TO ADOPT REGULATIONS CONCERNING GARDEN FENCE STANDARDS.

THE VILLAGE OF FRANKLIN ORDAINS:

1268.28 FENCES.

Every fence constructed or erected in the Village shall comply with the regulations in this section. No fence shall be erected, constructed, relocated, or altered until a permit has been issued in accordance with the requirements of this section.

(a) Definitions.

(1) Fence. "Fence" means an artificially constructed, non-vegetative barrier of natural or artificial materials used to prevent or control ingress/egress, confine within, or mark a boundary. A fence may be decorative or ornamental. Gates or barriers to entry and exit, driveway entrance features, screening walls, and other types of boundary protection shall be included in this definition.

(2) Perimeter feature. "Perimeter feature" means a type of fence running along the perimeter of a lot either on or within six feet of a lot line.

(3) Privacy screen. "Privacy screen" means a type of fence that is a substantially opaque barrier intended to screen a selected use or particular area in a private residential yard.

(4) Interior fence. "Interior fence" means a type of fence that is not a perimeter feature or a privacy screen.

(5) Road. "Road" has the same meaning as "street" as defined in Section 1240.08 (b)(69).

(6) Construction fence. "Construction fence" means a temporary artificially constructed fence used to prevent or control entrance or access pursuant to a permit issued by the Village of Franklin Building Official under Section 1268.19 of the Zoning Code.

(7) Garden enclosure. "Garden enclosure" is a type of interior fence that is used to enclose an area used for the growing of vegetables, flowers, etc. used for human consumption but not for commercial sale.

(b) General Requirements Applicable to All Fences.

(1) Ownership. Ownership and responsibility for maintenance of a fence resides in the owner of the property on which the fence is located.

A. Provision for joint ownership. Owners of adjoining properties may jointly apply for a fence permit, in which case the Building Official may permit the fence to be constructed on the common property line. Both property owners shall jointly own the fence and shall be jointly and severally responsible for maintenance of the fence.

(2) Fence materials. In order to protect the beauty and established historic character of the Village, the following standards shall apply:

A. The exterior of a fence shall be constructed primarily of wood, stone, brick, wrought iron, or other material determined by the Zoning Board of Appeals to mimic an above listed material.

B. Fence materials and construction pattern must be consistent along a single lot line.

C. Fences constructed on properties where one did not exist before must be constructed of the same material along any lot line where the fence is proposed to be constructed.

D. Prohibited materials. Razor wire and barbed wire are prohibited on any type of fence. Fences utilizing wire mesh or chain link are also prohibited, except as otherwise expressly permitted (e.g., garden enclosures, tennis court enclosures, dog runs, baseball backstops, cemeteries, fences enclosing public areas, construction fences).

E. Prohibited designs. No permitted fence of any variety may contain decorative fence toppers, finials, spears or other fence toppers which contain a pointed finish if such decorative items are situated along the top of the primary fencing material. Ball finials are permissible but only if they measure not less than three inches each in diameter. A fence topper shall be considered to be pointed if the upper most portion of the topper is not larger than its base, or, if in the opinion of the Building Official, such a fence topper is considered to be capable of impaling or otherwise penetrating the flesh of any person or animal, either intentionally or through accidental or forceful contact with same.

F. Electricity-conducting fences. A fence erected around the perimeter of a pasture where horses or other permitted large animals are restrained may include electrified wire strands around the top or interior of the pasture fence. Other fences which carry electric current are prohibited, except for underground electric fences as defined in Section 1240.08 (b)(23A).

(3) Finished appearance. If, because of design or construction, one side of a fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall

face the exterior of the lot. This provision concerning the finished appearance does not apply to jointly owned fences located on a property line.

(4) Height. Except as otherwise expressly permitted herein, fences shall not exceed 48 inches in height. As used in this section, the height of a fence is measured from the surrounding surface of the ground and not from any structure or localized raised surface on which the fence is situated.

A. Fences enclosing public areas. Fences that enclose public parks, playgrounds, or similar public areas located within a residential district shall not exceed 8 feet in height, except that a fence enclosing one or more public tennis courts can extend to 12 feet in height and a protective screening used for a public baseball field backstop can be made at a suitable height and length for its intended purpose. Tennis court fences and baseball backstops can be made of chain link fencing.

(5) Location. A fence shall be located entirely on the private property of the person responsible for the construction and maintenance of the fence.

A. Permitted locations. Except as specifically provided below, fences are permitted only in rear yards and side yards. No fence shall be permitted to extend into the front yard, except as otherwise specifically provided herein. For side yards and rear yards abutting a street, no fence shall be constructed or maintained within any required setback from the street.

B. Path setback. No fence shall be located closer than 12 inches from the edge of a public sidewalk or other public path.

(6) Fence maintenance. Fences shall be maintained in good condition. Rotten or broken components shall be replaced, repaired, or removed. If a fence is found to be in need of repair by the Building Official, he or she shall issue orders to complete such repairs to the owner of the land where the fence is located. Failure to comply with written notice from the Building Official shall be deemed a violation of this Zoning Code.

(7) Obstruction of use of adjoining property. No fence shall be erected where it would prevent or unreasonably obstruct the use of or access to adjacent property. The Building Official may require a fence to be set back up to two feet from a driveway or property line to provide for the safe passage of pedestrians, bicyclists, or vehicular traffic, or for other safety-related concerns.

(8) Driver visibility. No fence shall be erected, established or maintained on any lot which will obstruct the view of drivers in vehicles traveling around sharp curves in the road or approaching an intersection of two roads or the intersection of a road and a driveway.

A. Sharp curves. Fences located along a curve in a road shall provide drivers with an unobstructed sight distance that is reasonable in view of the road curvature and applicable speed limit for the road. The Building Official may restrict or deny a fence permit as necessary to provide this unobstructed sight distance.

