

**VILLAGE OF FRANKLIN
REGULAR COUNCIL MEETING
MONDAY, JANUARY 11, 2021 7:00 P.M.
32325 Franklin Road, Franklin, Michigan 48025**

**The Village Council did not assemble meet at a physical place;
the meeting was held electronically via “Zoom.us©”, in accordance with the
Michigan Open Meetings act, as amended by 2020 PA 228**

I. CALL TO ORDER

The meeting was called to order by President Bill Lamott, at 7:00 P.M, on Monday, January 11, 2021 and was held electronically via Zoom.us©.

II. ROLL CALL

Present: Mike Seltzer, Scottsdale, AZ; Ed Saenz, Franklin, MI; Brian Gordon, Franklin, MI; Pam Hansen, Franklin, MI; Mark Hanke, Franklin, MI; Kathy Erlich, Franklin, MI; and Bill Lamott, Franklin, MI.

Absent: None

Also Present: Lance Vainik, Village Treasurer; John Staran, Village Attorney; Mike Bastianelli, Lieutenant of the Franklin-Bingham Farms Police Department; Tony Averbuch, Fire Chief; Roger Fraser, Village Administrator; Doreen Martin, Office Manager; and Heather Mydloski, Village Clerk.

III. ADOPTION OF AGENDA

Lamott and Seltzer acknowledged the profound loss of two community servants.

We lost Jesse Polan, husband of Jane Polan. The Polans have been longtime, faithful community servants. Jesse Polan had never met a stranger and was an invaluable volunteer asset to our community in numerous ways.

We lost Sandy Kopelman, the wife of Jeff Kopelman. The Kopelman’s were also longtime, faithful, community servants. They were owners of Main Street Bank and sponsors of the Music on the Green also.

The Council stated that their hearts go out to both of their families and they will be sorely missed.

Motion by Seltzer, seconded by Hanke to adopt the agenda.

Roll Call Vote

Mark Hanke	AYE
Ed Saenz	AYE
Pam Hansen	AYE
Brian Gordon	AYE
Mike Seltzer	AYE
Kathy Erlich	AYE
Bill Lamott	AYE

Motion carried.

IV. CONSIDER RESOLUTION TO AMEND RULES FOR ELECTRONIC MEETING

#2021-01 Motion by Seltzer, seconded by Gordon to adopt the amendment of the Rules for Electronic Meeting.

Staran stated that the Michigan Open Meetings Act was set to expire on December 31, 2020 and is now extended to March 31, 2021.

Roll Call Vote

Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Bill Lamott	AYE

Motion carried.

V. MINUTES:

A. Regular Meeting of December 14, 2020

Motion by Seltzer, seconded by Hanke to approve the Regular Meeting Minutes of December 14, 2020.

Roll Call Vote

Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Mike Seltzer	AYE
Bill Lamott	AYE

Motion carried.

VI. PUBLIC REQUESTS AND COMMENTS

Resolution to Adopt Rules for Electronic Meetings:

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.

David Levitt

- Expressed his condolences for the losses of Jessie Poland and Sandy Kopelman.
- Addressed his concern with the construction at 25733 River Drive.
- Hanke and Lamott discussed permit usage. Lamott stated that the engineering study is pending and will provide the information to confirm or deny the need for a permit.

Al Beke

- Expressed his condolences for the losses of Jesse Poland and Sandy Kopelman.
- He mentioned that Polan was a longtime volunteer with the Franklin Community Association and the Franklin Baseball and Softball Association.
- He mentioned that the FCA is hosting their general memberships meeting via ZOOM© on Tuesday, January 9, 2021 at 6:30 PM, all are welcome. Spotlighting the years events and projects.

Mitchel Klein

- Stated his displeasure with the public comment time limit.
- Addressed his concern with the construction at 25733 River Drive.

VII. REPORTS OF VILLAGE OFFICERS AND AGENTS

Lieutenant Michael Bastianelli/Franklin-Bingham Farms Police Department

- Reviewed Submitted Report
- Standing in for Chief Dan Roberts.
- Crime is down more than half of what it was in 2019, primarily due to COVID-19.
- One residential burglary for Franklin in 2020.
- Traffic citations less as well.
- The FBFPD Annual Report for 2020 is in progress and will be available soon.
- FBFPD conducted 473 House Checks for 2020. He commended his officers for a job well done.

