

**PROCEEDINGS OF VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, January 12, 2004, 8:00 P.M.
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I. CALL TO ORDER

The meeting was called to order by President Pikulas at 8:07 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Randy McElroy, Fred Gallasch, Jim Pikulas, Florence Saltzman,
Brian Coyer

Absent: Alan Harnisch (excused), Ralph Sosin (excused)

Also Present: Jon Stoppels, Administrator
John Staran, Village Attorney, Beier Howlett
Eileen Pulker, Village Clerk
Edward Glomb, Police Chief
Tony Averbuch, Fire Chief
Dominick Schiano, Treasurer

III. ADOPTION OF AGENDA

Motion by Saltzman, supported by Gallasch to move item A of Section XI, to item Aa of Section IX and to approve the agenda as amended.

Ayes: McElroy, Pikulas, Saltzman, Coyer, Gallasch

Nays: None

Absent: Harnisch, Sosin

IV. MINUTES:

A. Regular Meeting of December 8, 2003

Motion by Saltzman, supported by McElroy, to Approve the Minutes for the Regular Meeting of December 8, 2003 as presented.

Ayes: McElroy, Pikulas, Saltzman, Coyer

Nays: None

Abstain: Gallasch

Absent: Harnisch, Sosin

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Chief Glomb stated that there was still a considerable amount of home invasion activity in the Village since his last report. There have been seven total acts of breaking and entering in Franklin and three in Bingham Farms, the last of these took place last Wednesday. Today there were two new B & E's in Bloomfield Township, and they were thought to be committed by the same people as in Franklin and Bingham Farms. The same suspects are also thought to have committed additional acts in Beverly Hills near Birmingham. Suspect is a man in his late twenties or early thirties, and he tries to gain entry by knocking on the front door of the house, if someone answers then he comes up with a story for knocking, but if no one answers the door, then he tries to gain entry by a backdoor. Glomb reported that composites of the suspect are available and the police are out looking for the suspect and hope to capture him in the near future. Glomb asked the Villagers to report any suspicious activity, and stated that Villagers must turn their alarm systems on when they are away. Glomb also stated that there had been an act of Commercial Breaking and Entering, where an individual had broken a window and stolen a laptop off a desk. Glomb stated that the Police Department had just received grant money to fund the purchase of bulletproof vests.

Chief Averbuch referred to his written report. Averbuch stated that there were a higher number of responses for the beginning of the year compared to that time last year, having just made the seventeenth run for the year. Fire response runs totaled at 355 for 2003, which was a continuation of a two-year decline, and Averbuch was hopeful that that trend would continue. Averbuch stated that false alarms are still a problem throughout the Village and that people need to communicate with their Alarm Companies when contractors are working on their properties.

Treasurer Schiano stated that the bills were in good order. Schiano also stated that due to Revenue Sharing cutbacks, there was a budget shortfall, which was short by 8%, up from last years falloff of about 5.2%. Stoppels and Glomb were working on plans to adjust the budget accordingly.

Council asked about Federal monies and what is available to the Village for overtime involving the Police Department. Glomb stated that the Police Department had applied for money for the overtime used during the blackout, but that was still pending. Glomb also stated that there were additional Homeland Security Funds available, but the monies were trickling down from the Federal Government to the State to the County and then down to the Village. Schiano stated that he would review the second fiscal quarter ending 12/31/03, to consider re-budgeting for 2004 and further on. Schiano also stated that the Audit of the Village finances was completed, and the audit had no major findings in the year-end report.

VI. SUBMISSION OF CURRENT BILLS

Council asked about a refund on Taxes. Stoppels stated that he was working on the matter with Southfield Township.

Motion by Coyer, supported by Gallasch, to Approve the Current Bills as Presented.

TOTALS		
General Administration	\$	13,952.69
Tax Fund	\$	3,849.11
Building	\$	22,720.14
General Debt	\$	450.00
Insurance	\$	29,112.34
Legal	\$	3,654.13
Police	\$	8,301.31
Roads	\$	6,530.00
2002 Local Roads	\$	41,758.20
Cell Tower	\$	1,163.65
Rubbish	\$	13,763.27
Trust & Agency	\$	1,200.00
Village Hall & Grounds	\$	2,260.00
Water	\$	193.94
Waste Water	\$	1,257.85
ALL FUNDS	\$	<u>150,157.63</u>

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

VII. PUBLIC REQUESTS AND COMMENTS

NONE

VIII. SPECIAL REPORTS:

A. Verbal Report, James Pikulas, Council President

Pikulas officially extended the Council's condolences to Officer Jim Hirschfeld, who recently lost his mother.