B. Intersections. Fences located adjacent to an intersection of two roads or an intersection of a road and a driveway shall not exceed 30 inches in height. An unobstructed triangular area shall be maintained at each intersection of roads and streets and driveways. Fences located in the triangular area shall not be permitted to obstruct cross-visibility above a height of 30 inches above the lowest point of the intersecting road(s) or driveway(s). The unobstructed triangular area shall consist of:

1. In the case of two roads, the triangular area formed at the corner intersection of the two road right-of-way lines, with two sides of the triangular area being 25 feet in length measured along the intersecting right-of-way lines, and the third side being a line connecting the distal ends of the two 25 foot sides; and

2. In the case of an intersecting road and driveway, the triangular area formed at the corner intersection of the road right of way and an edge of the driveway, with one side of the triangular area being ten feet in length measured along the right-of-way line, a second side being 10 feet in length measured along the edge of the driveway, and the third side being a line connecting the distal ends of the two ten foot two sides.

(9) Tennis court enclosures. A private tennis court located on a residential lot may include a chain link fence enclosing each end of the court and extending towards the net no farther than the midpoint between the base line and service line. The chain link fence may have a maximum height of 12 feet and the opacity of such fence shall not exceed 50 percent.

(10) Outdoor dog runs. One fenced pet exercise area ("dog run") may be permitted per residential lot, subject to the following:

A. Location. A dog run shall not be permitted in any required front yard or required street side yard.

B. Setback. A dog run shall be set back a minimum of ten feet from any lot line.

C. Fence height. A fence enclosing a dog run shall not exceed six feet in height.

D. Fence materials. Chain link fencing may be used to enclose a dog run.

E. Maximum dimensions. Dog runs shall not exceed ten feet in width by 25 feet in length.

F. Landscape screening. Dog runs shall be screened from view from adjoining properties with evergreen landscaping sufficient to create a complete visual barrier.

(11) Garden enclosures. Garden enclosures may be placed on the interior of a lot, subject to the following:

- A. Location. A garden enclosure shall not be permitted in any front yard nor any required side or rear yard.
- B. Height. Garden enclosures shall not exceed eight feet in height, inclusive of any structures on which they sit, including raised planter beds.
- C. Materials. Garden enclosures shall be constructed of any combination of treated wood or galvanized or welded wire, which may be coated with vinyl or PVC. The fencing commonly referred to as “chicken wire” is expressly permitted, only so long as it is made of galvanized wire. Chain link fencing is a prohibited material.
- D. Opacity. Garden enclosures’ opacity shall not exceed 20 percent.
- E. Spacing. There shall be a maximum spacing of 1” by 2” between the enclosure wires.
- F. Maximum area. Garden enclosures shall surround an area not larger than 1,000 square feet. Multiple garden enclosures may be permitted on one lot, subject to the following allowances:

<i>TABLE OF ALLOWANCES FOR GARDEN ENCLOSURES</i>							
Zoning District	R-E	R-L	R-M	R-1	R-2	R-3	R-4
Maximum number of enclosures	3	3	3	3	2	2	1
Maximum size of all garden enclosures in sq. ft.	1,000	1,000	1,000	1,000	1,000	1,000	1,000

(1) Perimeter Features. Typical perimeter features include those devices commonly known as split-rail fences, stone walls, picket fences, and wrought iron-type fences and gates.

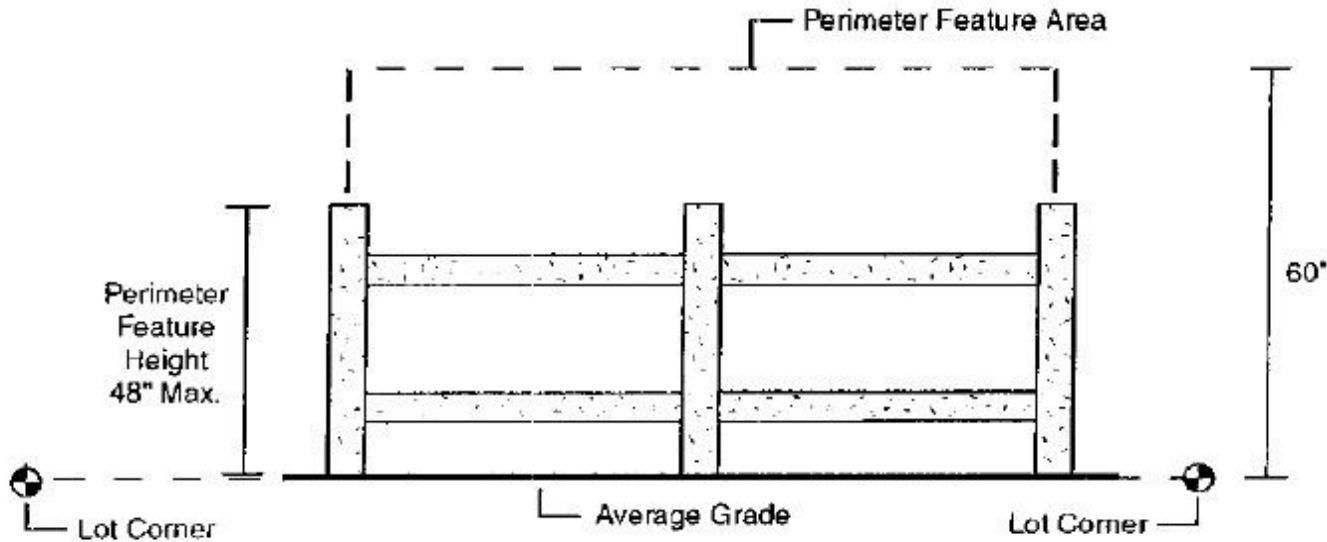
A. Perimeter feature area defined. For the purposes of this section, “perimeter feature area” shall be defined as the vertical rectangular area having sides defined as follows:

B. Base. The base of the rectangle shall be the existing average ground surface elevation at the nearest perpendicular lot line.

C. Top. The upper side of the rectangle shall be parallel to the base and 60 inches above the base.

D. Sides. The two remaining sides of the rectangle shall be lines extending vertically between the base and top at the ends of the fence.

E. Only one rectangle shall be used to measure each perimeter feature area on a single extent of the property line.



(2) Opacity defined. For the purposes of this subsection, opacity shall be defined as the percentage measurement of the area obstructed by wood, metal, wire, plants, and all other materials used in the creation of a perimeter feature. Opacity equals the area of construction materials divided by the “perimeter feature area”.

(3) Maximum opacity. The opacity of a perimeter feature shall not exceed 40 percent, except that the opacity of perimeter features constructed of stone or other natural materials (e.g., stone walls) shall be 50 percent. This maximum opacity limitation shall not apply to driveway entrance features for which the total length does not exceed ten percent of the length of the lot line along which it is located.

