

Village Council Regular Meeting Agenda
April 11, 2023, 7:00 PM
COUNCIL CHAMBERS LOCATED AT
22 W Burdick Street, Oxford, MI Tel: 248-628-2543

PUBLIC COMMENTS: *The public may voluntarily state their name and address. In adherence to the Open Meetings Act, this time is for council to hear from the public and not to engage in discussion with the public on the comments made. Each person will be allowed an opportunity to speak for three (3) minutes. The public shall refrain from making personal and public attacks against council members or others in attendance, and from making redundant comments. All public comments shall be addressed directly to the Council President.*

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Bourgeau, Cooke, Helmuth, Kemp, Nicosia
4. Approval of Agenda
5. Public Hearing: Amendment to Ordinance Article VI Section 42-133(b) and Article X Section 46-5
6. Call to Public:
7. Consent Agenda:
 - a. Receive and File items:
 - i. Correspondence: Letters and Communications
 - ii. Department Reports
 - b. Approval items: (roll call vote with bill amount)
 - i. Approval of Minutes March 14, 2023, March 27, 2023, and April 3, 2023
 - ii. Bills \$ 147,294.51
 - iii. Monthly Budget Report, Treasurers Report, Budget Amendments
8. Unfinished/Old Business:
 - a. PUD Project update, 32 E. Burdick
 - b. 2023-2024 Budget discussion.
 - c. Rental Inspection Ordinance
9. New Business
 - a. FOIA Appeal, V. Gertsberg
 - b. FOIA Policy and Guidelines
 - c. Second Reading, Amendments to Article VI Section 42-133 (b) and Article X, Section 46-5
 - d. Renew Tax Settlement Agreement Resolution 23-04
 - e. West-Nile Resolution 23-05
 - f. Schedule Two (2) Public Hearings for: 1) Delinquent Violations to be on the 2023 Tax Roll per Village Ordinance 321, Section 70-78(d); 2) Budget/Truth-In-Taxation Hearing, May 9, 2023
 - g. Request for Proclamation
 - h. Request to install a Flagpole on Village property - ORBA
10. Items Removed from Consent Agenda (from item 7)
11. Public Comment
12. Committee Reports
 - a. NOTA
 - b. Planning Commission
 - c. Cable Commission
 - d. DDA
 - e. Polly Ann Trail
 - f. ZBA
 - g. Manager, Clerk, Staff and Attorney reports
13. Council Comments
14. Adjournment

PUBLIC HEARING AMENDMENT TO ARTICLE VI Section 42-133 (b)

April 11, 2023

Sec. 42-133. Open containers of alcoholic liquor.

- (a) *In passenger compartment of vehicle.* A person shall not transport or possess alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken, within the passenger compartment of a vehicle on the highways, parks, alleys, streets and parking lots of this village. If the vehicle does not have a trunk or compartment separate from the passenger compartment, a container which is open, uncapped, or upon which the seal is broken inside of the vehicle shall be encased or enclosed. This section shall not apply to any chartered passenger vehicle licensed by the state public service commission.
- (b) *On streets and public ways.* No person shall be in possession or transport alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken, on the streets, parks, alleys, sidewalks, and parking lots in the village, ~~except in duly authorized social district commons areas.~~

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(Ord. No. 266, §§ 1, 2, 8-8-1978)

PUBLIC HEARING AMENDMENT TO ARTICLE X, Section 46-5

April 11, 2023

PARKS AND RECREATION

§ 46-7

Sec. 46-1. Penalty for violation of chapter.

Any person who violates the provisions of this chapter shall, upon conviction thereof in any court of competent jurisdiction, be sentenced to pay a fine not to exceed \$500.00 and costs of prosecution, or serve up to 90 days in jail, or both such fine and imprisonment at the discretion of the court.

(Ord. No. 295, § 26, 5-27-1986)

Sec. 46-2. Fees and charges.

It shall be unlawful for any person to use any facility, land or area for which a fee or charge has been established by the village without payment for such fee or charge. The village council shall, by resolution, establish such fees and charges as it deems necessary, during the annual budget adoption process.

(Ord. No. 295, § 1, 5-27-1986)

Sec. 46-3. Display of vehicle pass.

Every vehicle registered for use in the park must display the vehicle pass on the windshield as long as the vehicle remains in the park.

(Ord. No. 295, § 2, 5-27-1986)

Sec. 46-4. Park hours.

Established park use hours for any parklands belonging to the village shall be from 10:00 a.m. to 9:00 p.m. No person shall remain upon park property between 9:00 p.m. and 10:00 a.m. Provided, however, that upon application to the village or its authorized agent such hours may be extended. It shall be unlawful for any person to enter any portion of parklands or waters which have been designated as closed to public use or entry.

(Ord. No. 295, § 3, 5-27-1986)

Sec. 46-5. Possession of alcoholic beverages prohibited.

Alcoholic beverages are expressly prohibited from being on the grounds of any parklands of the village. No person shall be in possession of any containers, bottles, cans, or beverages containing alcohol. *Except in duly authorized social district commons areas.*

(Ord. No. 295, § 4, 5-27-1986)

Sec. 46-6. Glass containers prohibited.

Glass containers are prohibited in or on any property belonging to the parks of the village.

(Ord. No. 295, § 5, 5-27-1986)

Sec. 46-7. Animals prohibited.

No person may bring or allow into any park or beach any pets and/or animals of any type.

(Ord. No. 295, § 6, 5-27-1986)

From: [Jack Curtis](#)
To: [Patterson, Scott A](#); [Mike Solwold](#)
Cc: [Meza III, Ricardo](#); [Oxford Village Manager](#); [Rick Moorhead](#); ellen.jackson@durrusa.com
Subject: FW: Poppy Days
Date: Thursday, March 30, 2023 1:19:12 PM

Lt. and Chief,

Rick Moorhead mentioned to me he had already reached out to you both regarding selling poppies on the village and Township roads. The dates are listed below. If you have any questions or concerns, Rick is copied in this email.

As always, the American Legion notifies us well in advance.

Thank you

Jack Curtis
Supervisor
Charter Township of Oxford
248-628-9787 Ext. 109

From: Rick Moorhead <cajin9@gmail.com>
Sent: Thursday, March 30, 2023 11:09 AM
To: Jack Curtis <JCurtis@oxfordtownship.org>
Cc: Jackson, Ellen <Ellen.Jackson@durrusa.com>
Subject: Poppy Days

Goodmorning Jack,

Per your request, I am following up on a telephone conversation we had on March 28, 2023.

American Legion members will be stationed at various locations around town for our annual POPPY DAYS fundraiser to benefit local veterans and their families. This year's dates will be April 27, 28 and 29 with May 4, 5 and 6 as backups in case of foul weather.

I have contacted the OC Sheriff's and the Oxford Police and notified them of our upcoming event, but we would appreciate it if you would forward this email to them as a reminder.

Best Regards, Rick Moorhead



OXFORD – ADDISON YOUTH ASSISTANCE
1420 Lakeville Road Oxford, MI 48371
TEL: (248) 460-7011 / E-MAIL: oxfordaddisonya@gmail.com

April 5, 2023

Dear Oxford Village Council:

During our March Board of Directors meeting, Oxford - Addison Youth Assistance Board of Directors reviewed and approved the following volunteers to be a member on the OAYA Board of Directors.

- Linda Moran – Polly Ann Trail Manager
- Brendan Westenbarger, Oxford Police Department Officer

Per Youth Assistance policy, we are to inform the Village Council of the approved volunteers to the OAYA Board of Directors and request formal approval from the board. In reviewing our files, we have found the following proclamation, which you may choose to follow or create one of your own creation:

PROPOSAL TO APPROVE OXFORD - ADDISON YOUTH ASSISTANCE VOLUNTEERS TO THE BOARD OF DIRECTORS

WHEREAS, the Oxford - Addison Youth Assistance program in the Charter Township of Oxford is augmented by contributions from the Charter Township of Oxford, the Village of Oxford, Addison Township, and the Village of Leonard, Oxford Community Schools, and Oakland County Circuit Court – Family Division which permits operation of an office with casework staff and

WHEREAS, the efforts of numerous citizen volunteers provide significant service to the youth of the Charter Township of Oxford, the Village of Oxford, Addison Township, the Village of Leonard, and Oxford Community Schools in projects promoting the prevention of juvenile delinquency, child neglect and child abuse.

