

**PROCEEDINGS OF VILLAGE OF FRANKLIN  
VILLAGE COUNCIL REGULAR MEETING  
MONDAY, SEPTEMBER 12, 2011, 8:00 PM  
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE  
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

**I. CALL TO ORDER**

The meeting was called to order by President Fred Gallasch at 8:03 P.M. at the Franklin Village Hall, Franklin, Michigan.

**ROLL CALL**

Present: Lew Eads, Fred Gallasch, Brian Gettel, Jim Kochensparger, Bill Lamott, Steve Rosenthal, Mike Seltzer

Also Present: Amy Sullivan, Village Administrator  
Eileen Pulker, Clerk  
Patrick Browne, Police Chief  
Tony Averbuch, Fire Chief  
John Staran, Hafeli Staran Hallahan & Christ, P.C., Village Attorney  
Vivian Carmody, Administrator, Main Street Franklin

**II. ADOPTION OF AGENDA**

Sullivan suggested postponing New Business L (Budget amendments) to the October meeting and requested a discussion regarding the DIA Inside/Out and MI Apple Trail programs be added as New Business Item L with the consensus of Council being in agreement.

**Motion by Eads supported by Gettel to approve the Agenda as amended.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

**III. MINUTES**

**A. August 8, 2011 Regular Village Council Meeting**

**Motion by Kochensparger supported by Seltzer to approve the minutes of the August 8, 2011 Regular Village Council Meeting as submitted.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

**B. August 23, 2011 Special Village Council Meeting**

**Motion by Gettel supported by Seltzer to approve the minutes of the August 23, 2011 Special Village Council Meeting as submitted.**

Administration was requested to add consideration of the August 22, 2011, minutes to the October meeting agenda.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

**C. September 1, 2011 Village Council Workshop Meeting**

**Motion by Seltzer supported by Eads to approve the minutes of the September 1, 2011 Village Council Workshop Meeting as submitted.**

Gallasch noted the Organizational meeting is scheduled for September 26<sup>th</sup> with workshop related matters handled then.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

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

**Patrick Browne, Police Chief:** Browne advised that officers responded to 281 calls for service in August, provided an update on recent police related activity in the Village, and noted that fire arms training is scheduled for the end of the month and critical incident training for the first part of October.

**Tony Averbuch, Fire Chief:** Averbuch referred to his written report and noted by working in cooperation with the Police and sharing resources, the Labor Day events were a success and the Department participated in a few September 11<sup>th</sup> 10 year anniversary remembrance events.

**Thomas Morrow, Treasurer:** Morrow referred to his written report and noted the bills list is at its seasonal high and includes bills related to auto liability insurance, tax distributions, and bond payments in addition to normal spending.

**Vivian Carmody, Executive Director, Main Street:** Carmody noted the Business Development Committee recently met and conducted the first property owners meeting which was well attended and mutually beneficial and provided a brief update on upcoming programs: Façade improvement-matching grant program; DIA Inside/Out- promoted by DIA with costs underwritten by DIA, great partnership opportunity, installation day September 19th, free admission to DIA for Franklin residents will be Sunday, November 6th, DIA small group programming available, all retail/service merchant's participating by holding a DIA day and contributing 15% of gross sales back to DIA; Hosting the Birmingham/Bloomfield Chamber of Commerce Member Coffee on October 11th, majority of merchants will be opening early to better showcase the Village; Franklinstein- outlined events, committee excited; MI Apple Trail-outlined event, Apple heads to Eastern Market on Thursday where it will be on public display until October 14th when the Apple Gala/Auction is held with proceeds returning to the Village for its apple, go online and vote for favorite apple; Farmer's Market-runs through October 29th, thanked all volunteers and community members who made this a success.

#### **V. SUBMISSION OF CURRENT BILLS**

**Motion by Eads supported by Gettel to approve the Bills List as submitted.**

Discussion ensued regarding landscaping costs (Sullivan noted what is included and advised she will look into scope of work on grass cuttings); Building-Marshall & Swift Renewal (evaluation manual used by building officials and assessors); A.K. Paulsen bookkeeping (higher because of audit); Inspections (down to two long-standing open permits).

#### **TOTALS**

General Administration	\$	34,741.23
Building	\$	5,215.16
Insurance	\$	62,485.81
Legal	\$	3,289.00
Police	\$	16,623.82
Pressure Sewer	\$	224,181.88
General Debt Service	\$	397,921.25
Major Roads	\$	12,888.70
Local Road	\$	14,525.37
Rubbish	\$	16,502.20
Trust & Agency	\$	1,200.00

Tax Fund	\$	322,544.00
Waste Water	\$	-
<b>ALL FUNDS</b>	<b>\$</b>	<b>1,112,118.41</b>

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

## VI. PUBLIC REQUESTS AND COMMENTS

Gallasch advised the public as to the rules for speaking and noted the Village's three (3) minute time limit and requested concise non-repetitive comments.