(4) Location. In addition to the permitted locations provided in Section [1268.28](#)(b)(5), perimeter features may be located in the front and side yards, and street side yards under the following conditions.

A. Historic District. Subject to Historic District Commission approval as required by Section [1268.28](#)(e)(2)(E), a perimeter feature may be located in a front yard or street side yard of a parcel located in the Franklin Village Historic District.

B. Natural stone walls. Perimeter features made from natural stone having a height not exceeding 30 inches can be located in a front yard or street side yard. In the event that a particular architectural element (entrance gate, column, etc.) is included as an integral component of the stone perimeter feature, that architectural element may exceed 30 inches in

height. The total horizontal length of such architectural elements shall not exceed the greater of ten feet or ten percent of the total length of the perimeter feature.

(5) Setbacks. A perimeter feature shall be set back at least two feet from all road rights-of-way or public easements.

(6) Materials at a property corner. To reduce the safety hazard to pedestrians and bicyclists, a perimeter feature used at a property corner must be primarily constructed of materials that will be easily visible at night or during other times of low visibility. By way of example, thin strands of wire, cable, or cord shall not be permitted to be attached to standing poles to form a perimeter feature.

(7) Maximum height. The maximum height of perimeter features is 48 inches.

(d) Privacy screens. Privacy screens may be placed on the interior of a lot, subject to the following:

(1) Height. Privacy screens shall not exceed six feet in height.

(2) Location. Privacy screens shall not be located in a required yard setback area.

(3) Limits on enclosure. A privacy screen shall be designed to screen a selected use or area (such as a swimming pool or patio) but not an entire side or rear yard. In no case shall a privacy screen be located in a front yard or both side yards.

(4) Materials. Privacy screens shall be constructed primarily of wood, masonry, or wrought iron.

(e) Construction Fences.

(1) Height. Construction fences shall not exceed seven feet in height.

(2) Location. Construction fences shall be required around any open holes during excavation or construction, and may be located anywhere on public or private property, including in any required yard.

(3) Materials. Construction fences shall be constructed of neutral-colored metal hoarding or wire mesh or chain link.

(4) Duration. Construction fences are permitted for the period of time during which an open hole, pit or well is present associated with excavation or construction, or as otherwise required by the Building Official as deemed necessary to protect the public health, safety, and welfare.

(f) Review and Approval Procedures.

(1) Permit required. No fence shall be erected, constructed, or altered until a permit has been issued in accordance with the provisions of this section.

A. Site plan review. If a fence is proposed in conjunction with a development that requires site plan review, then the fence shall be shown on the site plan, which shall be reviewed in accordance with normal site plan review procedures. No additional permit is required when a fence is approved as part of a site plan. Where a fence is proposed to be added to a property for which a required site plan approval has previously been obtained, the approved site plan must be modified to show the fence and then re-submitted for action by the Building Official according to the application procedure of Section [1268.28](#) (e)(2).

(2) Application procedure. If a proposed fence is not part of a site plan review as noted above, an application for a permit to construct a fence shall be filed with the Village Clerk. The application shall be accompanied by drawings and other information to illustrate the dimensions, design and location of the proposed fence.

A. Information required. The following minimum information shall be included on the drawing submitted in support of a fence permit application:

1. Fence location;
2. Location of all structures within 25 feet of the proposed fence;
3. Location of all driveways within 25 feet of the proposed fence;
4. Location of all sidewalks within 25 feet of the proposed fence; and
5. Location of all existing fences within ten feet of the proposed fence.

The Building Official may determine if other additional information is reasonably necessary to provide a complete review of the proposed fence. Such additional information shall be provided by the applicant as may be required by the Building Official.

B. Application fee. Each fence permit application shall be accompanied by an application review fee to recover the reasonable costs for review and permit issuance. The amount of the fee shall be fixed by resolution of the Village Council.

C. Survey required. Where a perimeter feature is proposed, the lot lines on the property shall be indicated through placement of permanent stakes located by a licensed surveyor. Lot lines must be located before the fence permit is issued. The Building Official shall withhold issuance of the permit to construct the fence until the lot lines are located and permanent stakes are placed by a licensed surveyor.

D. Review and approval. The Building Official shall review the fence application and supporting data with respect to the standards set forth in this Zoning Code, the adopted Building Code, and any administrative rules which may be established to provide for proper administration of this section. The Building Official shall grant a permit to construct a proposed fence upon finding that it fully complies with all applicable regulations. All fences, including fences approved as part of a site plan, are subject to inspection by the Building Official to assure

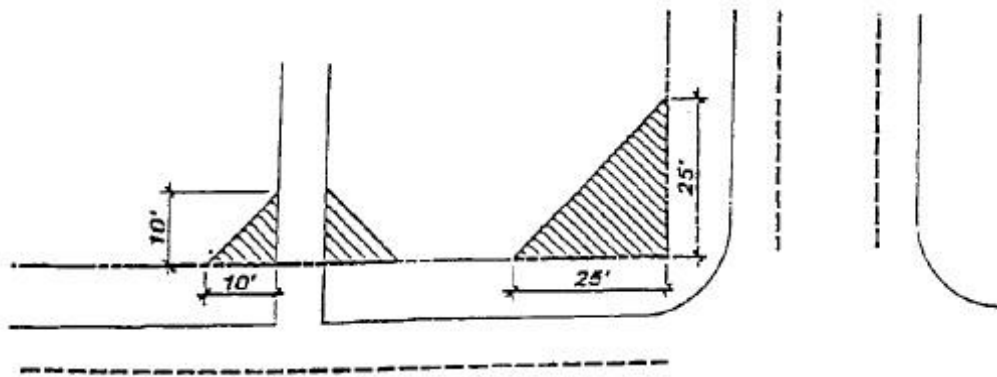
compliance with the regulations set forth in this Zoning Code and to assure that the fence is constructed with sound materials.

E. Fences in the Historic District. Except for construction fences, fences proposed to be erected in the Franklin Village Historic District shall be referred to the Franklin Historic District Commission for review and recommendation prior to issuance of a building permit, consistent with the provisions of Section [1230.05](#). The Historic District Commission shall take action on the application consistent with the provisions of Section [1230.05](#). In no event shall the Historic District Commission approve a fence that could not be otherwise constructed in accordance with the various provisions of this section.