NOW, THEREFORE, BE IT RESOLVED, that the Oxford Village Council does hereby approves and supports the Oxford - Addison Youth Assistance volunteers appointed to the Board of Directors being:

Linda Moran – Polly Ann Trail Manager

Brendan Westenbarger, Oxford Police Department Officer

Please feel free to reach out to me with any questions,

Sincerely,

Judy Verse

Judy Verse
Board Chair, OAYA

“Oxford – Addison’s Prevention Leader - Prevention Through Community Involvement”

CODE ENFORCEMENT ACTIVITY REPORT

	Description	Date Opened	Date Revisited	Date Closed	Comments / Action Taken
515 Sunset	Ice on walk	3/2/23			Annual snow warning sent
459 Sunset	Ice on walk	3/2/23			Annual snow warning sent
534 Baypointe	Ice on walk	3/2/23			Annual snow warning sent
932 Abingdon	Ice on walk	3/2/23			Annual snow warning sent
22 Park	Ice on walk	3/2/23			Annual snow warning sent
443 Sunset	Long term wrecked truck in driveway	12/22/22	3/2/23		Letter and ordinance copy sent. March 27 Performance
60 E. Burdick	Ice on walk	3/2/23	3/6/23		long term run down vacant. Dpw to salt walk and bill owner. Nothing done by owner as of 3/6. Sent letter to responsible party in Fla.
46 Broadway	uncleared snow from 3/2	3/6/23			recall some type of special circumstance at this address. Sent notice this date requesting info.
60 Glaspie	uncleared snow from 3/2	3/6/23			Annual snow warning sent
150 S. Wash.	uncleared snow from 3/2	3/6/23			Annual snow warning sent
148 S. Wash	uncleared snow from 3/2	3/6/23			Annual snow warning sent
146 S. Wash.	uncleared snow from 3/2	3/6/23			Annual snow warning sent
144 S. wash	uncleared snow from 3/2	3/6/23			Annual snow warning sent
77 N. Wash.	outdoor storage of commercial items	7/14/22	3/13/23 3/23 3/25 3/27		warning notices sent previously. No change as of 3/13. Civil infraction ticket this date with copy to property owner. No noticeable change as of 3-23. Will check during off hours with photos to determine what residents see
Oxford Party shop	report of torn front awning	3/13/23			pictures taken and sent to Village Mgr. Will discuss

Code Enforcement Report, page 2

[illegible]

OXFORD VILLAGE POLICE DEPT.

POLICE CHIEFS REPORT

2023-March

Micheal D. Solwold-Chief

MONTH				YEAR TO DATE		
	Mar. 2023	Mar. 2022	CHG	2023	2022	DIFF
CALLS FOR SERVICE	556	885	-329	1767	2613	-846
CITATION/WARNING	338	461	-123	1155	1327	-172
ACCIDENTS	7	5	-2	18	15	3
	POSITION	#				
	CHIEF	1				
	OFFICERS/FT	6				
	OFFICERS/PT	2				
	Service Aid	2				
	Parking Enf	1				
	Reserves	10				
	TOTAL	22				

Below is designated for crime-specific stats:

Operating under the influence of drugs
Felony warrant x 2
Home Invasion-Suspect captured
Malicious Destruction of Property

March 23	WASHINGTON	GLASPIE	E BURDICK	LAKEVILLE	OXFORDLAKES	PONTIAC	W BURDICK	W OF 24	E OF 24	N W LOT	N E LOT	TOTALS
speed	48	6	12	11	3		15					95
red light	34	1										35
stop sign					6	4						10
improper turns	11	2	1	1		1	3		4			23
seat belt	5											5
drivers licence violations	10			1	3		2					16
plate violations	23		2		1		1	1	1			29
insurance/registration	31	3	5	7	2	2	3	2	2			57
equipment	24	4	4	4	4	1	5	1				47
misc. violations	3			1			1					5
parking violations	3		1			1	2	3	1			11
fail to yield to emergency vehicle	1											1
commercial motor vehicle tickets	4											4
Location Totals	197	16	25	25	19	9	32	7	8			338

Grand Total for the Month

338

**OXFORD VILLAGE COUNCIL
REGULAR MEETING MINUTES**

Village Council Members: Lori Bourgeau, Kelsey Cooke, Maureen Helmuth, Allison Kemp

**22 West Burdick Street
Oxford, MI 48371**

Tuesday March 14, 2023

7:00 pm

1.) CALL TO ORDER: President Kelsey Cooke called the meeting to order at 7:12 p.m.

2.) PLEDGE OF ALLEGIANCE led by Girl Scout Troop #44.

ROLL CALL ATTENDANCE: Members Present: 4. Kelsey Cooke, Maureen Helmuth, Allison Kemp, Jacob Nicosia. Absent: 1. Lori Bourgeau. Staff Present: Village Manager Joseph Madore. Recording Secretary Clerk/Treasurer, Tere Onica, Police Chief Mike Solwold, Fire Marshall BJ Franz, DPW Supervisor Don Brantley and Attorney Robert Davis.

MOTION: by Cooke/Helmuth excusing the absence of council member Bourgeau. All in favor. Motion adopted.

3.) APPROVAL OF AGENDA: March 14, 2023.

MOTION: by Helmuth/Kemp to approve the March 14, 2023, agenda as presented. All in favor. Motion adopted.

4.) PRESENTATION: Council president introduced and welcomed Girl Scout Troop #44. Council members introduced themselves, stated their profession, their role on the village council and why they serve the community of Oxford.

5.) CALL TO PUBLIC:

Several girl scouts spoke under Public Comment speaking on what being a girl scout means to them. The Girl Scout leader thanked the council for the opportunity to participate in the meeting.

6.) CONSENT AGENDA:

MOTION: by Helmuth/Kemp to receive and file consent agenda items 7(a)(i)(ii) as presented. President Cooke read letter from Oakland County Treasurer, Robert Wittenberg regarding foreclosure prevention and resources available to assist taxpayers with delinquent taxes for 2020 or prior tax years. In addition, the unfavorable reaction from some residents regarding snow violation letters was brought to the council's attention. All in favor to receive and file consent agenda items 7(a)(i)(ii). Motion adopted.

MOTION: by Helmuth/Kemp to approve Consent Agenda items 7(b)(i)(ii)(iii) as presented including bills for \$342,507.14.

Roll Call Vote: Ayes: 4. Helmuth, Kemp, Nicosia, Cooke. Nays: 0. Absent: 1, Bourgeau. Motion adopted.

7.) UNFINISHED BUSINESS:

a. PUD Project, 32 E. Burdick-The village manager gave progress report. Broken concrete has been removed. The contractor for the parking lot is scheduled for mid-March to the beginning of April, weather depending. The architect for the first floor passed away since the last meeting so no report on architectural plans.

b. Crosswalk Considerations- W. Burdick at Pleasant Street and Pontiac Street at OES (Oxford Elementary School) Update by Village Manager. Estimated cost presented with

the manager requesting council review and approve in upcoming 2023/2024 budget meetings for late summer construction. No action taken.

c. Special event application 2023-01 – Turkey Trott run Thanksgiving morning 2023.

Applicant Aaron Palaian shared event plans with the council reviewing logistics, intersection closures, race participation, staffing, event set up and break down. Police, fire and DPW are all on board with the application as presented.

MOTION: by Cooke/Kemp to approve the Special Event Application 2023-01 for a Thanksgiving Day Turkey Trot with the following conditions:

- All village personnel costs for the event will be paid by the applicant and a deposit in the full amount of expected cost to be paid in full prior to the event.
- The event sponsor mails to all residents of Dennison and West Streets the race route and timeframe of runners in their area.
- Event sponsor must remove all materials related to the event and leave Centennial Park clean upon departure no later than noon on race day.
- All Port-A-John units must be removed by noon on Friday November 24th. A deposit of \$250 will be forfeited if any Port-A-John units remain on Village property past 2:00 p.m. on Friday November 24th.