- **Marcia Gershenson, Oakland County Commissioner, District 17**, noted she attended the September 11th remembrance event at the fire station at Middlebelt and Maple, West Bloomfield acquired a piece of steel from the World Trade Center which will be a traveling display which any community can host, Averbuch presented at the Oakland County memorial event, thanked all involved in Roundup, MML scholarship available to high school students based on essay on how they would manage local government, and encouraged residents to get out and vote at the Village Election on September 13, 2011.

- **Randy McElroy, 30575 Woodside**, thanked Gallasch and Lamott for their considerable service to the Village noting the Village owes them a great debt, opined that because they are not running again does not mean they are unpatriotic or the cause is not strong, and noted the large number of blatantly illegal political signs (he removed 30).

- **Charles Dunn, Kirk Lane**, noted he attended the County September 11th memorial event and Chief Averbuch's presentation was an emotional moment; one which the Village and Chief should be proud of, the election will determine the outcome of the Headlee override initiative and regardless of the outcome, the Village needs to move forward with a genuine spirit of community with a focus on making the Village a great place and taking it to the next level, and commended Lamott for the Kreger Building/Franklin Community Center, which he opined, the Village now needs to put to good use.

- **Nomi Joyrich, owner Beadworks**, advised she is not currently a resident but is a business owner, read a letter to the Village written by her parents (residents) which describes the positive changes Main Street, specifically through its Director, has brought to the Village, and personally noted business owner's should not be considered "outsiders" but stakeholders whose voices have merit and need to be heard.

- **Barry Silverstein, Cheviot Hills**, read a letter from Market Basket noting the value the Main Street Director has brought to the Village including unifying the merchant base and personally commented on the increased degree of socialization he has witnessed of late.

- **Les Gorback, owner Gorback Studio of Photography**, noted the significant support he has received from Main Street, Main Street has brought new life into a forgotten downtown area, forged alliances with all stakeholders, and brought considerable financial benefits to the Village.

- **Joe Lampertius, La Spezia Flavor Market**, noted he is a new retailer in the Village who decided to locate in the Village as a result of Main Street and its Director's efforts, applauded the Director's efforts in growing their business, and noted he supports Main Street and the Director.

- **Jim Zack, Wellington**, noted the value of the community has increased because of the efforts of Main Street, he is a Main Street supporter, and the property values will increase as a direct result of Main Street.

## **VII. SPECIAL REPORTS**

### **A. President's Report**

Gallasch noted the Church dedicated a new parking lot which is a good example of how the Franklin community can come together to address a concern as Village Council, FCA, and the Baseball League all contributed funds for this renovation. Gallasch noted this is his last Council meeting after fourteen (14) years on Council and thanked those who have supported and worked with him, those who were an inspiration to him, current and past staff, the Fire and Police Departments, and promised that he will remain active in the Village. Gallasch opined the Village needs citizen input/involvement and suggested Council consider whether it is engaging or isolating citizens and whether it is genuinely listening to those who have a different perspective, Main Street (which he supported conceptually) needs to be an inclusive group, decisions made after the results of the Headlee Override are in should be influenced by the community with expenses limited if it passes and with solutions sought that are not harsh if it doesn't, and all should be treated fairly and with respect.

### **B. Council Report**

#### **1. Main Street Franklin Discussion.**

Lamott advised he requested this be added to the agenda and noted he voted for and supported Main Street as it was initially presented (limited public funds; self-supportive after three (3) years) and addressed his concerns with Main Street and what he would like to see as it moves forward. Discussion ensued regarding the many benefits of Main Street.

## **VIII. NEW BUSINESS**

### **A. Consider Demolition Application for 26980 Wellington**

Sullivan noted the applicants are present and are seeking to demolish the home and replace it with a new home.

**#2011-93 Motion by Seltzer supported by Gettel to approve the Demolition Application for 26980 Wellington, with Sullivan to review the tree waiver form provided with the application, and to note which trees would be protected during construction, if any.**

It was noted the same people did a successful demolition on Telegraph recently. Discussion ensued regarding future plans with the Applicants noting their intent is to build another home and demolition would occur around the end of October or early November.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

### **A. Consider Bid Tabulation Request and Recommendation for 2011 Joint and Crack Sealing Program**

Sullivan provided a brief overview noting this project will assist in prolonging the life of the roads, and budget amendments will be needed down the road.

**#2011-94 Motion by Eads supported by Gettel to postpone consideration of the 2011 Joint and Crack Sealing Program to the September 26th Organizational meeting with the Village Administrator requested to obtain input from Hubbell, Roth, and Clark (HRC), Village Engineers, as discussed.**

Discussion ensued regarding the pros and cons of delaying some roads slated for joint and crack sealing to stay within budget with Administration being requested to obtain information from HRC relative to the possibility of postponing sealing on any of the roads, costs, clarification as to what 'without inspection' means, traffic safety concerns, engineering, and projected longevity of the sealing and whether it is of value.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**  
**Nays: None**  
**Motion carried.**

**B. Consider Temporary Sign Application for “Franklinstein Frenzy”**  
Pat Burke referred to the submitted application.

**#2011-95 Motion by Gettel supported by Seltzer to approve the temporary sign application for “Franklinstein Frenzy” as submitted.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**  
**Nays: None**  
**Motion carried.**

**C. Consider Temporary Sign Application for Franklin Community Church Rummage Sale, September 23 & 24, 2011**

Sullivan provided a brief overview noting the church has been notified as to sign placement in the Road Right of Way and that they went up too early.

