

Village Council Special Meeting Agenda Tuesday, June 23, 2020 7:00 PM – Teleconference Meeting To Participate in Meeting: Call-in access number (701) 802-5176

Meeting Code: 1531799 22 W Burdick Street, Oxford, MI

Tel: 248-628-2543

This meeting is being held remotely per Governor Whitmer's Executive Order 2020-75

Public Input will be allowed during Item 6, Public Comments; Public may voluntarily state their name and address. This time is for council to hear from the public and not to engage in discussion with the public on comments made by the public, in adherence to the Open Meetings Act. Each person will be allowed an opportunity to speak for no more than 3 minutes. All comments will be addressed to the Council President.

- 1. Call to Order
- 2. Pledge of Allegiance & Moment of Silence
- 3. Roll Call: Bailey, Cooke, Frost, Helmuth, Kemp
- 4. Approval of Agenda
- 5. New Business
 - a. Budget Amendments
 - b. Employer Re-opening Plan
 - c. East Burdick P.U.D. agreement extension due to COVID-19 delay
- 6. Public Comment
- 7. Council Comments
- 8. Adjournment

2019-2020 year end budget amendments

One of the biggest unknowns we budget for is DPW hours. We never know how much time will be spent on snow removal and salting so we budget 2080 hours based on past experiences. When there is a light snow year, any hours that would have been used, and paid for by the Roads Funds end up beign spent in other funds. This past winter was lighter than normal, so many DPW hours were spent in other areas and will be funded by those other funds, primarily the General Fund

Equipment rental for our Major and Local Roads Funds is charged to the Roads Funds based on a MDOT approved hourly rate for each piece of equip. The practice has also been used to track equipment cost in the other funds as well. Funds charged to equipment rental are set aside for Village use in the future to replenish equipment.

In this budget Don and I attempted to use a flat rate charge to certain funds for equipment rental, in doing payroll it was realized that the DPW personell already track everything by the hour and we want to continue that tracking. There are cost centers in this budget that did not have any equipment rental budgeted, but ended up with equipment rental costs due to DPW tracking. Any equipment rental increase is usually offset by decreases elsewhere, but sometimes there was increase use and costs

Accounts that	An	nount under	
101	Council	\$	2,182.00
172	Manager	\$	3,400.00
210	Attorney	\$	18,000.00
215	Clerk	\$	21,000.00
301	Police	\$	11,000.00
372	Code Enforcement	\$	1,200.00
402	ZBA	\$	3,500.00
960	Public relations	\$	5,500.00
	Total under i	oudget \$	65,782.00

253-705 253-810 265-921 267-740	Treasurer Treasurer Admin / Bldg & Utilities Beautification Comm	Clerical wages contr. Svcs. Electric costs	\$		\$ amended 5,500.00		increase	reason
253-810 265-921 267-740	Treasurer Admin / Bldg & Utilities	contr. Svcs.	\$ \$		\$ 5 500 00	$\overline{}$		
265-921 267-740	Admin / Bldg & Utilities		\$		3,300.00	\$	1,793.00	Clerk/Treasurer share different than budgeted
267-740	-	Flectric costs		3,183.00	\$ 5,200.00	\$	2,017.00	Some ordinance publications here vs. Planning & Zoning
	Beautification Comm		\$	4,995.00	\$ 8,000.00	\$	3,005.00	Electric costs higher due to Water claim equip. etc. (paid by Ins.)
	Gasamicotion Commi	Oper. Supplies	\$	120.00	\$ 250.00	\$	130.00	Supplies needed prior to new budget in July
376-704	Bldg Dept.	Admin wages	\$	5,830.00	\$ 8,600.00	\$	2,770.00	Wages here instead of Clerk dept. (allocation change)
401-821	Planning	Engineering	\$	-	\$ 14,580.00	\$	14,580.00	Fees for engineering reviews - (Paid by applicants)
442-704	Tree replacment prog.	wages	\$	-	\$ 400.00	\$	400.00	Plant Oak Co. Centennial trees vs. give Away as planned
443-943	Downtown Maintenance	Equip. Rental	\$	-	\$ 14,000.00	\$	14,000.00	Flat rate planned to other acc'ts, went with standard hourly instead
444-704	Parking lot Maintenance	wages	\$	9,526.00	\$ 21,000.00	\$	11,474.00	Light winter means DPW hours spent in other areas
444-718	Parking lot Maintenance	retirement	\$	2,193.00	\$ 4,600.00	\$	2,407.00	Light winter means DPW hours spent in other areas
444-943	Parking lot Maintenance	Equip. rental	\$	-	\$ 20,000.00	\$	20,000.00	Flat rate planned to other acc'ts, went with standard hourly instead
448-787	Street Lighting	Materials	\$	1,000.00	\$ 6,700.00	\$	5,700.00	Light poles insurnace claims - (Paid by Insurance)
528-808	Rubbish Contract	Res. Contract	\$	160,132.00	\$ 164,000.00	\$	3,868.00	collections are lagging
28-808.010	Rubbish Contract	Comm. Contract	\$	34,663.00	\$ 36,000.00	\$	1,337.00	collections are lagging
751-943	Parks	Equipment rental	\$	-	\$ 7,000.00	\$	7,000.00	Flat rate planned to other acc'ts, went with standard hourly instead
						Ś	90.481.00	Total amendments to expenditures