Tony Averbuch/Fire Chief

- Reviewed Submitted Report
- Good News there was nothing to add for December.
- Lower COVID-19 numbers. FFD remains well stocked with personal protection equipment.

VIII. SUBMISSION OF CURRENT BILLS

Lance Vainik, Village Treasurer

- Reviewed Submitted Report.

Totals: 01-11-2021	
CATEGORY	SUB TOTALS
General	\$ 43,073.65
Major Streets	\$ 9,765.21
Local Streets	\$ 17,893.31
Police	\$ 54,651.71
Garbage and Rubbish	\$ 15,180.65
Building Dept.	\$ 5,583.51
Street Project	\$ 45,803.67

Road Millage	\$ -
Pressure Sewer	\$ -
Tax Collection	\$ 823.34
Waste Water	\$
TOTALS	\$ 192,775.05

- Saenz stated that the added bill definition column on the bills list was helpful.
- Gordon and Hanke agreed.

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

Roll Call Vote

Mark Hanke **AYE**
Ed Saenz **AYE**
Brian Gordon **AYE**
Kathy Erlich **AYE**
Mike Seltzer **AYE**
Pam Hansen **AYE**
Bill Lamott **AYE**

Motion carried.

IX. SPECIAL REPORTS

A. President's Report

Bill Lamott, Village Council President

- No report.

B. Council Report

Pam Hansen, Village Council Trustee

- As the liaison for the Historic District Commission, she updated the Council on the temporary outdoor dining structure approval for the Franklin Grill due to COVID-19 social distancing mandates. She urged the Council to expedite this process for the Franklin Grill by having a Special Council Meeting.
- Council agreed to schedule a meeting in a week to give the Building Official, Bill Dinnan enough time to review the proposed application in full.
- Jim Kochensparger asked the Council to help him expedite the process for the Franklin Grill as soon as possible as he needs to allocate funds for the project and secure a contractor.
- Lamott, Seltzer and Hanke asked if the process could be approved right then in an effort to not hold them back.
- Fraser stated that HDC's approval was for aesthetics and historical considerations. He reminded the Council that Bill Dinnan needed time to review that the application is properly considered. He agreed that approval for this application is anticipated.
- Lamott asked Mydoski to schedule the Village Council Special Meeting to be on Tuesday, January 19, 2021 at 6:00 PM.

#2021-02 Motion by Seltzer, seconded by Hanke to approve the application for the Franklin Grill Patio Modifications.

Gordon and Fraser expressed concern with moving too quickly and reiterated their desire to expedite the process but to proceed properly.

Lamott, Gordon and Hansen agreed to let Fraser and Dinnan have the time to review the application properly.

#2021-03 Motion by Seltzer, seconded by Hanke to conduct a Village Council Special Meeting on Tuesday, January 19, 2021 to Consider the application for the Franklin Grill Patio Modifications.

Roll Call Vote

Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Bill Lamott	AYE

Motion carried.

C. Administrator Report

Roger Fraser, Village Administrator

1. Water Survey

- Discussed Water Survey progress with sifting through the surveys received and modifying accordingly.

2. Revised Bill Payment Process

- Reviewed Submitted Report.
- Looking to process bills in a timely manner as they come in. The Current process is roughly five (5) weeks to process payment.
- Fraser cited the Charter language that designate a dollar amount threshold.
- Fraser stated that some payments were six (6) figures. He asked that Council to give him the authority to pay the bills monthly , not to exceed a cumulative total of \$300,000.00.
- Hanke talked with Chief Dan Roberts and this process elevates his prior concerns with prompt bill payment.
- Saenz questioned why the amount needed to be six figures for an individual check.
- Gordon agreed that an individual check amount of \$100,000 was high and not necessary.
- Hanke reiterated the fact that the request was more to pay regular, reoccurring bills.
- Council discussion to limit an individual check payment to \$50,000.00 for now and review at the end of the fiscal year.
- Council agreed to approve a cumulative total of \$300,000.00 for the month with an individual check limit of \$50,000.00.