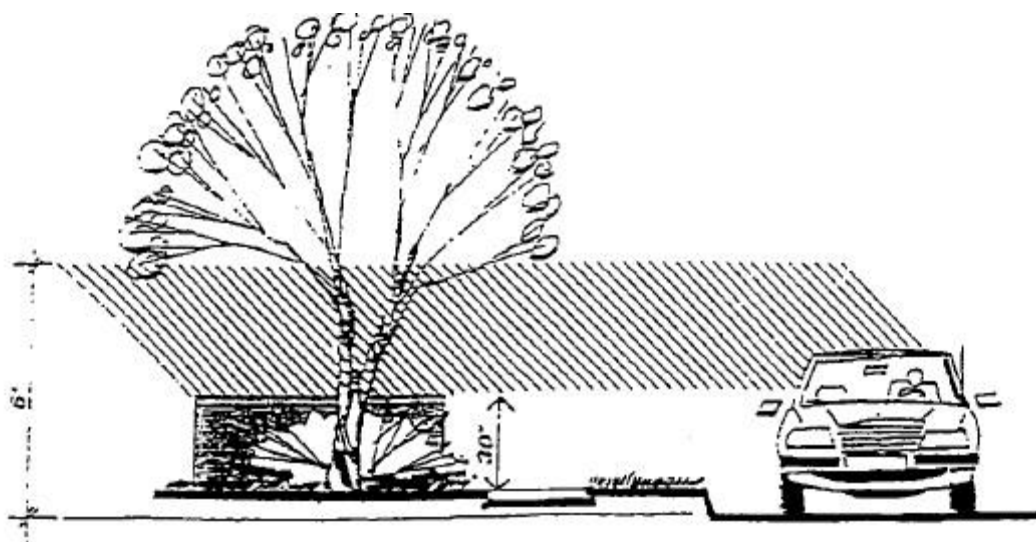
(3) Appeal of a decision. An applicant may appeal a decision of the Building Official or the Planning Commission concerning a proposed fence or the enforcement of the provisions of this section to the Zoning Board of Appeals. The Zoning Board of Appeals shall review the appeal in accordance with the standards and procedures set forth for a dimensional variance in this Zoning Code.

(4) Administrative rules. The Village Council may establish reasonable rules and procedures, consistent with the intentions of this Zoning Code, which may be necessary to provide for the proper administration of this section.

<i>Summary of Location and Height Regulations (see Ordinance for specific requirements)</i>			
	<i>Interior Fence</i>	<i>Perimeter Feature</i>	<i>Privacy Screen</i>
Permitted Location	<ul style="list-style-type: none">• Rear yard• Side yard	<ul style="list-style-type: none">• Rear yard• Non-street side yard• Front and street side yards in limited cases:• Historic District• Stone walls• Within 6 feet of adjacent lot line	<ul style="list-style-type: none">• Rear yard• Side yard• not in setbacks
Permitted Height	<ul style="list-style-type: none">• 48 inches, except:• Dog runs: 6'• Public spaces: 8'• Tennis courts: 12'	<ul style="list-style-type: none">• 48 inches, except• architectural elements• as limited by maximum opacity requirements	<ul style="list-style-type: none">• 6 feet



PLAN VIEW



Maximum height 30' for walls or
solid fences, shrubs, etc.

ELEVATION VIEW

CORNER CLEARANCE

Section 5. Severability. This ordinance and each Chapter, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable; and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 6. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than \$500 and such other sanctions as may be ordered pursuant to Village Code Section 202.99.

Section 7. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other Village ordinances which conflict with the provisions of this ordinance are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, 2021, twenty (20) days following its adoption, and shall be published prior to its effective date as mandated by charter and statute.

(3) Adoption. This ordinance was adopted by the Village Council of the Village of Franklin at a meeting thereof held on _____, 2021.

William Lamott, President
Village of Franklin

CERTIFICATE

I, HEATHER MYDLOSKI, VILLAGE OF FRANKLIN CLERK,
DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE
AND COMPLETE COPY OF AN ORDINANCE, THE
ORIGINAL OF WHICH IS ON FILE IN MY OFFICE ADOPTED
BY THE VILLAGE COUNCIL OF THE VILLAGE OF
FRANKLIN AT A MEETING THEREOF HELD ON JULY 19,
2021.

Heather Mydloski, Clerk
Village of Franklin



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

RECEIVED

248-626-9666 Office
248-626-0538 Fax

VILLAGE OF FRANKLIN, MI

CIVIC EVENTS PERMIT

NAME OF EVENT: LABOR DAY ROUND UP

ORGANIZATION: FRANKLIN COMMUNITY ASSOCIATION

APPLICANT: FRANKLIN COMMUNITY ASSOCIATION

CONTACT NAME: AL BOBB, PRES. PHONE: (248) 626-5014 Email: XXX ASB XXX @ AOL.COM

DATE(S) OF EVENT: SEPT. 6, 2021

TIME OF EVENT: ALL DAY

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed): FAMILY ORIENTED ACTIVITIES
PARADE ALONG FRANKLIN RD.
FAIR TYPE ACTIVITIES ON FCA PROPERTY

WHERE WILL

PARTICIPANTS PARK? FCA BALL FIELDS, CHURCH PARKING LOT AND ON STREETS WHERE PERMITTED.

Are You Requiring Any Street Closure? ☒ Yes ☐ No

Please Attach a Map Showing Proposed Street Closure

ATTACHED

Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed?

☒ Yes ☐ No

Are You Requiring a Banner Over Franklin Road? YES

Sign application attached?

☒ Yes ☐ No

☒ Yes ☐ No (Banner Policy Attached)

Have You Held This Event Here Before?