Of the \$90,481 in amendment expenditures, \$23,285 was paid by applicants or insurance claims, for a net amended expenditures of \$67,196. Parking lot & Downtown maintenance overages (\$59,600) are mostly offset by less costs in other funds (Major and Local Streets, Sewer, Water)

MAJOR STREETS FUND - 202

Revenues are up \$44,000 more than budgeted due to higher gas and weigh tax revenue, interest earnings and Oak Co Road Imp Program higher than anticipated.

Amendments to	expenditures		b	udgeted	i	amended	increase	
455-810	Construction	contracted services	\$	2,000.00	\$	4,700.00	\$ 2,700.00	Extra work on W. Burdick street project 2019
464-810	Non-Motorized	contracted services	\$	2,302.00	\$	2,500.00	\$ 198.00	Extra work on W. Burdick street project 2019

LOCAL STREETS FUND - 203

revenues are up \$11,000 due to higher gas and weight tax, interest earnings

Amendments to	expenditures		ь	udgeted		amended		increase	
463-704	surface	wages	\$	18,515.00	\$	23,000.00	\$	4,485.00	pot-hole patching increased and more
463-811	surface	Contracted services	\$	3,951.00	\$	5,900.00	\$	1,949.00	tree and stump removal for safety
474-704	traffic	wages	\$	2,177.00	Ś	2.951.00	Ś	774.00	pot-hole patching increased and more

Village of Oxford SARS-CoV-2 Preparedness & Response Plan & Risk Determinations for Low & Medium Risk Employees

General

The following SARS-CoV-2 Preparedness & Response Plan has been established for The Village of Oxford (Village) in accordance with the requirements in the most recent Executive Order (EO) concerning employee safety and health, and all requirements therein signed by Governor Gretchen Whitmer, and also in accordance with Guidance on Preparing Workplaces for COVID-19 as referenced by EO. Specific requirements for employers in various industry sectors are contained in the associated EO.

This program must be available at the company or at the worksite. The purpose of this program is to minimize or eliminate employee exposure to SARS-CoV-2. A copy of this program shall be provided to employees upon their request. Refer to the EO and referenced Guidance on Preparing Workplaces for COVID-19 therein for specific requirements.

Exposure Determination

The Village will evaluate routine and reasonably anticipated tasks and procedures for all employees to determine whether there is actual or reasonably anticipated employee exposure to SARS-CoV-2. The Village Manager will be responsible for seeing that exposure determination is performed.

An employer shall categorize all its employees' jobs into the following risk categories:

<u>Lower exposure risk jobs</u>. These jobs are those that do not require contact with people known to be, or suspected of being, infected with SARS-CoV-2 nor frequent close contact (for example, within six feet) with the public. Workers in this category have minimal occupational contact with the public and other coworkers.

<u>Medium exposure risk jobs</u>. These jobs include those that require frequent and/or close contact (for example, within six feet) with people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 patients. In areas without ongoing community transmission, workers in this risk group may have frequent contact with travelers who may return from locations with widespread SARS-CoV-2 transmission. In areas where there is ongoing community transmission, workers in this category may have contact with the public and coworkers (for example, schools, high-population-density work environments, high-volume retail settings).

The Village has determined that the following positions/jobs/tasks have been determined to have the following exposure determination(s).

