

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

**OXFORD VILLAGE COUNCIL
REGULAR MEETING MINUTES**

Village Council Members: David Bailey, Maureen Helmuth, Joe Frost, Allison Kemp, Kate Logan

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

June 11, 2019

6:30 pm

- 1.) **CALL TO ORDER:** President Joe Frost called the meeting to order at 6:30 p.m.
- 2.) **PLEDGE OF ALLEGIANCE:** With Moment of Silence.
- 3.) **ROLL CALL** Attendance Members Present 5: Bailey, Frost, Helmuth, Logan, Kemp. Absent: 0.
Staff *Present: Village Manager Joseph Madore, Clerk/Treasurer/Recording Secretary Tere Onica, Police Chief Mike Solwold, DPW Supervisor Don Brantley.*
- 4.) **APPROVAL OF AGENDA:** June 11, 2019.
MOTION: by Bailey/Helmuth to amend the agenda to adjust Item (7) to enter Closed Session upon arrival of the insurance attorney. All in favor. Motion carried.
- 5.) **PRESENTATION: Main Street Oakland County 2018 Main Street Accreditation:** John Bry, Principal Planner for Oakland County Main Street Planning Team certified and recognized the Village of Oxford DDA as a 2019 Main Street America accredited program for meeting the standards of performance in 2018. Mr. Bry noted the award based on 10-point criteria for producing a vibrant and healthy downtown area. Congratulations and recognition were offered on behalf of L. Brooks Patterson.
- 6.) **PUBLIC COMMENTS:**
Justin Dunaskiss local business owner from DCD Consulting offered professional services to assist in developing policy on Recreational Marihuana, provide resources, data analysis and topics for discussion.

At 6:43 p.m. Legal Counsel for arrived.
- 7.) **CLOSED SESSION:**
MOTION: by Helmuth/Kemp to enter closed session per MCL 15.268 to discuss pending litigation at 6:43 P.M.
Roll Call Vote: Ayes: 5, Bailey, Kemp, Helmuth, Logan, Frost. Nays: 0 Absent: 0. Motion carried.

MOTION: by Helmuth/Logan to return to open session at 7:12 p.m. All in favor. Motion carried.

MOTION: by Helmuth/Kemp to follow the strategy discussed in closed session with the attorney and schedule a Special Meeting for any future action if necessary.
Roll Call Vote: Ayes: 5. Bailey, Kemp, Helmuth, Logan, Frost. Nays: 0. Absent: 0. Motion carried.
- 8.) **CONSENT AGENDA:**
MOTION: by Helmuth/Frost to approve Consent Agenda Item 9(a) as presented.

46 All in favor. Motion carried.
47 **MOTION:** by Logan/Helmuth to approve minutes, budget report, budget amendments and bills
48 in the amount of \$165,377.05.
49 **Roll Call Vote:** Ayes: 5. Kemp, Helmuth, Logan, Frost, Bailey. Nays: 0. Absent: 0. Motion
50 carried.

51
52 **9.) UNFINISHED BUSINESS:**

53 a. **Oxford Township Sewer Construction Agreement:**

54 **MOTION:** by Frost/Bailey to approve the agreement with the Charter Township of Oxford
55 granting permission to extend a township sanitary sewer line in the M-24 Right-of-Way
56 subject to final review and approval by the village attorney with reference made to page (2),
57 Section (8) *Consent to Joint Counsel*.

58 **Roll Call Vote:** Ayes: 5. Helmuth, Logan, Frost, Bailey, Kemp. Nays: 0. Absent: 0. Motion
59 carried.

60
61 b. **Farmer's Market:** Village Council recommended sending the idea for a Farmer's Market
62 to the DDA and Promotions Committee. Oxford Township Parks and Recreation is in
63 preliminary discussions already. A complaint regarding the fairness/impact of a Farmer's
64 Market to local businesses paying for bricks and mortar was noted.