☒ Yes ☐ No

Expected Number of Participants > 1000

Does Your Organization Have any Affiliation with the Village of Franklin? ☒ Yes ☐ No

If yes, what is the affiliation? COMMUNITY ASSOCIATION WITHIN VILLAGE

Applicant further agrees that the Village may require reimbursement of Village incurred costs associated with Civic Event Permit (e.g. Police overtime, cleanup, damage to public property...etc)

☒ If Banner requested, attach copy of insurance certificate. TO BE SUBMITTED

In consideration for this permit, the applicant agrees, to the fullest extent permitted by law. To release, indemnify, defend and hold harmless the Village of Franklin, the Franklin-Bingham Fire Department and their elected and appointed officials, boards, councils, commissions, employees, and volunteers from any liabilities, damages, losses, suits, claims, expenses, attorney fees and costs that arise from any injury or property damage relating to use of Village property by the Applicant or Applicant's employees, members, volunteers, contractors, agents, invitees, licensees, guests, attendees or participants. It is further agreed that the Applicant shall supply the Village of Franklin and DTE Energy with a certificate of insurance evidencing commercial general liability insurance, with an insurance carrier licensed and admitted to do business in Michigan, naming the Village, its elected and appointed officials, boards, councils, commissions, employees, volunteers and the property owner of 32654 Franklin and Franklin-Bingham Fire Department if a banner displayed, as additional insured in a form and with coverage and coverage limits acceptable to the Village.

Al Bobb, Pres.

Authorized Signature

7-30-2021

Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
<u>WS Approved</u>	<u>Approved See Attached</u>	<u>Approved See Attached</u>	<u>Pending</u>	<u>(Signature)</u>

Updated 05/05/21



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

RECEIVED

248-626-9666 Office
248-626-0538 Fax

VILLAGE OF FRANKLIN, MI

CIVIC EVENTS PERMIT

NAME OF EVENT: LABOR DAY ROUND UP
ORGANIZATION: FRANKLIN COMMUNITY ASSOCIATION
APPLICANT: FRANKLIN COMMUNITY ASSOCIATION
CONTACT NAME: AL BICE, PRES. PHONE: (248) 626-5014 Email: XXX ASB XXX @ AOL.COM
DATE(S) OF EVENT: SEPT. 6, 2021
TIME OF EVENT: ALL DAY
DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed): FAMILY ORIENTED ACTIVITIES
PARADE ALONG FRANKLIN RD.
FAIR TYPE ACTIVITIES ON FCA PROPERTY

WHERE WILL

PARTICIPANTS PARK? FCA BALL FIELDS, CHURCH PARKING LOT AND ON STREETS WHERE PERMITTED.

Are You Requiring Any Street Closure? ☒ Yes ☐ No

Please Attach a Map Showing Proposed Street Closure

ATTACHED

Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed?

☒ Yes ☐ No

Are You Requiring a Banner Over Franklin Road? YES

Sign application attached?

☒ Yes ☐ No

☒ Yes ☐ No (Banner Policy Attached)

Have You Held This Event Here Before?

☒ Yes ☐ No

Expected Number of Participants > 1000

Does Your Organization Have any Affiliation with the Village of Franklin? ☒ Yes ☐ No

If yes, what is the affiliation? COMMUNITY ASSOCIATION WITHIN VILLAGE

Applicant further agrees that the Village may require reimbursement of Village incurred costs associated with Civic Event Permit (e.g. Police overtime, cleanup, damage to public property...etc)

☒ If Banner requested, attach copy of insurance certificate. TO BE SUBMITTED

In consideration for this permit, the applicant agrees, to the fullest extent permitted by law, to release, indemnify, defend and hold harmless the Village of Franklin, the Franklin-Bingham Fire Department and their elected and appointed officials, boards, councils, commissions, employees, and volunteers from any liabilities, damages, losses, suits, claims, expenses, attorney fees and costs that arise from any injury or property damage relating to use of Village property by the Applicant or Applicant's employees, members, volunteers, contractors, agents, invitees, licensees, guests, attendees or participants. It is further agreed that the Applicant shall supply the Village of Franklin and DTE Energy with a certificate of insurance evidencing commercial general liability insurance, with an insurance carrier licensed and admitted to do business in Michigan, naming the Village, its elected and appointed officials, boards, councils, commissions, employees, volunteers and the property owner of 32654 Franklin and Franklin-Bingham Fire Department if a banner displayed, as additional insured in a form and with coverage and coverage limits acceptable to the Village.

Al Bice, Pres.
Authorized Signature

7-30-2021

Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
	<u>O.K.</u>			

Updated 05/05/21

O.K.
Approved
8/2/21



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

RECEIVED

248-626-9666 Office JUL 30 2021
248-626-0538 Fax

CIVIC EVENTS PERMIT

VILLAGE OF FRANKLIN, MI

NAME OF EVENT: LABOR DAY ROUND UP
ORGANIZATION: FRANKLIN COMMUNITY ASSOCIATION
APPLICANT: FRANKLIN COMMUNITY ASSOCIATION
CONTACT NAME: AL BUCH, PRES. PHONE: (248) 626-5014 Email: XXX ASB XXX @ AOL.COM
DATE(S) OF EVENT: SEPT. 6, 2021
TIME OF EVENT: ALL DAY
DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed): FAMILY ORIENTED ACTIVITIES
PARADE ALONG FRANKLIN RD.
FAIR TYPE ACTIVITIES ON FCA PROPERTY

WHERE WILL

PARTICIPANTS PARK? FCA BALL FIELDS, CHURCH PARKING LOT AND ON STREETS WHERE PERMITTED.

Are You Requiring Any Street Closure? ☒ Yes ☐ No

Please Attach a Map Showing Proposed Street Closure

ATTACHED

Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed?

☒ Yes ☐ No

Are You Requiring a Banner Over Franklin Road? YES

Sign application attached?

☒ Yes ☐ No

☒ Yes ☐ No (Banner Policy Attached)

Have You Held This Event Here Before?