Coyer gave a report on the Cell Tower committee and gave an update of the committee's progress.

This Committee is represented by two members each from the Village Council, Planning Commission, Historic District Commission and two members at large. Appointments are as follows:

Village Council

Brian Coyer, Chairman

Planning Commission	Randy McElroy Jim Stevens Rob Sickles
Historic District Commission	Rick Koslowski Bill Lamott
Delegate at Large	Mike Seltzer Connie Ettinger

The committee met with John Staran, the Village Attorney, Dave Nicholson, the Village Planning Consultant, Jon Stoppels and Eileen Pulker on January 9, and conducted preliminary business, and created subcommittees: Community contact would be handled by Bill Lamott, Technical aspects would be handled by Jim Stevens, and Carrier contacts would be handled by Brian Coyer and possibly a couple of other committee members.

The first public meeting will be held January 26, 2004, at the Franklin Community Church at 7:00 p.m..

Coyer stated that the committee was looking into possibilities of getting their own technical experts. McElroy added that the Committee was looking at all viable ideas and options for action, and the Committee would be willing to listen to such ideas at the public meeting.

IX. PROCLAMATIONS/RESOLUTIONS/ORDINANCES:

Aa. Consider Application for Sign Placement for the Property located at 30777 Telegraph Road (Standard Federal Bank).

Representatives from the Bank asked for a different sign placement, because the current sign sits too far back from the road for people to see. The Bank wants to put sign back on the berm at Telegraph Road. Stoppels stated that approval had to come about with State and Local regulations and ordinances, the sign will be illuminated, but because there are no residences around the business, that should not cause problems. Council was concerned about infringing on the right of way, but the site plan showed that the proposed location was outside of the right of way, so the Village has no liability involved with the sign. Council also noted that a Sign Permit would be applied for and the Building Official would review that.

#2004-01 Motion by Gallasch, supported by McElroy, to Approve the Application for Sign Placement for the Property located at 30777 Telegraph Road (Standard Federal Bank), assuming that the Sign Placement would be Out of the Right-Of-Way.

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

- A. Consider Ordinance to Re-zone properties in the R-1 District, immediately south of Fourteen Mile Road, East of the Cressbrook development, west of Romsey, north of River Drive currently zoned R-1 be rezoned as R-L.**

The Council found the request consistent with State Law, the Re-zoning was consistent with the Master Plan and a public hearing had been held. Coyer proposed that the Planning Commission explore a possible R1a zoning district to deal with nonconforming issues.

#2004-02 Motion by Coyer, supported by McElroy, to Approve the Ordinance to Amend Chapter 1248 and the Zoning Map of Part Twelve, Title Four, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Rezone the Property Described Herein from R-1 Single-Family Residential to R-L Single Family Residential, and the to Prescribe a Penalty for Violations and to waive the second reading:

The zoning classification of the following described property shall be amended as follows:

526.84 acres rezoned FROM R-1 Single-Family Residential TO R-L Single-Family Residential.

SITE DESCRIPTION:

Land in the Village of Franklin, Oakland County, Michigan, described as:

A northwest part of Section 5, Town 01N , Range 10E, City of Franklin, Oakland County, Michigan;

More particularly described as:

**Commencing at a point of Northing 1237312.99 and Easting 44002542.65 ;
thence bearing N 86-36-1.029 E a distance of 663.90 feet ;
thence bearing S 65-33-21.763 E a distance of 79.29 feet ;
thence bearing S 23-37-45.760 E a distance of 57.30 feet ;
thence bearing S 7-35-40.716 E a distance of 49.65 feet ;
thence bearing S 10-18-17.447 W a distance of 36.68 feet ;
thence bearing S 16-27-36.053 W a distance of 301.05 feet ;
thence bearing S 12-5-41.125 W a distance of 281.85 feet ;
thence bearing S 7-35-40.716 W a distance of 297.89 feet ;
thence bearing S 1-53-47.466 W a distance of 495.68 feet ;
thence bearing S 1-46-0.907 E a distance of 1276.85 feet ;
thence bearing S 2-42-43.140 E a distance of 624.06 feet ;
thence bearing S 2-24-39.707 E a distance of 623.91 feet ;**