Roll Call Vote: Ayes: 4. Nicosia, Helmuth, Kemp, Cooke. Nays:0. Absent: 1, Bourgeau. Motion adopted.

d. Recommendation for 2023 Water Service Line Replacements at 2022 rate by DPW & Son's. DPW & Son's have been the lowest bidder on the service lead replacements for three years running.

MOTION: by Helmuth/Cooke to allow the Village Manager to award the 2023 water service line replacements to DPW & Sons utilizing a purchase order as a continuation of the 2022 bid process at a cost of \$3,700.00 per location.

Roll Call Vote: Ayes: 4. Kemp, Helmuth, Nicosia, Cooke. Nays: 0. Absent: 1, Bourgeau. Motion adopted.

e. ROWE PSC Engineering Contract Amendment Request-Hudson-Dennison Project.

The Village Manager reviewed the memorandum from ROWE regarding additional services for the 2022 street paving & water main project and work remaining.

MOTION: Cooke/Kemp to approve the amended contract with ROWE as presented adjusting the contract by adding an additional \$10,615.00 to the Construction Engineering Agreement for a total cost of \$95,515.00.

Roll Call Vote: Ayes: 4. Nicosia, Kemp, Helmuth, Cooke. Nays: 0. Absent: 1, Bourgeau. Motion adopted.

MOTION: Cooke/Helmuth to authorize the Village Manager to sign the Full and Final Settlement and Release Agreement with ROWE as presented.

Roll Call Vote: Ayes: 4. Cooke, Helmuth, Nicosia, Kemp. Nays: 0. Absent: 1, Bourgeau.

Motion adopted.

- f. Food Trucks- Food and Food Establishment-**Discussion on the obsolete Food and Food establishment ordinance. The Attorney and Village Manager were looking at the possibility of rolling the Food Truck ordinance into the existing Food Establishment ordinance. It has to be completely revised.

MOTION: by Cooke/Helmuth to authorize the Village Manager and Attorney to collaborate on revising the existing Food and Food Establishment ordinance and to incorporate the Food Truck aspect into the ordinance. All in favor. Motion carried.

8.) NEW BUSINESS

- a. First Reading, Amendment to Article X, Parks and Recreation Section 46-5 Possession of Alcoholic Beverages Prohibited.** Last month council had the first

reading to amend Article VI Section 42-133(b) *Open containers of alcoholic liquor* to include “except in duly authorized social district commons areas” so that the DDA Social District would be in compliance with our ordinance. The same needs to be done with Article X, Section 46-5.

MOTION: by Helmuth/Cooke to approve the First Reading on the amendment to Article X, Parks and Recreation Section 46-5, and schedule the Public Hearing and Second Reading for amendments to Article X and Article VI at the next regular meeting.

Roll Call Vote: Ayes: 4. Kemp, Helmuth, Nicosia, Bourgeau, Cooke. Nays: 0.
Absent: 1, Bourgeau. Motion adopted.

- b. Edison Alley & Journey Lutheran Church Property Deed Corrections.** Pastor Matt from Journey Lutheran addressed deed issues with property owned by Journey Lutheran and public property belonging to the village with property splits and/or combos to be performed by the Village Manager. The village needs to ensure any property transfers comply with the Village Charter Section 3.9(b). The village attorney asked for a little more time to search for records and compliance with the Village Charter. No action was taken at this time.

- c. Budget Workshop Dates for Fiscal Year 2023-2024 Special Meeting.** It was the consensus of the council to schedule two budget meetings. The first is to be held on March 27, 2023, at 6:00 p.m. in the community room. The second meeting will be held April 3, 2023, at 6:00 p.m. also in the community room. Other topics to be revisited: Rental Inspection Ordinance and Communications.

- d. Board and Commission Vacancy Appointments:**

MOTION: Cooke/Helmuth to approve Tanya Hauser to the Beautification Commission. All in favor. Motion adopted.

MOTION: by Cooke/Helmuth to reappoint Kelsey Cooke as the SEMCOG delegate for 2023. All in favor. Motion carried.

MOTION: Cooke/Helmuth to reappoint Allision Kemp as MML delegate and Jacob Nicosia as alternate for 2023. All in favor. Motion carried.

- e. Vactor Sewer Jetting Truck Purchase Proposal-**DPW Supervisor Don Brantley addressed council regarding approval to purchase a 2011 Vactor 2100 from Bell Equipment. There is \$225,000 in the current budget for the purchase. The unit price is \$175,000, but the DPW is asking for approval up to \$200,000 to cover a warrantee, or any other unforeseen expense.

MOTION: by Helmuth/Cooke to allow the Village Manager to purchase the 2011 sewer jetting truck from Bell Equipment after verification that the unit meets DPW Supervisor Don Brantley's approval and standards, for a price not to exceed \$200,000.00.

Roll Call Vote: Ayes: 4. Helmuth, Nicosia, Kemp, Cooke. Nays: 0. Absent: 1, Bourgeau. Motion adopted.

10.) ITEMS REMOVED FROM CONSENT AGENDA: None.

11.) PUBLIC COMMENT

Jenny Prather-Tree down on utility lines.

Tanya Hauser-Emergency number for the DPW. Garbage truck blocking road on garbage day.

12.) COMMITTEE REPORTS

NOTA-Operation and storage agreement for Trolley.

Planning Commission-No meeting.

Cable Commission-Performance evaluations completed. Livestreaming. Funding.

DDA-Quotes and meetings for parking lot improvements underway.

Polly Ann Trail-Upcoming meeting.

ZBA- No meetings.

13.) MANAGER, STAFF & ATTORNEY REPORTS

14.) COUNCIL COMMENTS

15.) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:58 p.m.

MOTION: by Helmuth Kemp. All in favor. Motion adopted.

Respectfully Submitted,
Teresa L. Onica, Recording Secretary

Kelsey Cooke, President

SIGNED AND CERTIFIED as a true record on this 14h day of March 2023 by the Village of Oxford Clerk/Treasurer.

Teresa L Onica, Clerk/Treasurer

**OXFORD VILLAGE COUNCIL
BUDGET WORKSHOP MEETING MINUTES**

Village Council Members: Lori Bourgeau, Kelsey Cooke, Maureen Helmuth, Allison Kemp, Jacob Nicosia

**22 West Burdick Street
Oxford, MI 48371**

March 27, 2023

6:00 pm

- 1.) **CALL TO ORDER:** Council President Kelsey Cooke called the meeting to order at 6:06 p.m.
- 2.) **PLEDGE OF ALLEGIANCE**
- 3.) **ROLL CALL ATTENDANCE:** Members Present: Cooke, Helmuth, Kemp, Nicosia. Absent: Bourgeau.
MOTION: by Cooke/Helmuth excusing the absence of council member Bourgeau. All in favor. Motion adopted.
Staff present: Clerk/Treasurer/Recording Secretary, Tere Onica, Police Chief Mike Solwold, DPW Supervisor Don Brantley, Village Manager Joe Madore.
- 4.) **APPROVAL OF AGENDA:** March 27, 2023.
MOTION: by Cooke/Kemp to approve the March 27, 2023 meeting agenda. All in favor. Motion adopted.
- 5.) **PUBLIC COMMENTS:** None.
- 6.) **NEW BUSINESS:**
 - a. **Rental Inspections-**Discussion on next steps. The village manager will provide an updated registration list and the most recent draft of the Inspection Ordinance for review. Cost to implement has not been determined. Potential for Fire Department to perform inspections. The council would like input from Chief Majestic. Concern over living conditions in some rental properties. Rentals are a business or an investment. No action taken.
 - b. **Communications-** Council President has been posting information on social media (Facebook) almost daily. There are 2421 followers showing that we are reaching people with information. The village will be sharing a summer intern with the DDA. The village will use approximately four hours per week to post information to the website and Facebook as well as assisting in other areas. Communication guidelines need revision.
 - c. **Budget workshop-**The village manager presented a draft budget for review. Page one summarized revenues and expenditures by department. The budget has a \$265,300 surplus. OCTV is requesting the village pass through the full amount received for Cable Franchise fees to OCTV. OCTV currently receives 50% from Comcast, Charter and AT&T, and 100% of PEG fees collected from AT&T and Comcast. Charter does not pay PEG fees. Fees retained by the Village was \$25,501.77.