☒ Yes ☐ No

Expected Number of Participants > 1000

Does Your Organization Have any Affiliation with the Village of Franklin? ☒ Yes ☐ No

If yes, what is the affiliation? COMMUNITY ASSOCIATION WITHIN VILLAGE

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Al Buch, Pres.
Authorized Signature

7-30-2021
Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
------------------	------------------	------------------	------------------	------------------

Updated 05/05/21

Tony
Averbuch

Digitally signed by Tony Averbuch
DN: cn=Tony Averbuch, o=Village of Franklin, c=US
Date: 2021.07.30 11:31:26 -0400



TEMPORARY SIGN APPLICATION

DATE STAMP

32325 Franklin Rd • Franklin MI 48025-1199 • Phone (248) 626-9666 • Fax (248) 626-0538

Reason for Temporary Sign: 2021 LABOR DAY ROUND UP

On a separate Sheet of Paper Show Sign Design & Message

Type of Sign Requested:

☒ Banner ☐ Ground

1 How Many

Size of Sign:

☒ Banner ☐ Ground

Location of Sign Placement: OVER FRANKLIN RD Historic District ☒ Yes ☐ No

Date of Sign Installation:

☒ Banner ☐ Ground PER FIRE DEPT. TIMING

Date of Sign Removal

☐ Banner ☐ Ground PER FIRE DEPT. TIMING

Applicant Name FRANKLIN COMMUNITY ASSOC. ALBERT BEKE, PRES. Phone (248) 626-5014 Date 7/30/21

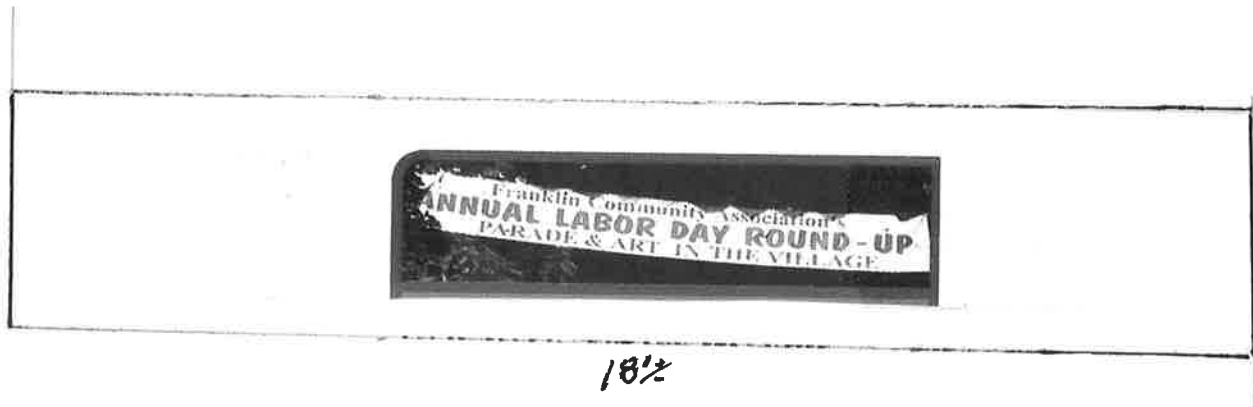
Approval:

☐ Building Department

☐ Council

The applicant shall be responsible for 100% of all consultant fees incurred by the Village PLUS a 10% administrative fee.

SIGN APPLICATION
ATTACHMENT

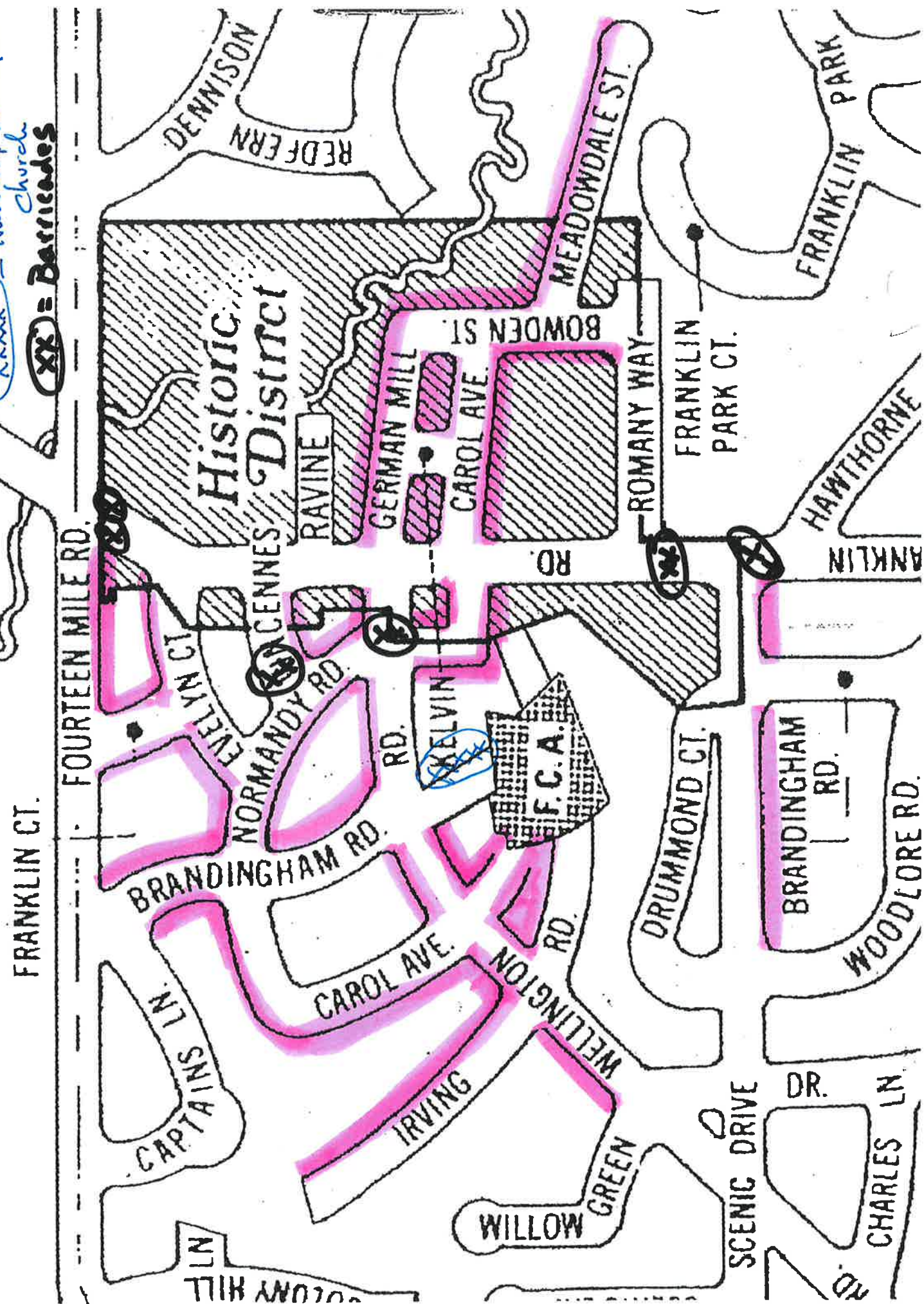


PREVIOUSLY USED BANNER

INSURANCE CERTIFICATE(S) TO BE SUBMITTED

[Pink Box] = No Parking Area

XXXXX = Handicap Parking at Church
XX = Barricades





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/05/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Core Insurance Group LLC 50787 Corporate Dr Shelby Township MI 48315	CONTACT NAME: James Tocco PHONE (A/C, No, Ext): (248) 847-2673 E-MAIL ADDRESS: jimt@coreinsured.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Secura Insurance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Franklin Community Association PO Box 250046 Franklin MI 48025	NAIC #