WHEREAS current procedures for processing bill payments by the Village of Franklin require review and approval of individual bills by the Village Board of Trustees prior to bill processing, and

WHEREAS the Franklin Village Board of Trustees meets on the second Monday of each month, and

WHEREAS once monthly review of bills results in Village bill payments being cumbersome to process all at once and occasionally untimely, and

WHEREAS Section 3. of Chapter IX of the Village Charter Provides, in pertinent part:

No warrants shall be issued until the same have first been authorized by the Council; provided, however, that the warrants may be issued for the payment of labor and current expenses with the prior authorization of the Council, if authorized by the President, but the total amount of such warrants issued between any successive regular meetings of the Council shall not exceed such an amount as the Council shall from time to time establish.

WHEREAS The Board can be provided with monthly, detailed statements of bills paid, and

WHEREAS a reasonable monthly limit on the total amount of bills paid between successive regular meetings can be established,

THEREFORE, BE IT RESOLVED that the Village Administrator is authorized to process monthly bills as they occur in a monthly amount not to exceed \$300,000 (three hundred thousand dollars); provided that individual bills in excess of \$100,000 (one hundred thousand dollars), excluding tax disbursements, shall be reviewed by the Board prior to processing, and

BE IT FURTHER RESOLVED that this resolution shall have immediate effect and shall apply to those bills currently pending or received after this date.

Gordon asked Staran if he had reviewed the Resolution prepared by the Fraser. Staran replied that he had reviewed it and had no issues with it.

#2021-04 Motion by Saenz seconded by Seltzer to approve a Resolution as amended to the following:

THEREFORE, BE IT RESOLVED that the Village Administrator is authorized to process monthly bills as they occur in a monthly amount not to exceed \$300,000 (three hundred thousand dollars); provided that individual bills in excess of \$50,000 (fifty thousand dollars), excluding tax disbursements, shall be reviewed by the Board prior to processing, and

Roll Call Vote

Brian Gordon	AYE
Kathy Erlich	AYE
Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Bill Lamott	AYE

Motion carried.

D. Main Street Franklin Report

John Bry/ Main Street

- Seltzer gave an overview of the turnover in talent due to a part time designation. He discussed making Main Street a priority by investing in a full-time employee to work at the Broughton House and be solely dedicated to Main Street.
- Bry thanked Seltzer for the summary. He agreed with Seltzer and reiterated the need for a full-time employee for the benefit of our business community. He spoke to the level of activity necessary to promote our businesses.
- With the departure of Jason Dickman, there is a hole to fill. He feels that Main Street needs a full-time director to accomplish its goals and provide a line of communication between the Board and the merchants. He urged everyone to rally around Franklin.
- Seltzer informed the Council that he will be working with Main Street to present a job description and compensation package for the addition of a full-time Main Street Director.
- Hanke discussed the despondency of our business owners and he reiterated the need to assist them in order for them to remain viable.
- Saenz asked if Main Street had a fully satisfied Board. Hansen said it did. She explained that our Main Street is a 501-C3 and differs from a traditional Downtown Development Authority in larger cities. Saenz pointed out that a budget was necessary and was important specifically for a 501-C3. He praised Bry for his efforts and supports what Main Street is trying to accomplish.
- Lamott had a concern about the condition and maintenance of buildings. He suggested that aspect be rolled into the job ~~discretion~~ description.
- Council Discussion on ideas to promote businesses with Main Street and an ad campaign proposal.
- Hanke brought an immediate relief request from the merchants to the Council. The Main Street merchants have asked the Council to provide some immediate funding for short term impacts.
- Hanke stated the request is for \$2500.00 for an immediate short-term impact for promotional activities to drive business downtown Franklin.
- Bry added that Main Street already has \$2500.00 for Main Street Oakland County allocated to Franklin that is related to promotional aspects and it can be added to this promotional campaign. He added that gift card campaigns had been successful in other communities to drive foot traffic.

#2021-05 Motion by Seltzer, seconded by Hanke to approve a \$5,000.00 budget, half from Main Street Franklin and half from the Village of Franklin, to outline and develop a short term advertisement and public relations campaign to drive business into the downtown area.

Roll Call Vote

Kathy Erlich	AYE
Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Brian Gordon	AYE
Bill Lamott	AYE

Motion carried.

E. Planning Commission Report

David Goldberg/ Chairman

- He stated his sadness on the passing of Jesse Polan and Sandy Kopelman.
- He mentioned he did not have anything to report specifically, other than to answer questions that could arise from later agenda discussions.