Marijuana licensing fees and state excise tax was budgeted conservatively. Three marijuana retail stores are operating in Oxford with the potential for two more that

have been in the works. There have been no policing issues with the retail businesses so far.

The Debt Schedule was reviewed indicating Edison Alley CI Bond Bond will be paid in full by 2025. Council President Cooke reported new bond distributions coming from Oakland County.

The parking lot and other road work is being scheduled and split up into years to build up funding to be used for infrastructure improvements. Transfers will be made from the General Fund to the local road fund for future projects. Department expenses were reviewed. The DDA budget was not available. The council requested it for the next meeting, Monday April 3rd. Allocating administrative expenses fairly was discussed.

Cash investments are secure and doing well. Interest rates are as high as 4.55%.

No word on the bid/purchase of the used Vactor truck yet. Expect to hear something mid-April.

Non-motorized trails funded per MDOT requirements and fulfilled this year with an increase in dues.

Follow-up numbers will be plugged into the budget for review at the next meeting, April 3rd, 6:00 p.m.

7.) **PUBLIC COMMENT:** None

8.) **MANAGER, STAFF, & ATTORNEY REPORTS**

9.) **COUNCIL COMMENTS**

10.) **ADJOURNMENT:**

MOTION: by Cooke/Helmuth to adjourn at 8:28 p.m. All in favor. Motion carried.

Respectfully Submitted,
Tere Onica, Clerk/Treasurer

Kelsey Cooke, President

**OXFORD VILLAGE COUNCIL
BUDGET WORKSHOP MEETING MINUTES**

Village Council Members: Lori Bourgeau, Kelsey Cooke, Maureen Helmuth, Allison Kemp, Jacob Nicosia

**22 West Burdick Street
Oxford, MI 48371**

April 3, 2023

6:00 pm

- 1.) **CALL TO ORDER:** Council President Kelsey Cooke called the meeting to order at 6:02 p.m.
- 2.) **PLEDGE OF ALLEGIANCE**
- 3.) **ROLL CALL ATTENDANCE:** Members Present: Bourgeau, Cooke, Helmuth, Kemp, Nicosia.
Absent: 0.

Staff present: Clerk/Treasurer/Recording Secretary, Tere Onica, Police Chief Mike Solwold, DPW Supervisor Don Brantley, Village Manager Joe Madore, Fire Chief Matt Majestic

- 4.) **APPROVAL OF AGENDA:** April 3, 2023.
MOTION: by Helmuth/Kemp to approve the April 3, 2023 meeting agenda. All in favor. Motion adopted.

- 5.) **PUBLIC COMMENTS:** Fire Chief Matt Majestic commented on the Rental Inspection Ordinance. The Fire Department only deals with the fire code and not building codes. Building Inspections are out of their realm of professional scope. The rental registrations have been entered into their fire locator program which goes a long way in addressing the safety issues for firefighters and tenants.

6.) **NEW BUSINESS:**

- a. **Budget workshop-**The Village Manager walked the council thorough the budget changes. Parks Improvements had \$125,000 budgeted, which was not reflected in the last budget figures. This change resulted in a reduction in the General Fund surplus. There were increases in utilities, the Beautification Commission, Tree Replacement Program, Trees cannot be replaced on private property because it is not a legal use of public funds. Still some funding was set aside to do some tree planting.

The Oakland County Parks grant we are applying for went from a 30% match to a 50% match. The village manager suggested upping the budget to gain funding for the match. The council will have to make a decision as to whether they will fund OCTV 100% with Franchise Fees from Comcast, AT&T and Charter or continue to pass 50% of the franchise fee revenue to OCTV. The Village Manager adjusted the budget to reflect a full pass through. We are still waiting for updated taxable value figures for 2023 from Oakland County.

Repairs to the old fire hall were discussed. Bids are being sought for work that needs to be done immediately. Total cos for roof replacement is about \$145,000. Three Roofing contractors looked at the roof. Only one has provided a quote so far. We can get by for a few more years with repairs and maintenance to the roof by sealing and doing steel roof maintenance.

Major and Local Street funds were discussed. Work will be done on parking lots. Funding requires planning. Infrastructure projects are very expensive.

Council asked for a breakdown on the DDA budget and adoption of that budget in time for council to review it for the May Council meeting.

Overall consensus on budget: it is in good shape with a positive surplus. Two bonds will mature in the next couple of years, which will provide more cash for capital improvement projects.

- b. **Request for Proclamation**-A request was made by an Oxford resident to recognize June 2-4 as a Wear Orange Day to focus on gun violence awareness and gun violence survivors. The council will take up the request at the next meeting.

- 7.) **PUBLIC COMMENT:** Evelyn Piotrowski commented on the budget and overall financial health of the village. She was in support of the planned parking lot improvements, water infrastructure and lead line replacements. Mrs. Piotrowski suggested the council follow a process for the wear orange day request keeping in mind the inclusion of all other organizations seeking public recognition via proclamation or village resolution and accommodating them all or not.

8.) **MANAGER, STAFF, & ATTORNEY REPORTS**

9.) **COUNCIL COMMENTS**

10.) **ADJOURNMENT:**

MOTION: by Cooke/Helmuth to adjourn at 7:41 p.m. All in favor. Motion carried.