COVERAGES

CERTIFICATE NUMBER: 21/22 MASTER

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			20-CP-003345362-0	06/01/2021	06/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			20-CP-003345362-0	06/01/2021	06/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	DIRECTORS & OFFICERS, LIQUOR LIABILITY.			20-CP-003345362-0	06/01/2021	06/01/2022	EACH CLAIM 1,000,000 AGGREGATE 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Coverage as defined in policies.

CERTIFICATE HOLDER

CANCELLATION

The Village of Franklin, MI 32325 Franklin Road Franklin MI 48025	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/27/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Core Insurance Group LLC 50787 Corporate Dr Shelby Township MI 48315	CONTACT NAME: James Tocco PHONE (A/C, No, Ext): (248) 847-2673 E-MAIL ADDRESS: jimt@coreinsured.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Secura Insurance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC #
INSURED Franklin Community Association PO Box 250046 Franklin MI 48025		

COVERAGES**CERTIFICATE NUMBER:** 21/22 MASTER**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			20-CP-003345362-0	06/01/2021	06/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			20-CP-003345362-0	06/01/2021	06/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	DIRECTORS & OFFICERS, LIQUOR LIABILITY.			20-CP-003345362-0	06/01/2021	06/01/2022	EACH CLAIM 1,000,000 AGGREGATE 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Coverage as defined in policies. Franklin Bingham Fire Department is included as an additional insured, regarding general liability.

CERTIFICATE HOLDER**CANCELLATION**Franklin Bingham Fire Department
32707 Franklin Road

Franklin

MI 48025

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Village of Franklin
32325 Franklin Road
Franklin, MI 48025

248-626-9666 Office
248-626-0538 Fax

CIVIC EVENTS PERMIT

NAME OF EVENT: Art in the Village

ORGANIZATION: _____

APPLICANT: Jane Polan

CONTACT NAME: Jane Polan PHONE #: 248-514-9097 Email: janeapolan@aol.com

DATE(S) OF EVENT: Friday Sept 3 - art fair set up Sat Sept 4 through

TIME OF EVENT: all day Sept 3 through Sept 6

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed):

set up of booth spaces + artist set up
and Labor Day art fair on the Village
Green in front of the Franklin church

WHERE WILL

PARTICIPANTS PARK? primarily behind booths

Are You Requiring Any Street Closure? ☐ Yes ☒ No

Please Attach a Map Showing Proposed Street Closure

Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed? ☐ Yes ☒ No

Are You Requiring a Banner Over Franklin Road? ☒ Yes ☐ No

Sign application attached? ☐ Yes ☒ No

(Banner Policy Attached)

Have You Held This Event Here Before? ☒ Yes ☐ No

Expected Number of Participants 5,000

Does Your Organization Have any Affiliation with the Village of Franklin? ☒ Yes ☐ No

If yes, what is the affiliation? was a part of the Franklin Arts Council

Applicant further agrees that the Village may require reimbursement of Village incurred costs associated with Civic Event Permit (e.g. Police overtime, cleanup, damage to public property...etc)

☐ If Banner requested, attach copy of insurance certificate.

In consideration for this permit, the applicant agrees, to the fullest extent permitted by law. To release, indemnify, defend and hold harmless the Village of Franklin, the Franklin-Bingham Fire Department and their elected and appointed officials, boards, councils, commissions, employees, and volunteers from any liabilities, damages, losses, suits, claims, expenses, attorney fees and costs that arise from any injury or property damage relating to use of Village property by the Applicant or Applicant's employees, members, volunteers, contractors, agents, invitees, licensees, guests, attendees or participants. It is further agreed that the Applicant shall supply the Village of Franklin and DTE Energy with a certificate of insurance evidencing commercial general liability insurance, with an insurance carrier licensed and admitted to do business in Michigan, naming the Village, its elected and appointed officials, boards, councils, commissions, employees, volunteers and the property owner of 32654 Franklin and Franklin-Bingham Fire Department if a banner displayed, as additional insured in a form and with coverage and coverage limits acceptable to the Village.

Jane G. Polan
Authorized Signature

July 30, 2021
Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
<u>WJ Approved</u>	<u>Approved</u> <u>See Comment</u> <u>Attached</u>	<u>Approved</u> <u>See Attached</u>	<u>Pending</u>	<u>EE</u>

Updated 05/05/21



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

248-626-9666 Office
248-626-0538 Fax

CIVIC EVENTS PERMIT

NAME OF EVENT: Art in the Village

ORGANIZATION: _____
APPLICANT: Jane Polan

CONTACT NAME: Jane Polan PHONE # 248-549-0977 Email: janeapolan@aol.com

DATE(S) OF EVENT: Friday Sept 3 - art fair set up Sat Sept 4 through

TIME OF EVENT: all day Sept 3 through Sept 6

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed):
set up of booth spaces + artist set up
and Labor Day art fair on the Village
Green in front of the Franklin church

WHERE WILL PARTICIPANTS PARK? primarily behind booths

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Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed? ☐ Yes ☒ No Are You Requiring a Banner Over Franklin Road? ☒ No

Sign application attached? ☐ Yes ☒ No ☐ Yes ☒ No (Banner Policy Attached)

Have You Held This Event Here Before? ☒ Yes ☐ No Expected Number of Participants 5,000

Does Your Organization Have any Affiliation with the Village of Franklin? ☒ Yes ☐ No