Positions/job/task	Determination	Qualifying Factors (i.e. no public contact, public contact, job task description)		
All Clerical/Office positions	Low Risk	No frequent face-to-face contact with public		
Police Officers	Medium Risk	Frequent and close contact with		

		public, but not with known or suspected COVID-19 patients
Council members	Low Risk	No frequent public face-to-face contact
DPW Workers	Medium Risk	Occasional contact with the public, but not with known or suspected COVID-19 patients

Engineering controls

The Village has implemented feasible engineering controls to prevent employee exposure to SARS-CoV-2. Engineering controls involve isolating employees from work-related hazards. In workplaces where they are appropriate, these types of controls reduce exposure to hazards without relying on worker behavior and can be the most cost-effective solution to implement.

Engineering controls for SARS-CoV-2 include:

- Installing physical barriers, such as clear plastic sneeze guards.
- Use of an outside drop-box for customer service and payments.

NOTE: Additional engineering controls are not recommended for low exposure risk employees. The Village Manager will be responsible for seeing that the correct engineering controls are chosen, installed and maintained and serviced for effectiveness as often as required.

Administrative Controls

Administrative controls are workplace policies, procedures, and practices that minimize or eliminate employee exposure to the hazard. The Village Manager will be responsible for seeing that the correct administrative controls are chosen, implemented and maintained effectiveness in order to minimize or eliminate employee exposure to SARS-CoV-2.

Additional engineering controls are not recommended for workers in the lower exposure risk group. Low exposure risk group employers should monitor public health communications about COVID-19 recommendations and ensure that workers have access to that information. Frequently check the CDC COVID-19 website: www.cdc.gov/coronavirus/2019-ncov.

Examples of administrative controls for SARS-CoV-2 in medium risk groups include:

- Consider offering face masks to ill employees and customers to contain respiratory secretions until they are able leave the workplace (i.e., for medical evaluation/care or to return home). In the event of a shortage of masks, a reusable face shield that can be decontaminated may be an acceptable method of protecting against droplet transmission. See CDC/NIOSH guidance for optimizing respirator supplies, which discusses the use of surgical masks, at: www.cdc.gov/coronavirus/2019-ncov/hcp/respirators-strategy.
- Keep customers informed about symptoms of COVID-19 and ask sick customers to minimize contact with workers until healthy again, such as by posting signs about COVID-19

in stores where sick customers may visit (e.g., pharmacies) or including COVID-19 information in automated messages sent when prescriptions are ready for pick up.

- Where appropriate, limit customers' and the public's access to the worksite, or restrict access to only certain workplace areas.
- Consider strategies to minimize face-to-face contact (e.g., drive-through windows, phone-based communication, telework).
- Communicate the availability of medical screening or other worker health resources (e.g., on-site nurse; telemedicine services).

The following administrative controls have been established for the Village.

Positions/job/task	Administrative Control Type (workplace distancing, remote work, notifying customers)
ALL Personnel in the	No congregating in Break room areas. Wear a mask when
building.	going down hallways where it is likely that you will pass
	another employee.
All Personnel	Wear gloves when retrieving items from outside drop box
All Personnel	Wash or sanitize hands after touching items from the drop box or U.S. Mail.
All Personnel except Police	Any employee inviting a visitor into the employee work area shall do so only if the visitor is wearing a mask. Visitors shall be escorted to, and only allowed into the office of the person inviting them in.
Police Officers	Use appropriate PPE when in close contact with the public, maintain social distancing at all times.

Hand Hygiene & Disinfection of Environmental Surfaces

The Village will be responsible for seeing that adequate handwashing facilities are available in the workplace and that regular handwashing is required. Frequency of such handwashing will be determined in part by factors such as when and how often the employee's hands are potentially exposed to SARS-CoV2-19. When provision of handwashing facilities is not feasible, the employer shall provide employees with antiseptic hand sanitizers or towelettes.

The Village Manager will be responsible for seeing that environmental surface in the workplace are cleaned and disinfected. Frequency of such disinfection will be determined in part by factors such as when and how often the environmental surfaces are potentially exposed to SARS-CoV2-19. When choosing cleaning chemicals, the Village will consult information on Environmental Protection Agency (EPA)-approved disinfectant labels with claims against emerging viral pathogens. Products with EPA-approved emerging viral pathogens claims are expected to be effective against SARS-CoV-2 based on data for harder to kill viruses. The manufacturer's instructions for use of all cleaning and disinfection products will be strictly adhered to.