Respectfully Submitted,
Tere Onica, Clerk/Treasurer

Kelsey Cooke, President

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank CKG01 GENERAL CHECKING					
03/09/2023	CKG01	63245	ACE	ACE HARDWARE STONES	427.85
03/09/2023	CKG01	63246	AFSCME	AFSCME COUNCIL 25	207.50
03/09/2023	CKG01	63247	BREVALLE	BREVALLE PROPERTIES LLC	7,180.00
03/09/2023	CKG01	63248	BURDICK ST	BURDICK ST LANDSCAPE SUPPLY	27.20
03/09/2023	CKG01	63249	CLEAR CUT	CLEAR CUT ICE	1,750.00
03/09/2023	CKG01	63250	DAVIS	DAVIS LISTMAN PLLC	4,895.00
03/09/2023	CKG01	63251	DETROIT SA	DETROIT SALT CO	11,540.91
03/09/2023	CKG01	63252	ELITE	ELITE IMAGING SYSTEMS	21.14
03/09/2023	CKG01	63253	ERC	ENERGY REDUCTION COALITION	576.85
03/09/2023	CKG01	63254	EQUIVEST L	EQUIVEST LOCKBOX	150.00
03/09/2023	CKG01	63255	J & T ELEC	J & T ELECTRICAL SUPPLY INC	17.71
03/09/2023	CKG01	63256	KELSEY	KELSEY COOKE	25.00
03/09/2023	CKG01	63257	LET	LET THE SUNSHINE IN CLEANING LLC	582.00
03/09/2023	CKG01	63258	GRAYBEAL	LORRY GRAYBEAL	101.76
03/09/2023	CKG01	63259	MAJIK GRAP	MAJIK GRAPHICS INC.	185.00
03/09/2023	CKG01	63260	VANTAGEPOI	MISSIONSQUARE	480.00
03/09/2023	CKG01	63261	NASH	NASH FLANDERS LAW	2,116.00
03/09/2023	CKG01	63262	NHC	NEW HORIZON COMMUNICATIONS	382.30
03/09/2023	CKG01	63263	OAKTEK	OAKTEK INC	2,010.10
03/09/2023	CKG01	63264	OFFICE DEP	OFFICE DEPOT	211.03
03/09/2023	CKG01	63265	OXFORD TWP	OXFORD TOWNSHIP	293.72
03/09/2023	CKG01	63266	POLICE OFF	POLICE OFFICERS LABOR COUNCIL	251.25
03/09/2023	CKG01	63267	REPUBLIC	REPUBLIC SERVICES #253	3,014.31
03/09/2023	CKG01	63268	SEMCOG	SEMCOG	852.00
03/09/2023	CKG01	63269	ST OF MI	STATE OF MICHIGAN	86.50
03/09/2023	CKG01	63270	STEVES OX	STEVE'S OXFORD AUTOMOTIVE	90.47
03/09/2023	CKG01	63271	HEUSER	TANYA HEUSER	10.00
03/09/2023	CKG01	63272	KELLI GREE	TURF ONE INC.	384.55
03/09/2023	CKG01	63273	VERI	VERIZON	174.00
03/09/2023	CKG01	63274	VILLAGE	VILLAGE OF OXFORD	419.28
03/09/2023	CKG01	63275	FLEET SERV	WEX BANK	1,724.76
03/09/2023	CKG01	63276	FLEET SERV	WEX BANK	1,501.00
03/23/2023	CKG01	63277	ACE	ACE HARDWARE STONES	487.51
03/23/2023	CKG01	63278	ADT SECURI	ADT SECURITY SERVICE	139.53
03/23/2023	CKG01	63279	AFLAC	AFLAC	260.74
03/23/2023	CKG01	63280	KEMP	ALLISON KEMP	30.00
03/23/2023	CKG01	63281	MISC	ARB, STEVEN	64.72
03/23/2023	CKG01	63282	BCBS	BLUE CROSS BLUE SHIELD OF MI	17,743.43
03/23/2023	CKG01	63283	BCBS	VOID	0.00 V
03/23/2023	CKG01	63284	BLUE	BLUE SKIES TECHNOLOGY GROUP	550.00
03/23/2023	CKG01	63285	BOS	BOSTICK TRUCK CENTER LLC	2,740.69
03/23/2023	CKG01	63286	CADILLAC A	CADILLAC ASPHALT LLC	543.60
03/23/2023	CKG01	63287	CALS	CAL'S AUTO WASH	100.00
03/23/2023	CKG01	63288	ASCEND	DEARBORN NATIONAL	1,023.08
03/23/2023	CKG01	63289	ASCEND	VOID	0.00 V
03/23/2023	CKG01	63290	DETROIT SA	DETROIT SALT CO	5,500.86
03/23/2023	CKG01	63291	ETNA SUPPL	ETNA SUPPLY COMPANY	965.00
03/23/2023	CKG01	63292	FIRESTONE	FIRESTONE COMPLETE AUTO CARE	175.20
03/23/2023	CKG01	63293	GFL	GFL ENVIRONMENT	17,145.95
03/23/2023	CKG01	63294	GLWA	GREAT LAKES WATER AUTHORITY	1,267.32
03/23/2023	CKG01	63295	HIGHLAND T	HIGHLAND TREATMENT INC.	4,249.00
03/23/2023	CKG01	63296	MC KENNA A	MC KENNA ASSOCIATES INC	3,342.50
03/23/2023	CKG01	63297	MI DWTOWN	MICHIGAN DOWNTOWN ASSOCIATION	60.00
03/23/2023	CKG01	63298	CLERK ASSC	OAKLAND COUNTY CLERKS ASSOC	35.00
03/23/2023	CKG01	63299	OAKTREASUR	OAKLAND COUNTY TREASURERS	35,060.63
03/23/2023	CKG01	63300	OXFORD ARE	OXFORD AREA CABLE COMMISSION	30.00 V
03/23/2023	CKG01	63301	PIONEER	PIONEER TRANSMISSION	3,570.23
03/23/2023	CKG01	63302	POMPS	POMP'S TIRE SERVICE, INC	452.55
03/23/2023	CKG01	63303	PREMIER OC	PREMIER OCCUPATIONAL HEALTH	31.00
03/23/2023	CKG01	63304	QUILL CORP	QUILL CORPORATION	198.06
03/23/2023	CKG01	63305	ROAD COMMI	ROAD COMMISSION FOR OAKLAND CT	64.35
03/23/2023	CKG01	63306	ROWE	ROWE PROFESSIONAL SERVICES CO	725.00
03/23/2023	CKG01	63307	MISC	SHORT, LINDA	88.80
03/23/2023	CKG01	63308	CHARTER	SPECTRUM	149.98
03/23/2023	CKG01	63309	PLATES	STATE OF MICHIGAN	25.00
03/23/2023	CKG01	63310	VIL PLATES	STATE OF MICHIGAN	30.00
03/23/2023	CKG01	63311	STEVES OX	STEVE'S OXFORD AUTOMOTIVE	242.77
03/23/2023	CKG01	63312	SUPPLY	SUPPLY DEN	653.84
03/23/2023	CKG01	63313	TOOL SPORT	TOOL SPORT & SIGN CO INC	285.21
03/23/2023	CKG01	63314	UHANS DEP	UHAN'S DEPARTMENT STORE	186.24
03/23/2023	CKG01	63315	UNIFIRST C	UNIFIRST CORPORATION	38.15
03/23/2023	CKG01	63316	SHERMAN PU	VIEW NEWSPAPER GROUP	211.00
03/23/2023	CKG01	63317	VILLAGE	VILLAGE OF OXFORD	6,263.34
03/23/2023	CKG01	63318	VILLAGE TR	VILLAGE TROPHY SHOP INC	50.00
03/23/2023	CKG01	63319	WATER TECH	WATER TECH	176.00
03/28/2023	CKG01	63320	OXF C OF C	OXFORD CHAMBER OF COMMERCE	30.00
03/29/2023	CKG01	63321	PETTY CASH	PETTY CASH	154.66
03/29/2023	CKG01	63322	POSTMASTER	U.S. POSTMASTER	494.38

04/05/2023 08:05 AM

User: TONICA

DB: Oxford

CHECK REGISTER FOR VILLAGE OF OXFORD
CHECK DATE FROM 03/01/2023 - 03/31/2023

Page: 2/2

Check Date	Bank	Check	Vendor	Vendor Name	Amount
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CKG01 TOTALS:

Total of 78 Checks:					147,324.51
Less 3 Void Checks:					30.00
Total of 75 Disbursements:					<u>147,294.51</u>

Treasurer's Report
Village of Oxford Summary of Investments
3/31/2023

CDs					
Bank	Purchase Date	Amount	Rate	Maturity	Est. Interest
Horizon (3-month)	12/29/2023	\$ 250,000.00	4.30%	3/29/2023	\$ 2,650.68
Horizon (3-month)	3/29/2023	\$ 252,650.68	4.77%	6/29/2023	\$ 3,012.86
Independent (3-month)	1/11/2023	\$ 250,000.00	3.70%	4/12/2023	\$ 2,312.50
Independent (3-month)	1/12/2023	To be renewed			

Treasury Bills											
Bank/Broker	Purchase Date	Amount	Rate	Maturity	Est. Interest	Purchase Date	Amount	Rate	Maturity	Avail Cash	Est. Interest
Fifth-Third Bank (3-month)	1/12/2023	\$ 1,000,000.00	4.38%	4/13/2023	\$ 10,950.00	4/13/2023	\$ 1,010,000.00	4.70%	10/12/2023	\$ 1,497.61	\$ 23,735.00
Fifth-Third Bank (6-month)	1/17/2023	\$ 1,000,000.00	4.57%	7/13/2023	\$ 22,850.00						
Fifth-Third Bank (6-month)	3/22/2023	\$ 1,000,000.00	4.80%	9/14/2023	\$ 24,000.00						

LGIP					
Oakland County	Balance	Interest Rate	Earned Int.	Maturity	Earned Int. YTD
as of 4/5/2023	Approx. \$1,300,000	1.3522		Upon Demand	\$ 23,934.34
Current information was not available at the time of this reporting					

Oxford Bank				
Fund	Balance	Interest Rate	As of	Earned Int
General Checking	\$ 395,368.92	0.07%	3/31/2023	\$ 27.33
Bond	\$ 30,057.80	0.07%	3/31/2023	\$ 1.90
Bond Debt & Interest	\$ 18,839.45	0.05%	3/31/2023	\$ 0.85
Special Gifts	\$ 518.79	0.10%	3/31/2023	\$ 0.04
Lone Ranger	\$ 7,467.59	0.05%	3/31/2023	\$ 0.94

**Memorandum**

To: Honorable President, Kelsey Cooke
Council Members

From: Joseph M. Madore, Village Manager

Date: April 6th, 2023

Re: Budget amendment

Background:

- As mentioned at our first budget workshop. We had not received the billing for Legal Counsel retainer for all/most of 2021 and any of 2022 at the time I was budgeting for 2022-2023. Based on the previous 12 months' billing, I budgeted with those costs in mind. In December 2022 we received 12 months of retainer billing. 6 months for this FY and 6 months (Jan-June 2022) for the previous FY. We have since worked out the change back to monthly billing of the retainer, but that means we will end up with 18 months of that cost in this FY.
- We had 2 light poles hit by cars that were insurance claims I which we received funding to replace. Our electrical rates have increased too and those will be monitored as the year ends.
- The Polly Ann Trail Mgmt. Council increased the annual dues to all community partners last summer after our budget was approved. The dues are now \$4046. We had budgeted \$3,500.00.
- Local Streets Insurance: Liability and W/C Insurance are a little higher than budgeted.
- Local Streets Audit: Some of the Plante Moran costs were charged to this account after the beginning of the FY.