65 **MOTION:** by Logan/Bailey to refer the Farmer's Market request to the DDA for analysis,
66 style and structure. All in favor. Motion carried.

67
68 c. **Dayton Street Traffic Enforcement Update:** There was discussion on traffic violations
69 and motor vehicle codes regarding fines, points and enforcement. Attorney Davis referenced
70 Opinion Memo dated June 4, 2019 regarding the Michigan Secretary of State Offense Code
71 index as Exhibit One (1) . Current codes are enforced by the Police Chief and Police
72 Department. There may be opportunity to assign cost to MDOT and/or Oxford Fire
73 Department for additional signage with maximum fines and points posted.

74
75 Public Comments: Larry Staley, 88 Dayton Street-recommended a remote-control gate.
76 Sue Bossardet suggested council use the remaining 6-7 months to investigate options.

77
78 **MOTION:** by Frost/Bailey directing Chief Solwold, Manager Madore, Chief Scholz to
79 develop a plan, considering gate and enforcement options and address concerns prior to
80 Dayton Street being opened. All in favor. Motion carried.

81
82 d. **Village Logo Update:** The village has been using a new logo that was never officially
83 adopted. The request is not to change the logo in use, just approve it for use.

84
85 Public Comments: Rose Bejma, Pearl Street pointed out that the village already had a flag
86 and logo. Why not use them?

87
88 Other communities have Logo Contests. Logos get retired and evolve over time.

89 **MOTION:** by Logan/Kemp to adopt the logo as submitted for use by the Village of Oxford.
90 Motion carried with four members voting Aye and one dissenting vote by Bailey.
91

- 92 e. **Consideration to Open a New Depository:**
93 **MOTION:** by Frost/Bailey to approve opening a new depository with Independent Bank
94 with specified account signers.
95 **Roll Call Vote:** Ayes: 5. Logan, Frost, Bailey, Kemp, Helmuth. Nays: 0. Absent: 0. Motion
96 unanimously carried.
97
- 98 f. **Chicken Ordinance:** Chickens were cited in past as cause of rat problem due to manure
99 and feed management. The Village Manager referred to the Department of Agriculture
100 Regulations. The existing ordinance does not allow Roosters. Can run a pilot program with
101 limited permits issued based on first come, first serve. Can require attendance to an animal
102 care program such as one offered by MSU Extension.
103 **MOTION:** by Helmuth/Kemp to set aside to the next council meeting. All in favor. Motion
104 carried.
105
- 106 g. **ZBA Appointment:** Dave Gerber and Tonya Hauser both submitted applications to serve
107 on the ZBA. There are three vacancies. One full member appointment and (2) alternate
108 members (3-year terms).
109 **MOTION:** by Frost/Bailey to appoint Dave Gerber as a full member to a three (3) year
110 term, amended by Frost/Bailey for Mr. Gerber filling the vacancy created by Marilyn
111 Benner's resignation and complete the term. And, to appoint Tonya Hauser as an alternate
112 member to a three (3) year term. All in favor. Motion unanimously carried.
113
- 114 h. **Recreational Marihuana:** The Planning Commission unanimously recommended the
115 Village Council adopt an ordinance to Prohibit Recreational Marihuana Establishments.
116 Ordinance 19-01 was previously prepared and strongly recommended by village legal
117 counsel and Council for MML, to protect the village from costly litigation until a zoning
118 ordinance and regulations governing time, manner and location could be written and
119 adopted in adherence with good planning and zoning practices. A sunset clause was
120 suggested to eliminate fear of inaction. Disagreement was lodged with the wording of the
121 sunset clause.
122 **MOTION:** by Frost/Helmuth to set the Public Hearing for the First Reading of the
123 Recreational Marihuana ordinance for July 9, 2019.
124 **Roll Call Vote:** Ayes: 2. Frost, Bailey. Nays: 3. Kemp, Helmuth, Logan. Absent: 0. Motion
125 failed due to lack of support.
126
127 **MOTION:** by Helmuth/Bailey called for a 5-minute recess at 8:28 p.m. All in favor.
128 Motion carried.
129
- 130 Upon return from recess there was a motion to reconsideration on Agenda Item (h).
131 **MOTION:** by Helmuth/Kemp to adopt the Ordinance to opt-out of recreational marihuana
132 amending the sunset clause to expire June 30, 2020, and to set the Public Hearing for a First
133 Reading on the Ordinance to Prohibit for the July 9, 2019 regular meeting to be held at 6:30
134 p.m. or shortly thereafter.
135 **Roll Call Vote:** Ayes: 4. Helmuth, Frost, Bailey, Kemp. Nays: 1, Logan. Absent:0. Motion
136 carried.
137