An enhanced cleaning and disinfection shall be performed after persons suspected or confirmed to have SARS-CoV2-19 have been in the workplace. The Village will be responsible for seeing that such

a cleaning and disinfection is performed as required.

The following is a list of environmental surfaces, methods used to disinfect, and the frequency of such disinfection:

Surface	Method/Disinfectant Used	Schedule/Frequency
Doorknobs, Phones, tables,	Disinfecting wipes	Middle and end of each shift.
doorknobs, light switches,		
handles, desks, toilets,		
faucets, sinks, and		
electronics		
Shared equipment &	Disinfecting wipes	After each use
Surfaces		

Personal Protective Equipment (PPE)

The Village will provide employees with personal protective equipment for protection from SARS-CoV-2 appropriate to the exposure risk associated with the job following the CDC and OSHA guidance applicable to the industry and types of jobs at the workplace and in accordance with latest E.O.

All types of PPE are to be:

- *Selected based upon the hazard to the worker.*
- Properly fitted and periodically refitted as applicable.
- Consistently and properly worn when required.
- Regularly inspected, maintained, and replaced, as necessary.
- Properly removed, cleaned, and stored or disposed of, as applicable, to avoid contamination of self, others, or the environment.
- Require masks to be worn when workers cannot consistently maintain six feet of separation from other individuals in the workplace and consider face shields when workers cannot consistently maintain three feet of separation from other individuals in the workplace.

The following type(s) of PPE have been selected for use:

Positions/job/task	PPE
All personnel – Low Risk	Non-surgical grade face masks
All personnel – Medium Risk	Non-surgical grade face masks / N-95 face masks

Health Surveillance

The Village has implemented a screening protocol to identify known or suspected cases of COVID-19 among employees and isolate them from the remainder of the workforce. The Village Manager will be responsible for ensuring that all required health surveillance provisions are performed as required.

At the beginning of each day at the start of each work shift The Village will screen employees for

signs and symptoms COVID-19 as required. Employees have been directed to promptly report any signs and symptoms of COVID-19 to the Village Manager, DPW Supervisor or the Police Chief before and during the work shift and have provided employees with instructions for how to make such a report to the employer.

The specific instructions for employee reporting signs and symptoms of COVID-19 are as follows:

If any employee has COVID symptoms they are to stay home and contact their supervisor one hour prior to the beginning of their shift via a phone call or text message. If symptoms arise during their shift, they are to contact their supervisor immediately by phone or text. If a supervisor is informed by any employee that they are showing signs of COVID-19 they will send known or suspected cases home, where they will self-isolate during their illness.

Training

The Village shall coordinate SARS-CoV2 training and ensure compliance with all training requirements.

Train workers on, at a minimum:

- A. Routes by which the virus causing COVID-19 is transmitted from person to person.
- B. Distance that the virus can travel in the air, as well as the time it remains viable in the air and on environmental surfaces.
- C. Symptoms of COVID-19.
- D. Steps the worker must take to notify the Village of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
- E. Measures that the facility is taking to prevent worker exposure to the virus, as described in the COVID-19 preparedness and response plan required under the most recent EO.
- F. Rules that the worker must follow in order to prevent exposure to and spread of the virus.
- G. The use of personal protective equipment, including the proper steps for putting it on and taking it off.

<u>NOTE</u>: It is recommended that records of employee training be maintained that at a minimum document the name(s) of employee(s) trained, date of training, name of trainer, and content of training.

Recordkeeping

The Village Clerk shall coordinate SARS-CoV-2 required recordkeeping and ensure compliance with all such requirements, including those specified in the most recent EO.

The following records are required to be maintained:

- 1. Required training.
- 2. A record of daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19.
- 3. When an employee is identified with a confirmed case of COVID-19.



Coronavirus Disease 2019 (COVID-19)

How COVID-19 Spreads

Updated June 16, 2020

COVID-19 is thought to spread mainly through close contact from person-to-person. Some people without symptoms may be able to spread the virus. We are still learning about how the virus spreads and the severity of illness it causes.

Person-to-person spread

The virus is thought to spread mainly from person-to-person.

- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs, sneezes, or talks.
- · These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.
- COVID-19 may be spread by people who are not showing symptoms.

The virus spreads easily between people

How easily a virus spreads from person-to-person can vary. Some viruses are highly contagious, like measles, while other viruses do not spread as easily. Another factor is whether the spread is sustained, which means it goes from person-to-person without stopping.