Recommendations:

Amend budget line 101-266-825 ATTORNEY retainer from \$0.00 to \$15,300.00.

Amend budget line 101-448-787 STREET LIGHTING Materials from \$1,000.00 to \$9,000.00.

Amend budget line 202-464-810 NON-MOTORIZED Contr. services from \$3,500.00 to \$4,050.00.

Amend budget line 203-484-962 INSURANCE from \$1,525.00 to \$1,560.00.

Amend budget line 203-484-807 AUDIT from \$860.00 to \$1,250.00.

Please contact me with any questions.

Joseph M. Madore, Village Manager

Local Market Update – February 2023

A Research Tool Provided by Realcomp



Oxford Vlg

Oakland County

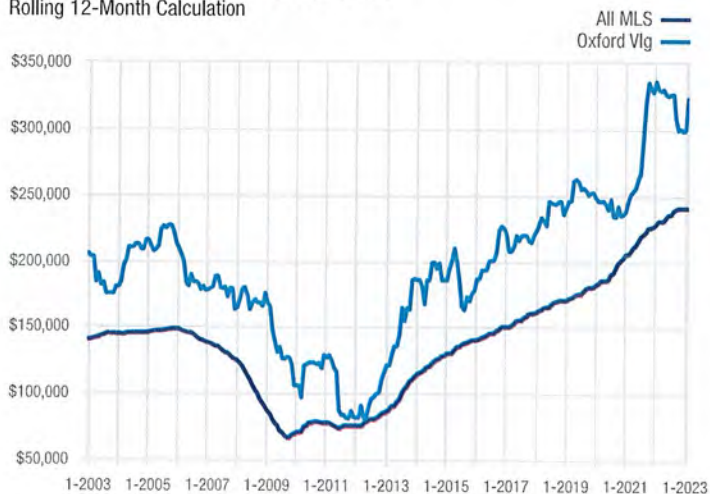
Residential	February			Year to Date		
Key Metrics	2022	2023	% Change	Thru 2-2022	Thru 2-2023	% Change
New Listings	3	2	- 33.3%	7	5	- 28.6%
Pending Sales	4	0	- 100.0%	9	4	- 55.6%
Closed Sales	5	3	- 40.0%	6	3	- 50.0%
Days on Market Until Sale	42	112	+ 166.7%	42	112	+ 166.7%
Median Sales Price*	\$200,000	\$409,900	+ 105.0%	\$193,500	\$409,900	+ 111.8%
Average Sales Price*	\$244,700	\$400,800	+ 63.8%	\$230,083	\$400,800	+ 74.2%
Percent of List Price Received*	98.4%	98.9%	+ 0.5%	98.7%	98.9%	+ 0.2%
Inventory of Homes for Sale	3	4	+ 33.3%	—	—	—
Months Supply of Inventory	0.7	1.0	+ 42.9%	—	—	—

Condo	February			Year to Date		
Key Metrics	2022	2023	% Change	Thru 2-2022	Thru 2-2023	% Change
New Listings	2	1	- 50.0%	2	1	- 50.0%
Pending Sales	0	0	0.0%	0	1	—
Closed Sales	0	1	—	0	1	—
Days on Market Until Sale	—	68	—	—	68	—
Median Sales Price*	—	\$175,000	—	—	\$175,000	—
Average Sales Price*	—	\$175,000	—	—	\$175,000	—
Percent of List Price Received*	—	94.6%	—	—	94.6%	—
Inventory of Homes for Sale	7	2	- 71.4%	—	—	—
Months Supply of Inventory	5.3	1.2	- 77.4%	—	—	—

* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

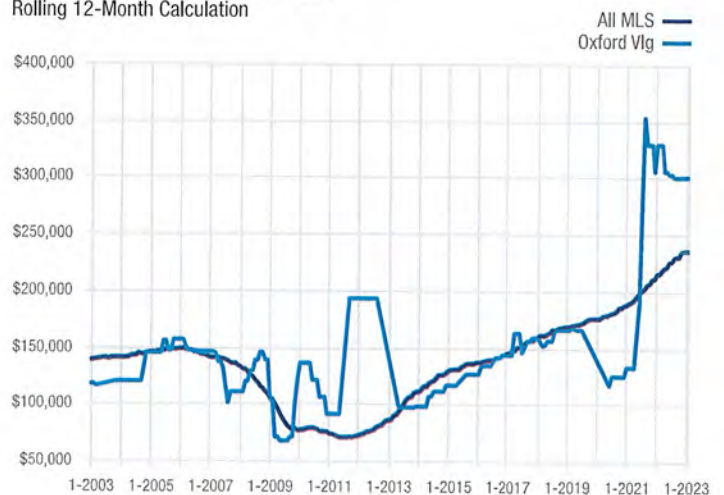
Median Sales Price - Residential

Rolling 12-Month Calculation



Median Sales Price - Condo

Rolling 12-Month Calculation



A rolling 12-month calculation represents the current month and the 11 months prior in a single data point. If no activity occurred during a month, the line extends to the next available data point.

Oxford Village Clerk

From: Vladimir Gertsberg <vgerts@hotmail.com>
Sent: Monday, March 27, 2023 8:35 PM
To: Oxford Village Clerk; Robert Davis
Subject: APPEAL - Denial of the FOIA Request from 03/22/2023
Attachments: 3.27.23 Gertsberg FOIA Response.pdf; Denial page 2.pdf

Ms. Onica,

Here the ruling by the Michigan Supreme Court.

This Court has recognized that the Michigan FOIA is patterned after the federal FOIA. Unlike the Michigan FOIA, the federal FOIA has a specific exemption for personnel records. Because the Legislature modeled its FOIA on the federal version, we must conclude that by not adopting the specific language of the federal privacy exemption the Legislature intended that the personnel records of non-law enforcement public employees be available to the public. BRADLEY v SARANAC COMMUNITY SCHOOLS, 565 N.W.2d 650 (1997) 455 Mich. 285

We conclude that the Freedom of Information Act compels the disclosure of the appellants' personnel records. Because the requested information consisted of information related to the appellants' public employment, we hold that the appellants' personnel records are not within the privacy exemption of subsection 13(1)(a). (ID)

The Legislature was undoubtedly aware of the obvious invasion of privacy that would occur with disclosure of personnel records, yet chose to favor disclosure. To qualify for exemption under the personal privacy exception, disclosure must not only be unwarranted, but clearly unwarranted. ... Because I am unpersuaded that disclosure of the records in issue would constitute a clearly unwarranted invasion of plaintiffs' privacy, I agree with the majority that the FOIA's privacy exemption does not apply. (ID)

Ms. Onica,

There is no reason to go through the same process again. Please provide me with the requested record as required by law.

Thanks,

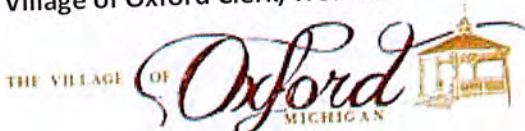
Vladimir Gertsberg.