If yes, what is the affiliation? was a part of the Franklin Arts Council

Applicant further agrees that the Village may require reimbursement of Village incurred costs associated with Civic Event Permit (e.g. Police overtime, cleanup, damage to public property...etc)

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Jane G Polan
Authorized Signature

July 20, 2021
Date

Building Dept Police Dept Fire Dept Franklin Church Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
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Village of Franklin
32325 Franklin Road
Franklin, MI 48025

248-626-9666 Office
248-626-0538 Fax

CIVIC EVENTS PERMIT

NAME OF EVENT: Art in the Village

ORGANIZATION: _____

APPLICANT: Jane Polan

CONTACT NAME: Jane Polan PHONE #: 248-514-9091 Email: janeapolan@aol.com

DATE(S) OF EVENT: Friday Sept 3 - art fair set up Sat Sept 4 through

TIME OF EVENT: all day Sept 3 through Sept 6

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed):

set up of booth spaces + artist set up
and Labor Day art fair on the Village
Green in front of the Franklin church

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Are You Requiring Any Street Closure? ☐ Yes ☒ No

Please Attach a Map Showing Proposed Street Closure

Will a tent larger than 120 sq. ft. be used during this event? ☐ Yes ☒ No If yes, Building Permit Required

Building Permit attached? ☐ Yes ☒ No

Temporary Sign Needed? ☐ Yes ☒ No

Are You Requiring a Banner Over Franklin Road? ☒ No

Sign application attached? ☐ Yes ☒ No

(Banner Policy Attached)

Have You Held This Event Here Before? ☒ Yes ☐ No

Expected Number of Participants 5,000

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If yes, what is the affiliation? was a part of the Franklin Arts Council

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☐ If Banner requested, attach copy of insurance certificate.

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Jane G Polan
Authorized Signature

July 20, 2021
Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
	<u>Art Vendors</u>			

Updated 05/05/21

Should NOT be allowed
to park at the church.
Every year, the vendors take up
most of the church parking spaces
before visitors arrive. This needs to be monitored closely by FCA.



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

248-626-9666 Office
248-626-0538 Fax

CIVIC EVENTS PERMIT

NAME OF EVENT: Oktoberfest

ORGANIZATION: Friends of Franklin Library

APPLICANT: Friends of Franklin Library

CONTACT NAME: Andy Goldstein PHONE #: 248.865.9828 Email: goldstein929@comcast.net

DATE(S) OF EVENT Friday, October 8, 2021

TIME OF EVENT 6-9 pm

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed):

This event is a once yearly fundraiser for the Library. It will be held in the Library, outside in the reading garden

and in a large tent behind the reading garden. Beer, wine and food are included in the ticket price and music and

a raffle are part of the evening. Appropriate raffle and liquor licenses will be acquired.

WHERE WILL

PARTICIPANTS PARK? In front of Library, back of library parking and on the street

Are You Requiring Any Street Closure? ☐ Yes ☒ No

Please Attach a Map Showing Proposed Street Closure

Temporary Sign Needed?

☐ Yes ☒ No

Are You Requiring a Banner Over Franklin Road?

Sign application attached?

☐ Yes ☒ No

☐ Yes ☒ No (Banner Policy Attached)

Have You Held This Event Here Before? ☒ Yes ☐ No

Expected Number of Participants 100

Does Your Organization Have any Affiliation with the Village of Franklin? Yes ☒ No

If yes, what is the affiliation? Friends is a financial and advocacy support group to the Franklin Public Library

Applicant further agrees that the Village may require reimbursement of Village incurred costs associated with Civic Event Permit (e.g. Police overtime, cleanup, damage to public property...etc)

☐ If Banner requested, attach copy of insurance certificate.

In consideration for this permit, the applicant agrees, to the fullest extent permitted by law. To release, indemnify, defend and hold harmless the Village of Franklin, the Franklin-Bingham Fire Department and their elected and appointed officials, boards, councils, commissions, employees, and volunteers from any liabilities, damages, losses, suits, claims, expenses, attorney fees and costs that arise from any injury or property damage relating to use of Village property by the Applicant or Applicant's employees, members, volunteers, contractors, agents, invitees, licensees, guests, attendees or participants. It is further agreed that the Applicant shall supply the Village of Franklin and DTE Energy with a certificate of insurance evidencing commercial general liability insurance, with an insurance carrier licensed and admitted to do business in Michigan, naming the Village, its elected and appointed officials, boards, councils, commissions, employees, volunteers and the property owner of 32654 Franklin and Franklin-Bingham Fire Department if a banner displayed, as additional insured in a form and with coverage and coverage limits acceptable to the Village.

Andy M. Goldstein
Authorized Signature

8/3/21
Date

Building Dept

Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
<u>WJ Approved</u>	<u>Approved</u>	<u>Approved See Attached</u>	<u>Pending</u>	<u>FF</u>

Updated 11/24/20



Village of Franklin
32325 Franklin Road
Franklin, MI 48025

248-626-9666 Office
248-626-0538 Fax

CIVIC EVENTS PERMIT

NAME OF EVENT: Oktoberfest

ORGANIZATION: Friends of Franklin Library

APPLICANT: Friends of Franklin Library

CONTACT NAME: Andy Goldstein PHONE #: 248.865.9828 Email: goldstein929@comcast.net

DATE(S) OF EVENT Friday, October 8, 2021

TIME OF EVENT 6-9 pm

DETAILED DESCRIPTION OF EVENT & LOCATION (attach separate sheet if needed):

This event is a once yearly fundraiser for the Library. It will be held in the Library, outside in the reading garden

and in a large tent behind the reading garden. Beer, wine and food are included in the ticket price and music and a raffle are part of the evening. Appropriate raffle and liquor licenses will be acquired.

WHERE WILL

PARTICIPANTS PARK? In front of Library, back of library parking and on the street

Are You Requiring Any Street Closure? ☐ Yes ☒ No

Please Attach a Map Showing Proposed Street Closure

Temporary Sign Needed?

☐ Yes ☒ No

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Andrew M. Goldstein
Authorized Signature

8/3/21
Date

Building Dept

8/24/21
Police Dept

Fire Dept

Franklin Church

Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
	<u>OK</u>			



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32325 Franklin Road
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Administrator

Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment	Initials/Comment
		Tony Averbuch		

Updated 11/24/20