The virus that causes COVID-19 is spreading very easily and sustainably between people. Information from the ongoing COVID-19 pandemic suggests that this virus is spreading more efficiently than influenza, but not as efficiently as measles, which is highly contagious. In general, the more closely a person interacts with others and the longer that interaction, the higher the risk of COVID-19 spread.

The virus may be spread in other ways

It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes. This is not thought to be the main way the virus spreads, but we are still learning more about how this virus spreads.

Spread between animals and people

- At this time, the risk of COVID-19 spreading from animals to people is considered to be low. Learn about COVID-19 and pets and other animals.
- It appears that the virus that causes COVID-19 can spread from people to animals in some situations. CDC is aware of a small number of pets worldwide, including cats and dogs, reported to be infected with the virus that causes COVID-19, mostly after close contact with people with COVID-19. Learn what you should do if you have pets.

Protect yourself and others

The best way to prevent illness is to avoid being exposed to this virus. You can take steps to slow the spread.

- Maintain good social distance (about 6 feet). This is very important in preventing the spread of COVID-19.
- Wash your hands often with soap and water. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
- Routinely clean and disinfect frequently touched surfaces.
- Cover your mouth and nose with a cloth face covering when around others.

Learn more about what you can do to protect yourself and others.



DO NOT ENTER THIS FACILITY IF YOU ARE EXPERIENCING ANY

RESPIRATORY SYMPTOMS

OR

HAVE BEEN IN CONTACT WITH A CONFIRMED CASE OF COVID-19 IN THE LAST 14 DAYS

ONLY ENTER THIS BUILDING IF
YOU ARE NOT EXPERIENCING COVID-19
SYMPTOMS

In accordance with EXECUTIVE ORDER 2020-114

CUSTOMERS & EMPLOYEES

MUST MAINTAIN

6-FET SOCIAL DISTANCE AT ALL TIMES WHILE INSIDE THIS FACILITY

COVID-19



AVOID SPREADING GERMS



Avoid close contact with those sick with fever and/or cough



Cover coughs and sneezes with elbow or tissue & discard immediately



Disinfect all frequently touched surfaces and frequently used objects

Wash hands with soap & water often



Wear a **mask** or **cloth face covering** when in public spaces



Avoid touching your **eyes, nose,** & **mouth**





When sick, stay home, except to seek medical care

USE OF DISPOSABLE GLOVES

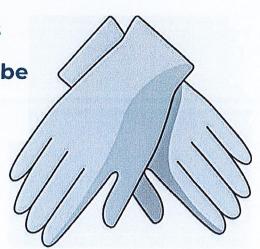
COVID-19

Do not use the same disposable gloves for multiple activities & never wash disposable gloves for reuse.

Wear well-fitting, disposable gloves when using shared equipment. Medical examination gloves should be reserved for clinical use.

When to remove gloves:

- After contact with the surrounding environment
- After direct customer or client contact
- If working in a position where gloves are normally required, follow facility procedures



Remove gloves using the following CDC instructions:

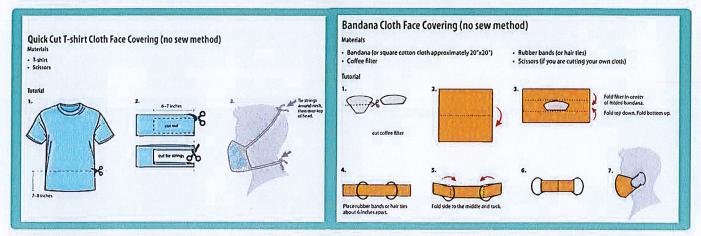
- (1) Grasp the outside of one glove at the wrist. Do not touch your bare skin.
- (2) Peel the glove away from your body, pulling it inside out.
- (3) Hold the glove you just removed in your gloved hand.
- (4) Peel off the second glove by putting your fingers inside the glove at the top of your wrist.
- (5) Turn the second glove inside out while pulling it away from your body, leaving the first glove inside the second.
- (6) Dispose of the gloves safely. Do not reuse the gloves.
- (7) Clean your hands immediately after removing gloves.