From: Oxford Village Clerk <Clerk@thevillageofoxford.org>
Sent: Monday, March 27, 2023 5:42 PM
To: Vladimir Gertsberg <vgerts@hotmail.com>; Robert Davis <rdavis@dbsattorneys.com>
Subject: RE: FOIA Request from 03/22/2023

Mr. Gertsberg,

Response to your email FOIA request delivered to my inbox on March 23, 2023, is attached.

Tere Onica
Village of Oxford Clerk/Treasurer



The Village of Oxford, Michigan
22 W. Burdick Street, Oxford, MI 48371
Office Phone: (248) 628-2543
E-mail: clerk@thevillageofoxford.org

From: Vladimir Gertsberg <vgerts@hotmail.com>
Sent: Wednesday, March 22, 2023 5:13 PM
To: Oxford Village Clerk <Clerk@thevillageofoxford.org>; Robert Davis <rdavis@dbsattorneys.com>
Subject: FOIA Request from 03/22/2023

Ms. Onica,

Based on our recent settlement, it seems that Village of Oxford does not pay benefits to the retirees who have contractual right to the retirement benefits.

Would you please provide me a single record of a retiree, member of the MERS' defined benefit plan, who receives retirement benefits but who does not have contractual rights to these benefits.

It this request requires payment please provide with an estimate for my approval before proceeding.

Thanks
Vladimir Gertsberg
5441 Hauer Way
West Bloomfield, MI 48323

Village: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Village of Oxford, Oakland County
22 W. Burdick
Oxford, MI 48371
Phone: 248.628.2543 Email: clerk@thevillageofoxford.org

Denial Form

Notice of Denial of FOIA Request

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: 6 Date Received: 3/23/2023
Date of This Notice: 3/27/2023

Check if received via: ☒ Email ☐ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____

Name	Vladimir Gertsberg	Phone	
Firm/Organization		Fax	
Street	5441 Hauser Way	Email	vgerts@hotmail.com
City	West Bloomfield	State	MI Zip 48323

(Please Print or Type)

Date discovered in junk/spam folder: _____

Request for: ☒ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☒ Email to address above
☐ Deliver on digital media provided by the Village: _____

Record(s) You Requested: "Would you please provide me a single record of a retiree, member of the MERS' defined benefit plan, who receives retirement benefits but who does not have contractual rights to these benefits."

☒ All OR ☐ Part of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact FOIA Coordinator at the Village of Oxford, 22 W. Burdick, Oxford, MI 48371, Phone: 248.628.2543 Fax: 248.628.9760.

Reason for Denial: MCL 15.243

☒ 1. Exempt from Disclosure: This item is exempt from disclosure under FOIA Section 13, Subsection (1)(a), because: Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.

☐ 2. Record Does Not Exist: This item does not exist under the name provided in your request or by another name reasonably known to the Village. A certificate that the public record does not exist under the name given is attached. If you believe this record does exist, provide a description that will enable us to locate the record: _____

☐ 3. Redaction: A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection _____, because: _____

A brief description of the information that had to be separated or deleted: _____

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the Village Council or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the Village has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: 

Date: 3/27/2023

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board, commission or council that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

Memorandum

THE VILLAGE OF



To: Honorable President, Kelsey Cooke
Council Members

From: Village Clerk/Treasurer, Tere Onica

Date: 04/06/2023

Re: FOIA (Freedom of Information Act) MCL 15.231, Procedures and Guidelines

Background- Michigan's Freedom of Information (FOIA) , enacted in 1977, is a series of laws designed to guarantee that the public has access to public records of government bodies at all levels in Michigan. Records are defined as a writing which encompasses handwriting, typing, printing, photographing, photocopying, and every other means of recording or retaining any content prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created. Any person other than incarcerated felons may request public records in Michigan. A person is not required to justify the request and can use the information any way they please. MCL 15.231 provides that all persons are entitled to full and complete information as to a public body's fulfillment of statutory functions and concerning the inner working of government in general.

Analysis- The Clerk/Treasurer is the designated FOIA coordinator for the Village of Oxford. In recent years, public trust in our Federal and State government has been greatly compromised for a number of reasons. FOIAs have correspondingly increased to an unprecedented level, but in our case, the Village of Oxford has been targeted by an individual who has been excessive and unrelenting in requests for information. It has always and only been the intent of the village to provide the requested documents that a person is legally entitled to without delay. In 2022, we logged 140-FOIA requests; approximately 80% came from one person that ultimately ended in legal action against the village. The case has been resolved and settled. Since then, our attorney has provided a FOIA Procedures and Guidelines Policy to document FOIA requests and our response. While this does not serve to curtail excessive requests or abuses of FOIA, staff time or government resources, it establishes a policy that we can post to our website and use to educate the public on what a valid FOIA is and how to submit one to our office. This FOIA policy was presented to the council at the February 14, 2023, meeting. Some edits to that document were suggested. Our attorney has provided a revised draft of FOIA Procedures and Guidelines.

Recommendation-To adopt the FOIA Procedures and Guidelines as presented effective immediately.

Respectfully Submitted,

Tere Onica, FOIA Coordinator
Clerk/Treasurer



Memorandum

To: Honorable President, Kelsey Cooke
Council Members

From: Joseph M. Madore, Village Manager

Date: April 6, 2023

Re: Proposed ordinance amendments to bring expansion of the DDA social district commons area south to Dennison, including Centennial Park into compliance with our general ordinance regarding alcohol.

Background: Council approved the creation of the social district in 2021 and documentation of that is included in your meeting packet. However, the request to expand the Social District commons area includes Centennial Park and that conflicts with the current Village ordinance below:

Sec. 42-133. - Open containers of alcoholic liquor.

(a) In passenger compartment of vehicle. A person shall not transport or possess alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken, within the passenger compartment of a vehicle on the highways, parks, alleys, streets and parking lots of this village. If the vehicle does not have a trunk or compartment separate from the passenger compartment, a container which is open, uncapped, or upon which the seal is broken inside of the vehicle shall be encased or enclosed. This section shall not apply to any chartered passenger vehicle licensed by the state public service commission.

(b) On streets and public ways. No person shall be in possession of or transport alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken, on the streets, parks, alleys, sidewalks, and parking lots in the village.

(Ord. No. 266, §§ 1, 2, 8-8-1978)

PARKS AND RECREATION- Sec. 46-5. Possession of alcoholic beverages prohibited.

Alcoholic beverages are expressly prohibited from being on the grounds of any parklands of the village. No person shall be in possession of any containers, bottles, cans, or beverages containing alcohol.

(Ord. No. 295, §§ 4, 5, -27-1986)

Analysis: When approving the creation of the social district, these sections of our ordinance should've been amended to eliminate the conflict created by allowing alcohol in the commons areas that included streets, alleys, sidewalks and parks. With the expansion of the social district approved February 14, 2023, we need to amend these sections of the ordinance by adding "***except in duly authorized social district commons areas.***" at the end of section 42-133 (b) and at the end of section 46-5.

Recommendations: Approve the 2nd reading of the proposed ordinance amendments to Article VI, Sec. 42-133(b) and Article X, Section 46-5 by adding the proposed language: "***except in duly authorized social district commons areas***" amending the language in these sections of the ordinance as proposed.

Please contact me with any questions.

Joseph M. Madore
Village Manager

Memorandum

THE VILLAGE OF



To: Honorable President, Kelsey Cooke
Council Members

From: Tere Onica, Clerk/Treasurer

Date: 04/11/2023

Re: Resolution 23-04 Summer Tax collection and Settlement Agreement

Background- The Village has an ongoing agreement with the township for tax collection and settlement. This agreement is renewed annually.

Analysis- This is a common practice for townships to provide this service since the State mandated the townships collect Summer Taxes. Residents of the Village are also residents of the township paying taxes to both locations. There is cost savings in combined mailing and the village does not have to purchase the BS&A Tax program software or pay for annual support. Village residents still pay, or partially pay their taxes at the village office and can also pay on-line, for a fee charged by the credit card processor. Township Treasurer Joe Ferrari has indicated that the township will continue to post and provide tax settlement service for the village at a cost of \$2.50 per parcel.

Recommendation- I recommend renewal of the agreement though council approval of resolution 23-04 .