**thence bearing S 0-0-0.000 E a distance of 492.13 feet ;
thence bearing S 9-34-58.601 W a distance of 256.20 feet ;
thence bearing S 13-54-28.000 W a distance of 354.89 feet ;
thence bearing S 27-40-51.822 W a distance of 226.00 feet ;
thence bearing S 52-7-30.059 W a distance of 149.63 feet ;
thence bearing S 65-5-42.832 W a distance of 101.28 feet ;
thence bearing S 70-46-9.579 W a distance of 149.41 feet ;
thence bearing N 81-5-6.263 W a distance of 169.37 feet ;
thence bearing N 69-10-44.786 W a distance of 249.21 feet ;
thence bearing N 55-44-37.633 W a distance of 460.45 feet ;
thence bearing N 41-53-54.009 W a distance of 471.63 feet ;
thence bearing N 48-43-40.380 W a distance of 820.66 feet ;
thence bearing N 55-42-47.243 W a distance of 349.44 feet ;
thence bearing N 61-58-31.798 W a distance of 230.43 feet ;
thence bearing N 73-31-46.458 W a distance of 393.44 feet ;
thence bearing N 86-16-43.272 W a distance of 404.40 feet ;
thence bearing S 78-56-54.755 W a distance of 427.88 feet ;
thence bearing S 69-19-32.071 W a distance of 371.71 feet ;
thence bearing S 55-27-55.218 W a distance of 370.39 feet ;
thence bearing S 43-17-55.123 W a distance of 234.41 feet ;
thence bearing S 66-48-5.074 W a distance of 199.89 feet ;
thence bearing S 75-10-24.672 W a distance of 115.39 feet ;
thence bearing N 86-49-12.612 W a distance of 118.29 feet ;
thence bearing N 2-15-50.411 W a distance of 4235.59 feet ;
thence bearing N 87-8-29.610 E a distance of 4736.86 feet to the point of
beginning.**

Said described parcel contains 22949130.62 square feet (526.84 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

Parcel Identification No.: 2405101001
2405101002
2405101003
2405101004
2405101005
2405102001
2405102002
2405102003
2405102004
2405102005
2405103001
2405103002
2405103003
2405103004
2405103005
2405103006

2405103007
2405104001
2405104002
2405104003
2405104004
2405104005
2405104006
2405104007
2405105001
2405105002
2405105003
2405105005
2405105006
2405105007
2405105008
2405105009

This data is derived from Oakland County Tax Record information.

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

**B. Consider Ordinance to Amend Zoning Ordinance Section 1264.02
Nonconforming Lots.**

#2004-03 Motion by Coyer, supported by Gallasch, to Approve an Ordinance to Amend section 1264.02 of Chapter 1264, Nonconformities, of part Twelve, Title four, of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to Provide that Nonconforming Contiguous lots Under Common Ownership Shall be Considered a Single Lot, Repeal Conflicting Ordinances, Prescribe a Penalty for Violations and to Waive a Second Reading.

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

X. UNFINISHED BUSINESS

A. Consider Planning Commission recommendation for the Lot Split application for the Property located at 32975 Romsey.

Council stated that the proposed Lot Split was inconsistent with the Master Plan, relevant ordinances and state regulations, therefore consensus of Council was to deny the application.

#2004-04 Motion by Coyer, supported by Gallasch, to deny the Lot Split application for the Property located at 32975 Romsey.

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

XI. ADJOURNMENT

Motion by McElroy, supported by Saltzman, to Adjourn the Meeting.

Ayes: McElroy, Gallasch, Pikulas, Saltzman, Coyer

Nays: None

Absent: Harnisch, Sosin

There being no further business, the meeting adjourned at 9:03 p.m.

Respectfully submitted,

John C. Pulker
Recording Secretary

Eileen Pulker
Village Clerk

James Pikulas
Village Council President