PROPER USE OF FACEMASKS & FACE COVERINGS IN THE WORKPLACE

COVID-19

CDC GUIDANCE ON CLOTH FACE COVERINGS:

- Face coverings should fit snugly against the face
- Coverings should be secured with either ties or ear loops
- These face coverings should be made with multiple layers of fabric
- Cloth face coverings should be able to be laundered and dried without changes or damage to fabric or shape



DONNING, REMOVAL, & STORAGE OF FACEMASKS OR FACE COVERINGS:

- Clean hands with soap and water OR alcohol-based sanitizer before and after touching and adjusting the cloth face covering OR surgical mask for wear
- If contact with the facemask or cloth covering occurs, practice proper hand hygiene as described above
- Hang cloth face covering or facemask in a designated storage space OR store them in a clean and breathable container (such as a paper bag) between uses
 - Cloth coverings and facemasks should be <u>stored so they do not</u> touch frequently touched surfaces or items
 - Storage containers should be cleaned regularly or disposed of
- Face coverings and facemasks should have ONLY ONE WEARER
- If you choose not to wear your cloth face covering when in your personal work-space or office:
 - Remove the cloth face covering fully, and
 - Follow the above removal, storage, and donning guidelines
- Wash cloth face covering often, daily if possible
 - In washing machine on warm cycle with gentle detergent, OR
 - Hand-wash with warm water and gentle soap





Village of Oxford COVID-19 Daily screening questionnaire

Employee Name:	Date:	Time:
In the past 24 hours, have you experienced:		
Fever (felt feverish) □Yes □No		
New or worsening cough: □Yes □No		
Shortness of breath: □Yes □No		
Sore throat: □Yes □No		
Diarrhea: □Yes □No		
Current temperature: °F		
If you answer "yes" to any of the symptoms listed above, ogo into work. Self-isolate at home and contact your primar		
\cdot Isolate (do not leave) at home for a minimum of 7	days since symptoms firs	t appear, AND
\cdot Have 3 days without fevers (without the use of m	edicine) and improvemen	t in respiratory symptoms
If symptoms such as shortness of breath are due to a know	n, non-worsening chronic	condition, mark "No".
In the past 14 days, have you:		
Had close contact with an individual diagnosed with COVID	-19? □Yes □No	
Travelled via airplane internationally or domestically? □Ye	s□No	
If you answer "yes" to either of these questions, please do	not go into work. Self-qua	arantine at home for 14 days.
Return your completed form each workday to your immereturn your completed form each day to the Police Chief.	diate supervisor. Police D	epartment employees please



A CLEAN WORK ENVIRONMENT

IS A HEALTHIER

WORK ENVIRONMENT







DESKS AND CHAIRS



PHONES



DRINKING COOLERS



COMPUTER EQUIPMENT



COFFEE MAKERS



DOOR HANDLES



OFFICE EQUIPMENT



REMOTE CONTROLS

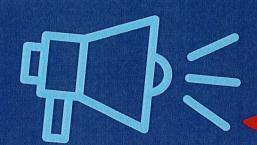
800.848.5533 NOC@OAKGOV.COM OAKGOV.COM/HEALTH



The Oakland County Health Division will not deny participation in its programs based on race, sex, religion, national origin, age or disability. State and federal eligibility requirements apply for certain programs.

#StopTheSpread

Workplace Safety



If you develop **any** of these symptoms while at work, leave the facility and consult your department head over the phone.

Stay home if you are experiencing...

- New or worsening cough
- ✓ Shortness of breath or difficulty breathing
- Subjective fever (felt feverish)
- Chills or repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- Loss of taste or smell

While at work:

- Stop hand shakes and use noncontact greeting methods
- Clean hands at the door and schedule regular hand washing reminders
- ✓ **Disinfect surfaces** like doorknobs, tables, and desks regularly
- Avoid touching your face and cover your coughs and sneezes
- Increase ventilation by opening windows or adjusting air conditioning





Take care of your emotional and mental well-being

These are a stressful and anxious times for everyone. Please be respectful of others by maintaining good practices to contain viral spread.



Feeling Sick?

Stay home when you are sick!

please leave the building and contact your health care provider. If you feel unwell or have the following symptoms Then follow-up with your supervisor.