Respectfully submitted,

Tere Onica, Village Clerk/Treasurer

**VILLAGE OF OXFORD
OAKLAND COUNTY, MI.**

RESOLUTION 23-04

**A RESOLUTION OF THE VILLAGE OF OXFORD FOR AGREEMENT
WITH OXFORD TOWNSHIP REGARDING SUMMER VILLAGE TAX
COLLECTION AND SETTLEMENT**

Whereas, the Village of Oxford desires to have the Charter Township of Oxford post 2023 Summer Village tax payments into the Oakland County BS & A tax system on behalf of the Village of Oxford, and,

Whereas, the Charter Township of Oxford is willing to post the 2023 Summer taxes as well as perform the entire Village tax settlement with the Oakland County Treasurer, and,

Whereas, the Village tax receiving, depositing, investing, internal bank account balancing, general ledger posting, and tax payout internal fund transfers will remain the responsibility of the Village of Oxford.

Be it further resolved that the Charter Township of Oxford will post the 2023 Summer Village taxes at a cost of \$2.50 per parcel. The Village parcel count for 2023 is to be determined. (estimated count of 1708 @ \$2.50 = \$4,270.00)

At a regular meeting of the Village of Oxford on April 11, 2023, Councilperson Helmuth moved, and Councilperson Ross supported the motion to adopt this resolution as presented and authorizes the Village Manager to execute an agreement for the cooperative 2023 Summer tax payment posting with the Charter Township of Oxford.

AYES:

NAYS:

ABSENT:

RESOLUTION 23-04

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Village Council of the Village of Oxford, County of Oakland, Michigan, at a regular meeting held on the 11 of April 2023.

Teresa L Onica, CMC, MiCPT
Village Clerk/Treasurer

Memorandum



To: Honorable President, Kelsey Cooke
Council Members

From: Don Brantley, DPW Superintendent

Date: 04/11/2023

Re: West Nile Virus Program, Resolution 2023-05

Background- The Village has been involved with the Oakland County West Nile Virus Program since 2002, which reimburses member communities for participation in activities to prevent the spread of the West Nile Virus.

Analysis- This resolution is an annual requirement for participation.

Recommendation- Approve Resolution 2023-05 authorizing the village manager as agent for the Village of Oxford, in manner and to the extent provided under Oakland County Board of Commissioners, to request reimbursement of eligible mosquito control activities under the Oakland County West Nile Virus Fund Program.

Respectfully,

Don Brantley

VILLAGE OF OXFORD
OAKLAND COUNTY, MI

RESOLUTION 23-05

**A RESOLUTION OF THE VILLAGE OF OXFORD REGARDING
THE WEST NILE VIRUS FUND PROGRAM IN OAKLAND COUNTY**

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connections with personal mosquito protection measures/activities, mosquito habitat eradication, mosquito larviciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS, the Village of Oxford, Oakland County, Michigan has incurred expenses in connection with mosquito control activities believed eligible for reimbursement under the Oakland County West Nile Virus Fund Program.

NOW, THEREFORE, BE IT RESOLVED, that this Council authorizes and directs its manager, as agent for the Village of Oxford, in manner and to the extent provided under Oakland County Board of Commissioners, to request reimbursement of eligible mosquito control activities under Oakland County West Nile Virus Fund Program.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be the same are hereby rescinded.

The Resolution was introduced by Council President _____ and supported by Council person _____

AYES:

NAYS:

ABSENT:

RESOLUTION 23-05 DECLARED _____ .

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Village Council of the Village of Oxford, County of Oakland, Michigan, at a regular meeting held on the 11th of April 2023.

Teresa L Onica, CMC, MiCPT
Village Clerk/Treasurer

Memorandum

THE VILLAGE OF



To: Honorable President, Kelsey Cooke
Council Members

From: Village Clerk/Treasurer, Tere Onica

Date: 04/6/2023

Re: Two (2) Public Hearings for May 9, 2023: Delinquent Utility Billing Violation
Notices Hearing, Truth-In-Taxation/Budget Hearing

Background- Per Village Ordinance 321, Section 70-78(d),...*charges delinquent for more than six (6) months...shall be certified by the village clerk who shall enter the unpaid charges, plus late fees, plus a ten (10%) percent processing and collection fee on the total amount due, upon the next tax roll against the premises with which such services have been rendered, and such charges shall be collected and such lien shall be enforced in the same manner as provided in respect to taxes assessed upon such roll.*

Analysis-The purpose of the Public Hearing is to allow for Public Comment regarding delinquent violation notices. Notices are mailed to delinquent individual addresses, legal notice is posted in the Oxford Leader, and a notice is posted at the village office. Residents are responsible for their utility bills just as they are for their tax bills. Residents will have until May 1, 2023, to pay their delinquent amounts. Summer tax collection begins July 1, 2023.

In addition to the Public Hearing for Delinquent Utility bills, the Village is required to hold an annual Budget Hearing/Truth-In-Taxation public hearing to allow the public time to comment on the property millage rate proposed to be levied to support the proposed budget being presented for adoption.

Recommendation-To schedule two (2) Public Hearings for May 9, 2023: the first hearing will be for Delinquent Utility Billing Violations per Village Ordinance 321 Section 70-78 (d), at 7:00 p.m. or shortly thereafter to be followed by the Budget/Truth-In-Taxation Public Hearing.

Respectfully Submitted,

Tere Onica, CMC, MiCPT
Clerk/Treasurer

From: [Kelsey Cooke](#)
To: [Oxford Village Manager](#)
Subject: Fwd: wear orange June 2-4
Date: Wednesday, March 29, 2023 4:40:33 PM

Wondering if we should add this to next agenda.

Kelsey

Begin forwarded message:

From: "Johnson, Meggan" <MJohnson@ballhort.com>
Date: March 29, 2023 at 3:34:55 PM EDT
To: Kelsey Cooke <kcooke@thevillageofoxford.org>
Subject: wear orange June 2-4

Hi Kelsey-

I am an oxford resident and a parent. I am also a member of Moms Demand Action, and the North Oakland Co-Lead for Be SMART.

I would like to work with the village of Oxford to declare locally that June 2-4 participate in Wear Orange Day. This is a non-partisan movement that is focused on recognizing Gun Violence Awareness and Gun Violence Survivors. It is meant to honor Gun Violence Survivors.

This can be done through a City Proclamation – which could be a statement that declares June 2nd as Gun Violence Awareness Day. It is an awareness piece, not a law or an ordinance.

I am sure there are many community members that would support this non-partisan, nonpolitical day of awareness.

Please respond with your thoughts at your earliest convenience.

<https://wearorange.org/about/>

Thank you,

Meggan Johnson (she/her)
Be SMART Co-Lead
North Oakland County, MI
<https://besmartforkids.org/>

Oxford Village Manager

From: Donald Brantley
Sent: Thursday, April 6, 2023 7:03 AM
To: Oxford Village Manager
Subject: RE: ORBA flag pole request

Joe,

I have no issues with ORBA installing a new flagpole at the ball fields and the location of installation. They must follow the manufactures installation specification and clean up/restore area of installation.

Thank You
Don Brantley, DPW Supervisor

From: [Oxford Village Manager](#)
Sent: Wednesday, April 5, 2023 11:48 AM
To: [Donald Brantley](#)
Subject: ORBA flag pole request

Don,

See the attached letter from ORBA requesting to install a flagpole at the ball fields.

Provide me a review letter from you for this. It will be on the agenda at next week's Council meeting.

Joseph M. Madore

Joseph M. Madore
Village Manager



22 W. Burdick Street, Oxford, MI 48371

(248) 628-2543

Manager@thevillageofoxford.org

9. h.

FROM THE DESK OF

Oxford Recreational Baseball Assoc.

March 13, 2023

Don Brantly
Department of Public Works
22 W Burdick Street
Oxford, Mi

Dear Don,

We, the ORBA Board of Directors, are requesting permission to install a 20-30 foot tall flag pole at Scriptor Baseball Park to display the American and Michigan State flags. The proposed flag pole site will be located in the position described on the picture below.

Thank you for your consideration.

Sincerely yours,

Jim Bourn, Equipment Director of ORBA

(248) 933-6739