**#2011-96 Motion by Kochensparger supported by Eads to approve the temporary sign application for Franklin Community Church Rummage Sale, September 23 & 24, 2011.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**  
**Nays: None**  
**Motion carried.**

**D. Consider Civic Event Permit Application for “Almost Home Animal Rescue” Run, September 24, 2011**

The applicants noted this is the second time this event will be held and has a slightly different route. Discussion ensued regarding route and police overtime concerns with it being noted the minimum overtime allowed is three (3) hours.

**#2011-97 Motion by Gettel supported by Seltzer to approve the Civic Event Permit Application for “Almost Home Animal Rescue” Run, September 24, 2011 as presented, with the applicant committed to pay up to three (3) hours for police overtime to facilitate crossing on 13 Mile Road and with directional signage permitted for the day of the run and which are to be removed immediately following the run.**

Discussion ensued with it being noted directional signage (such as cones; yard signs with arrows) to be put up the day of the event and removed immediately following the event would be beneficial.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**  
**Nays: None**  
**Motion carried.**

**A. Consider Civic Event Permit Application for Questers Horse Race and Dinner Fundraising Event, Friday, October 14, 2011, 6:00 PM to 10:00 PM**

Lamott noted these are fundraising events for the community center, provided a brief overview. Sullivan noted there are sign application permits that were not included in the packet.

**#2011-98 Motion by Gettel supported by Rosenthal to approve the Civic Event Permit Applications for the Questers Horse Race and Dinner fundraising event, the Tailgate Party, MSU v. U of M, and the Flea Market, contingent upon approval from the Franklin Community Association (FCA) and Franklin Community Church, with clarity around the consumption of alcoholic beverages to be provided, and with one sign allowed for each event on the Village/FCA property.**

**B. Consider Civic Event Permit Application for Tailgate Party, MSU v. U of M, Saturday, October 15, 2011**

Discussion ensued with it being noted that approval will be needed from the FCA and the Church as this is their property and with clarity around the alcoholic beverage concern being requested.

**C. Consider Civic Event Permit Application for Flea Market, Sunday, October 16, 2011, Noon to 4:00 PM**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

**D. Consider SMART Contract for FY 2012**

Pulker provided a brief overview with it being noted this is the same contract as in the past, however funding, is a little lower, and that the program is to be handled by the Birmingham Area Senior Coordinating Council (BASCC) as usual.

**#2011-99 Motion by Eads supported by Rosenthal to approve the SMART contract for FY 2012 as submitted.**

**Ayes: Eads, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: Gallasch**

**Motion carried.**

**E. Consider Scheduling Organization Meeting, September 26, 2011, 6:30 PM**

**F. Consider Cancellation of September 29, 2011 Workshop Meeting**

Pulker noted this is required by the Charter, a motion is necessary and Seltzer will not be in attendance.

**#2011-100 Motion by Gettel supported by Rosenthal to schedule an organizational meeting for September 26, 2011, at 6:30 PM, and to cancel the already scheduled Council Workshop Meeting on the September 29, 2011.**

Discussion ensued regarding photos with the consensus being to do this at the October 10, 2011 Village Council meeting.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

**G. Consider Main Street Franklin Special Display Requests: DIA Inside/Out & MI Apple Trail Program.**

Sullivan provided a brief overview noting approval for the apple/art as special displays under the temporary sign ordinance would be appropriate. Discussion ensued regarding location, application, etc.

**#2011-101 Motion by Kochensparger supported by Seltzer to approve the completed application for the Main Street Franklin Special Display Requests: DIA Inside/Out and MI apple Trail program, upon receipt.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Rosenthal, Seltzer**

**Nays:**

**Motion carried.**

**IX. ORDINANCES/RESOLUTIONS/PROCLAMATIONS**

**A. Consider Village Clerk Resolution**

Sullivan provided a brief overview noting was brought up at the last Council meeting. Drafts were provided by the Village Attorney and Trustee Kochensparger.

**#2011-102 Motion by Kochensparger supported by Eads to postpone consideration of the Village Clerk Resolution until after the Village election and before the Organization Meeting.**

Discussion ensued regarding the intent of the Resolution, impact of Home Rule Village Act, term starts at organizational meeting, and benefits of postponing consideration until after the election and before the organizational meeting.

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

Eads thanked Gallasch and Lamott for their many years of service and noted Gallasch has shown great leadership, and set an example of how to interface with the community.

**X. ADJOURNMENT**

**Motion by Eads supported by Gettel to adjourn the meeting.**

**Ayes: Eads, Gallasch, Gettel, Kochensparger, Lamott, Rosenthal, Seltzer**

**Nays: None**

**Motion carried.**

There being no further business, the meeting adjourned at 9:53 P.M.

Respectfully submitted,

---

Lori Rich, Recording Secretary

---

Eileen H. Pulker, Clerk

---

H. Frederick Gallasch, President