

**VILLAGE OF FRANKLIN
VILLAGE COUNCIL REGULAR MEETING
MONDAY, JANUARY 8, 2018, 7 PM
FRANKLIN VILLAGE HALL – BROUGHTON HOUSE
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN 48025**

I. CALL TO ORDER

The meeting was called to order by President Pamela Hansen, at 7:02 PM at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Fred Gallasch, Pam Hansen, Judy Moenck, Tom Morrow, Mike Seltzer, Mira Stakhiv
Absent: Brian Gordon
Also Present: Jim Creech, Village Administrator
Chief Dan Roberts, Police Department
Eileen Pulker, Village Clerk
Lance Vainik, Village Treasurer
John Staran, Village Attorney

III. ADOPTION OF AGENDA

Motion by Seltzer, seconded by Stakhiv to adopt the agenda, as presented.

Ayes: Gallasch, Hansen, Moenck, Morrow, Seltzer, Stakhiv
Absent: Gordon
Nays: None
Motion carried.

IV. MINUTES

A. Regular Meeting of December 11, 2017

Motion by Seltzer, seconded by Moenck to approve the Regular Meeting minutes for December 11, 2017, as presented.

Stakhiv noted a typographical error in Police Chief's report, page 2.

Motion by Seltzer, seconded by Moenck to approve the Regular Meeting minutes for December 11, 2017, as amended.

Ayes: Gallasch, Hansen, Moenck, Seltzer, Stakhiv
Absent: Gordon
Abstain: Morrow
Nays: None
Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Tony Averbuch, Fire Chief, referred to his written report and added one item: according to the State of Michigan Insurance Services Office, the Department would be re-evaluated within 1 ½

weeks to determine the current Fire Insurance Rating amount. Averbuch noted that he had been through the review previously and was certain that it was not a problem.

Dan Roberts, Police Chief, referred to his written report and highlighted that the Holiday season was very quiet from a crime perspective. However, there were a number of traffic accidents due to weather conditions, some of which were fairly serious, including a hit and run driver who fled the scene. That driver has been identified and charges were pending. The Officers conducted nearly 900 vacation house checks during the month of December. "Family trouble" calls are prevalent over the holidays but the Department responded to only two (2) this year. Regarding personnel, they are still in the process of hiring a part-time police clerk, with five (5) interviews scheduled for the coming week.

Moenck inquired about any updates on the group homes. Roberts stated that the one on Bloomington Court had moved out and noted that other homes have not been any problem. Hansen asked if he had any feedback on the new portable speed sign the Department had purchased. Chief stated that the only comments he had received were from residents who requested that it be put on their own street.

Lance Vainik, Treasurer, referred to his monthly report and noted that the amounts on the Bills List are consistent with normal monthly spending for a total of \$111, 628.89. Vainik stated that the expenditures are generally consistent with the FY 2017-18 Budget. The Bills List for this month includes several entries to Johnson Landscaping for snow removal for both local and major streets. Vainik added that the list provided of account balances, at Level One Bank, is as of January 5, 2018. He concluded by stating that the Village has sufficient funds to meet its current and anticipated obligations. Vainik added that there was also a report from Creech which will be distributed monthly regarding the balances the Village holds in interest bearing CD's and Money Market Funds that are ultimately headed to interest bearing CD's. Vainik concluded stating that this report was as of January 8, 2018 and held at Multi-Bank Securities.

VI. SUBMISSION OF CURRENT BILLS

Motion by Seltzer, seconded by Morrow to approve the Bill's List, as submitted.

Gallasch asked for clarifications of the Blue Cross Blue Shield Insurance bills under Administration and Village Clerk which were listed as "HEALTH INSURANCE -ADDL. JAN", as well as, the vendor, "BASIC", which Pulker explained administers the money put aside for co-pays of the high deductible insurance plan, and the two (2) checks to "WEX BANK" under the Police Fund, which are actually to Marathon Oil for gasoline for police vehicles.