DO NOT ENTER if you have:



FEVER



KOUGH



SHORTNESS OF BREATH cdc.gov/CORONAVIRUS



CS 316129-A March 22, 2020 5:13 PM



June 22, 2020

Third Amendment to Development Agreement

THIS Fourth AMENDMENT ("Amendment") to the PLANNED UNIT DEVELOPMENT AGREEMENT (the "Agreement") is made effective as of this 23rd day of June, 2020 between the Village of Oxford, a Michigan municipal corporation (referred to as the "Village"), with offices at 22 W. Burdick, Oxford, Michigan 48371; the Oxford Downtown Development Authority, an authority existing under Public Act 197 of 1975 (referred to as the "DDA"), with offices at 22 W. Burdick, Oxford, Michigan 48371, and Weckle Properties, LLC with offices at 29 Broadway, Oxford, MI 48371 (referred to as "Weckle"), and states the following: Recitals

WHEREAS, the Zoning Ordinance of the Village allows for a Planned Unit Development (PUD) zoning classification as an optional method of development whereby regulations may be provided for the conservation of natural resources and features, encourage innovation in land use planning, to enhance housing, employment, shopping, traffic circulation, and to ensure the compatibility of design and use between neighboring properties and encourage development that is consistent and compatible with the Village's Master Plan; and WHEREAS, the Village Zoning Ordinances allows Planned Unit Development Agreements to be amended, and Section 19 of the agreement specifically envisions the possibility of amendment; and

WHEREAS, the Village, the DDA, and Weckle wish to amend the Agreement consistent with the applicable codes, ordinances, and regulations; and

WHEREAS, the Village, the DDA, and Weckle each represent and warrant it has the requisite approvals and authority to enter into this Agreement to be bound accordingly; and

WHEREAS, the Development by Weckle under the Agreement and this Amendment shall be consistent with the terms of this Amendment and the Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants and considerations herein contained and based on the approval of the Planned Unit Development (sometimes referred to as the "Project") and the Village of Oxford Zoning Ordinance, the parties to the Agreement hereby agree as follows:

Section 17 of the PUD agreement will lay out the following timeline for progress:

- Demolition of the existing structures on the project site may occur at any time after the approval of this agreement, subject to the issuance of the demolition permit by the Village.
- All building permits for the parking lot shall be obtained prior to December 31, 2020. Construction shall
 not begin on building site "C" until after construction of the parking lot begins. No building described in
 this agreement shall receive a Certificate of Occupancy until the parking lot is completed. Failure to
 meet this deadline shall result in the reversion of all land to its owner prior to this agreement and shall
 render all zoning approvals from the Village, including those found in this agreement, void.
- All building permits for the building at 36 E. Burdick (southeast corner of Mill and Burdick) shall be
 obtained prior to December 31, 2020. Failure to meet this deadline shall result in the reversion of all

land to its owner prior to this agreement and shall render all zoning approvals from the Village, including those found in this agreement, void, but shall not result in the reversion of any land to the DDA.

- All Building permits for the building at 32 E. Burdick (southwest corner of Mill and Burdick) shall be
 obtained prior to December 31, 2020. Failure to meet this deadline shall result in the reversion of all
 land to its owner prior to this agreement and shall render all zoning approvals from the Village, including
 those found in this agreement, void, but shall not result in the reversion of any land to the DDA.
- All building permits for the building at 19 Stanton (northeast corner of Mill and Stanton) shall be
 obtained prior to December 31, 2020. Failure to meet this deadline shall result in the reversion of all
 land to its owner prior to this agreement and shall render all zoning approvals from the Village, including
 those found in this agreement, void, but shall not result in the reversion of any land to the DDA.

Pursuant to Section 19 of the Agreement, all provisions of the Agreement not specifically altered by this Amendment shall remain in force.

- 4. The provisions of this Amendment shall be considered interdependent such that invalidation of any one or more of these covenants by judgment or decree or order of any court results in the invalidation of this entire Agreement unless the parties agree otherwise in writing. The covenants herein contained shall be binding upon the parties hereto and their respective successors and assigns and shall run with the title to the land, unless and until amended, altered or terminated pursuant to Agreement between the Village, the DDA, and Weckle its successors or assigns.
- 5. This Amendment shall be deemed to be mutually drafted and shall be construed under Michigan Law.
- 6. This Amendment is a fully integrated contract for all purposes under Michigan Law. This is the entire Amendment and supersedes any prior discussions.

Village of Oxford by vote at a Special Village Council meeting on June 23rd, 2020

Dave Weckle

7. Each party herein reserves all legal rights, equitable and otherwise, to enforce the terms of this Amendment.