F. Diversity Committee Report

David Sahli/ Chairman

- Hanke mentioned that the Committee had a meeting on Thursday, January 14th, 2021.
- He talked about creating a bench mark from other committees in order to ascertain the best way to progress.
- There are open positions on the Committee. The Diversity and Inclusion committee is looking for people who value enrichment through people, culture and perspectives and feel a strong commitment to unify and better our community.
- He urged the residents to submit an application with the Village Clerk by January 29, 2021, by email or at the Village Office.

X. NEW BUSINESS

A. Consider an Application for a Lot Split on Birchway Drive

Roger Fraser/Village Administrator

- Fraser asked Goldberg to advise
- Goldberg asked if Sarah Traxler's report was sent to the Council. The council had received it.
- Reviewed Submitted Report.
 - Traxler informed the Council that the states Land Division Act outlines the standards for land divisions and combinations in Michigan. Franklin is in a minority of communities that still have ordinances on the books that take a land division through a public process. The Land Division Act states that if the requirements are met, the community must approve a proposed split.
 - Traxler stated that the petitioner as proposed to take seven (7) lots and divide them into ten (10) parcels. The request was found to be in compliance with the requirements.
 - She stated that there was an outstanding question on lot width question from the Planning Commission initially, that caused them to recommend a conditional approval before bringing the request to the Council, contingent on a full review. After further review it was determined to not be an issue. She stated that she can unequivocally say that the proposed parcels can comply with the zoning requirements.
 - Gordon asked if the additional reviews would not impact the Council's ability to render a vote in this meeting.
 - She stated they would not affect the vote and many of them would be administrative decisions.
 - Lamott asked Traxler to clarify that lot 9 was in compliance. Traxler agreed.
 - Hansen brought up an issue in one of the lots that had a utility in the middle of the lot. Hansen asked why the lots wouldn't be configured as an unbuildable area. Traxler stated the Village engineers are verifying the utility easements. Discussion on process.

#2021-06 Motion by Gordon, seconded by Saenz to approve an Application for a Lot Split on Birchway Drive.

Roll Call Vote

Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Bill Lamott	AYE

Motion carried.

B. Consider the refurbishment of the Village Historical Markers

#2021-07 Motion by Seltzer, seconded by Gordon the refurbishment of the Village Historical Markers.

Gordon asked for clarification that the \$1600.00 included round trip shipping. Lamott verified that the refurbishment and round-trip shipping was included with the \$1600.00. Lamott also clarified that our responsibility was to package them and reinstall them.

Roll Call Vote

Pam Hansen	AYE
Mark Hanke	AYE
Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Mike Seltzer	AYE
Bill Lamott	AYE

Motion carried.

C. Consider Ballot Language for the Proposed Charter Amendment to Chapter XI, Section 5- Village of Franklin, to be considered in May

Hansen stated it appeared to be directly from what was submitted. Staran stated that the language was exactly the same.

Staran further stated that he had brought this to Council to ensure a timely execution for the submission process with the county.

Josondra Notter asked that the exact language be read to the public.

Lamott Read the exact ballot language.

Council Discussion.

Proposed Ballot Question

Shall Chapter XI, Section 5 of the Village of Franklin Charter be amended to provide that the Council shall not have the power to construct any new sidewalks in residential areas, except that construction of new sidewalks shall be allowed along Franklin Road and Thirteen Mile Road?

YES NO

#2021-08 Motion by Gordon, seconded by Seltzer to approve the Ballot Language for the Proposed Charter Amendment to Chapter XI, Section 5, Village of Franklin, to be considered for the May 4, 2021 Special Election.

Roll Call Vote

Mark Hanke	AYE
Ed Saenz	AYE

Brian Gordon	AYE
Kathy Erlich	NAY
Mike Seltzer	AYE
Pam Hansen	AYE
Bill Lamott	NAY

Motion carried 5-2.

XI. ADJOURNMENT

Motion by Seltzer, seconded by Gordon to adjourn the meeting.

Roll Call Vote

Ed Saenz	AYE
Brian Gordon	AYE
Kathy Erlich	AYE
Mike Seltzer	AYE
Pam Hansen	AYE
Mark Hanke	AYE
Bill Lamott	AYE

Motion carried.

There being no further business, the meeting was adjourned at 8:48 PM.

Heather C. Mydloski
Village Clerk

William Lamott
Village Council President