Ayes: Gallasch, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: Gordon

Nays: None

Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

None

VIII. SPECIAL REPORTS

A. President's Report

Hansen wished everyone a Happy New Year and thanked the public for watching this meeting. She was looking forward to a robust discussion on Historic Preservation which would be later in the meeting. Before this meeting there had been an informal discussion with the Hubbell Roth & Clark representatives who were the engineers for the road project. She reported that overall, the Village was satisfied with the work that has been done and there were some lessons learned in the process. She concluded stating that the project will resume in the Spring with the east side of Franklin Road and Franklin Road itself being addresses, adding that monthly reports will be received from the Village Engineers, Hubbell Roth & Clark during the ensuing work.

B. Council Report

None

C. Administrator Report

Creech mentioned that an application has been sent to Tree City USA to enable possible grant requests for trees. He has made contact with a financial consultant regarding the timing for the next set of bonding for the upcoming road work this spring.

Creech advised the Council that even though it was still early winter, due to the amount of snow we had already received, the budget line allotted for snow removal had been depleted. He answered Hansen's question that he had had very few complaints about the removal and actually several compliments, adding that the season has been very positive.

IX. NEW BUSINESS

A. Consider Civic Event Permit Application for Bring Your Own Dog (BYOD), May 6, 2018.

#2018-01 Motion by Morrow, seconded by Gallasch to approve the Civic Event Application for Bring Your Own Dog (BYOD), to be held Sunday, May 6, 2018.

Rikki Goldman, representative of Bloomfield Hills High School Student Leadership, presented the project, stating that this would be the second year for this successful event. Last year the group was able to donate over \$1,000 to Michigan Humane Society.

Ayes: Gallasch, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: Gordon

Nays: None

Motion carried.

Stakhiv requested that the Administrator initial all permit applications before it is presented to Council, especially since the application comes through the Administrator.

B. Consider Re-Appointment of Historic District Study Committee Members

Gary Roberts, Historic District Commission (HDC) Chairman, representing the Historic District Study Committee (HSC), provided a brief historical background of the committee, its purpose, and possible considerations for the future.

Seltzer posed some questions about possible historic designation and preservation of properties, such as his own on Scenic Hwy.

Discussion ensued about the length of time this committee would exist. Staran remarked that the committee was initially set up for a one year term for the purpose of studying and reporting on the barn in Franklin Farms condominium. Roberts has indicated a potential broader purpose that the study committee could serve, if the Council would allow it to do so. Responding to Morrow's inquiry, Roberts thought it would be appropriate to re-appoint the committee for an additional year, because this project was going to be a time-consuming effort.

Roberts clarified that this committee was not a subset of the HDC. It was composed of a cross-section of the community which happened to be historic minded people, plus Gallasch who is the Council liaison, and Amanda Davis, the consultant who helps the committee from a procedural standpoint. Staran pointed out that it was a separate committee which happened to have two (2) HDC members on it.

Moenck questioned if the committee was "scope bound" or "time bound". Roberts noted that one of the HSC's expressed purposes, as stated in the Ordinance, was to look at the limits of the district as established. From time to time those limits should be analyzed and appropriately scrutinized, i.e. adding the Kreger House. Moenck supported the idea of the committee being "scope bound".

Roberts noted that the committee recommended that its "scope" would be the modification of the historic district's boundaries which would include non-contiguous properties within the Village limits, as is the case of the Historical Museum and the property on Scenic Hwy. However, because this committee did not have the power to take any action on its own like the HDC, it could only make recommendations to the Village Council. It was a self-directed committee with the purpose of modifying the district limits. Therefore, Roberts felt that it needed the support of the Council. Stakhiv was in support of this and suggested the committee update the Council either quarterly or semi-annually, as accountability was important.

Staran led a discussion regarding the formal adoption of an actual Ordinance, which includes the official designation of the Museum and the property on Scenic Hwy. The Ordinance may need to be reviewed and formally adopted. Roberts reminded Council that there were two (2) districts: the National Historic District and the Local Historic District, and regulations governing both.