- 138 **10.) NEW BUSINESS:**
139 a. **Consider Purchase of MXU Water Meters:** The DPW is requesting to purchase 197
140 MXU water meter transceiver units for the water meter reading system to allow meters to be
141 remotely read with a handheld unit. This will be the final purchase of MXU readers for the
142 Village. The quantity pricing of \$150.00 per unit for a total cost of \$29,550.00. The Water
143 Capital Improvement Budget (GL # 591-556-970.000) is \$34,000.00 and will cover the
144 purchase of the meters. Units will be ordered upon approval and paid in the July 1, 2019
145 Fiscal Year budget.
146 **MOTION:** by Frost/Helmuth to approve the purchase of 197 MXU water meter readers for
147 a total cost of \$29,550.00.
148 **Roll Call Vote:** Ayes: 5. Helmuth, Frost, Bailey, Kemp, Logan. Nays: 0. Absent: 0. Motion
149 carried.
150
151 b. **Tree Removal Proposal:** The DPW received bids for removal of Village easement trees.
152 The total cost for removal of 9-trees using the lowest bidders is \$7,100.00 to be paid as
153 follows: Major Surface- \$3,050.00, Local Surface- \$2,500.00, Water – 1,550.00.
154 **MOTION:** by Helmuth/Bailey to approve the removal of easement trees as presented, not
155 to exceed \$7,100.00.
156 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.
157 Motion carried.
158
159 c. **Stop Sign Installation:** Division and East, Dennison & Pontiac: Recommended by Police
160 Chief Solwold.
161 **MOTION:** by Helmuth/Bailey to approve a stop sign at Division and East St.
162 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.
163 **MOTION:** by Frost/Bailey to approve a stop sign at Pontiac & Dennison and East St.
164 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.
165
166 d. **Resolution 2019-12 A Resolution Celebrating the 100th Anniversary of the Ratification**
167 **of the 19th Amendment of the U.S. Constitution, Giving Women the Right to Vote:**
168 **MOTION:** by Helmuth/Kemp to join the Oakland County Commissioner campaign to
169 raise awareness and celebrate this historic milestone and fly the Suffragette Victory Flag at a
170 special ceremony in Centennial Park on Thursday June 20th at 6:30 p.m.
171 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.
172
173 e. **Oakland County Local Road Improvement Program Agreement-West Burdick Street:**
174 The Village Manager presented a letter from the Oakland County Board of Commissioners
175 dated May 23, 2019 with a Cost Participation Agreement for the Pilot Local Road
176 Improvement Program to resurface West Burdick Street. Estimated project cost was
177 \$178,623.00 for a 2” mill and resurface from M-24 (Washington St.) west to approximately
178 West St. near the west boundary of the Village limits.
179 **MOTION:** by Helmuth/Frost authorizing the Village Manager to sign the Local Road
180 Improvement Matching Fund Pilot Program Cost Participation Agreement on behalf of the
181 Village of Oxford to receive matching funds in the amount of \$26,689 by the Oakland
182 County Board of Commissioners Project No. 2019-16, for the resurfacing of West Burdick
183 Street.