#2018-02 Motion by Morrow, seconded by Seltzer to Re-Appoint the Historic District Study Committee Members, for an additional year, as follows:

Gary Roberts and Eileen Harryvan, Historic District Commissioners; Amanda Davis, Historic District Commission Consultant; Nena Downing, Historical Society Board member; Fred Gallasch, Village Council Trustee.

Ayes: Gallasch, Hansen, Moenck, Morrow, Seltzer, Stakhiv
Absent: Gordon
Nays: None
Motion carried.

C. Receipt and Presentation of Historic District Study Committee Report, which Recommends Amending the Village Historic District Ordinance, Chapter 1230, of the Codified Ordinances, to include the Non-Contiguous Property that Contains the Barn at the Franklin Farms Condominium Property, in the common area.

Hansen began the discussion by reporting that the Legal Committee had discussed this issue and concluded that it would be more advantageous to have an in-depth conversation about the report and its implications with the presence of Legal Counsel at the meeting, in lieu of requesting a motion to approve the Ordinance.

Gary Roberts, Chairman of HDC, referred to the Historic Study Committee's Final Report, dated December 6, 2017, on the Franklin Farms (Burger) Barn. He credited Amanda Davis, Historic Preservation Consultant to the HDC, as being the author of the report, but who was unable to attend this meeting. Roberts began with a brief history of the process of obtaining all the information for the report, including speaking with several people, including previous Planning Commissioners and Dr. Burger's eldest daughter, and gathering pertinent documentation, among them being the legal description of the condominium and its Deed, old articles, and the minutes from the HSC October 30, 2017 meeting and Public Hearing. He stressed the importance of preserving this structure as it was the only character defining element of the Village along its eastern edge. This was the one piece that set the Village apart from other communities along the major thoroughfare on the east, that being Telegraph Road. The packet also included cost estimation by JDS Historical for the stabilization and restoration of the barn.

Roberts continued stating that if the barn property was included in the definition of the Historic District as a non-contiguous property, the Village would have technical control and be able to preserve it as it has historical value to the community. The conclusion was that the committee recommended such a designation.

Responding to Morrow's inquiry about the next steps to getting this non-contiguous property placed into the District, Roberts outlined the process which included Staran writing an Ordinance and following the legal process for adoption and Davis engaging the State Historic Preservation. Staran specifically detailed the next steps involving the Council and Roberts stressed the direct involvement of the State Historic Preservation in the process.

Kinneri Patel, Franklin Farms Drive, stated that she lives next to and faces the barn and she is very interested in the barn's preservation.

Morrow expressed his support of the barn preservation and hoped the Village would take a strong position of support.

Staran clarified the historical situation and supported Roberts' thoughts of the Village's responsibilities (to) this issue. It was debatable what the condominium documents said or what was intended by "maintenance". This was irrelevant because the Village is not part of that; only the Condominium Association can enforce their Master Deed. As Roberts indicated, if the Village wanted to prevent this or have some control over the barn being maintained and not demolished, the Village needed to take control of it. To be clearly understood, Staran noted that the only authority the Village has by the "demolition by neglect" provisions would be for the Village to take action to protect and prevent further deterioration of the barn which would mean spending money on the barn stabilization or structural repair (approximately \$26,000). However, the Village cannot renovate the barn nor force the condominium to spend approximately \$44,000 to stabilize and restore the barn. The Village would have to consider whether just preventing the deterioration of the barn still made sense even though it still didn't have the final action plan in place. Staran added that hopefully, the Condo Association would find a way to participate in the project.

Roberts stressed the time limitations on this issue.

Staran stated that, as directed, he will have a written Ordinance for adoption at the next Council meeting.

X. ADJOURNMENT

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

Ayes: Gallasch, Hansen, Moenck, Morrow, Seltzer, Stakhiv

Absent: Gordon

Nays: None

Motion carried.

There being no further business, the meeting was adjourned at 8:07 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk

Pamela Hansen, President