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**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

November 12, 2019

7:00 pm

- 1.) **CALL TO ORDER:** President Pro-Tem, Dave Bailey called the meeting to order at 7:05 p.m.
- 2.) **PLEDGE OF ALLEGIANCE:** With Moment of Silence.
- 3.) **ROLL CALL** Attendance Members Present 4: Bailey, Helmuth, Kemp, Logan. Absent: 1, Joe Frost (delayed in traffic).
Staff Present: Village Manager Joseph Madore, Clerk/Treasurer/Recording Secretary Tere Onica. Police Chief, Mike Solwold.
- 4.) **APPROVAL OF AGENDA:** November 12, 2019.
MOTION: by Helmuth/Logan to amend the agenda as follows: move item five (5) to last item before item ten (10) New Business. Strike item 10(b), 11(g), 11(h), 11(i) and add new item 11(g) Schedule Special Meeting for Annual Evaluations. All present voting in favor. Motion carried.
- 5.) **PUBLIC HEARINGS:**
- a. **CDBG Program Year 2020**
MOTION: by Helmuth/Kemp to open the Public Hearing at 7:08 p.m. All present voting in favor. Motion carried.
PUBLIC COMMENTS:
Randy Gower-Commented on CDBG Public Service funding being used for the Oxford Orion Food Bank and the benefit to the community.
Patricia Duke-Commented on CDBG Public Service funds dedicated to Subsistence Payments and how the local organizations work together to the benefit of Village of Oxford residents.
Shawna Solwold-Commented community support of public service programs for citizens in the community.
MOTION: by Helmuth/Bailey to close the Public Hearing at 7:15 p.m. All present voting in favor. Motion carried.
- b. **Consumers Energy Ordinance #413 Public Hearing**
MOTION: by Helmuth/Kemp to open the Public Hearing at 7:16 p.m. All present voting in favor. Motion carried.
PUBLIC COMMENTS: None.
MOTION: by Helmuth/Bailey to close the Public Hearing at 7:17 p.m. All present voting in favor. Motion carried.
- 6.) **CALL TO PUBLIC:** No comment.
- 7.) **CONSENT AGENDA:**
MOTION: by Helmuth/Kemp to approve Consent Agenda Item 8(ai) (aia) as presented. All present voting in favor. Motion carried.
MOTION: by Helmuth/Logan to approve Consent Agenda Item 8(bi), (bia) bills in the amount of \$184,859.30, and (biii) monthly budget report with budget amendments as presented.

46 **Roll Call Vote:** Ayes: 4. Kemp, Helmuth, Logan, Bailey. Nays: 0. Absent: 1, Frost. Motion
47 carried.

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49 **MOTION:** by Helmuth/Logan to adjourn amended agenda Item #5, Closed Session until
50 Council member Frost arrived. All present voting in favor. Motion carried.
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52 **8.) UNFINISHED BUSINESS:**

53 a. **Ordinance No. 412 Keeping of Chickens** Second Reading.

54 **MOTION:** by Helmuth/Kemp to approve the second reading of Keeping of Chickens
55 Ordinance 412 as presented.

56 **Roll Call Vote:** Ayes 4: Helmuth, Logan, Bailey, Kemp. Nays: 0. Absent 1: Frost. Motion
57 carried.

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59 Council member Frost arrived at 7:26 p.m.
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61 **9.) CLOSED SESSION- Litigation update (MCL15.268(e)).**

62 **MOTION:** by Logan/Bailey to enter Closed Session pursuant to MCL 15.268(e) Attorney
63 Client privileged communications at 7:27 p.m. with council members Frost, Bailey, Kemp,
64 Helmuth, Logan, Attorneys Davis and Young, Village Manager Madore and
65 Clerk/Treasurer Onica.

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

68 **MOTION:** by Helmuth/Bailey to return to open session at 7:55 p.m. All in favor. Motion
69 carried.

70 The public returned as open session reconvened.

71 **MOTION:** by Helmuth/Bailey to approve the terms of the settlement set forth by the insurance
72 attorney in closed session and have the terms reduced to a controlling court document to be
73 entered by the judge and to close the case.

74 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Kemp, Bailey, Frost. Nays: 0. Motion carried.
75

76 **10.) NEW BUSINESS:**

77 a. **Consumer Franchise Ordinance #413-First Reading;**

78 **MOTION:** by Helmuth/Logan to approve the First Reading of the Consumers Franchise
79 Ordinance # 413.

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

82
83 b. **Communications Committee Renewal/Extension:**

84 **MOTION:** by Helmuth/Kemp to extend the communications committee for an additional 6
85 months to develop a communication plan and incorporate a social media policy. All in
86 favor. Motion carried.

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88 **MOTION:** by Frost/Helmuth to take a short 5-minute recess at 7:58 p.m. All in favor.
89 Motion carried.

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91 The meeting reconvened at 8:05 p.m.

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b. Resolution 2019-17 Consideration of CDBG 2020 Projects: CDBG Project Year 2020. Resolution 2019-17 is required to select an eligible project to be included in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development that allows the Village of Oxford Clerk/Treasurer to execute all documents, agreements, or contracts resulting in the application to Oakland County. The application deadline must be submitted to the county by the December deadline. Council reviewed past Public Service projects. Clerk/Treasurer met with CDBG representative Carla Spradlin at the village office to evaluate potential projects for eligibility under Removal of Architectural Barriers. The village office area has a barrier free public entrance, but just inside the door is another set of doors that is not barrier free. In addition, the public countertop is not ADA compliant and neither are the public bathrooms. All three items would qualify as eligible projects. Funding for existing programs, PY 18 Code Enforcement and PY 19 Sidewalk Replacement, could be re-programmed into Removal of Architectural Barriers. Council supported reprogramming PY18 and PY19 projects to Removal of Architectural Barriers to accomplish national objectives and become ADA compliant at the building entrance, to accommodate the disabled at the public service window countertop and to provide barrier free access to public bathrooms.

MOTION: by Frost/Logan to approve Removal of Architectural Barriers in the amount of \$11,121.00. Council member Logan wanted more time to review what other projects, specifically Public Service projects, could be eligible. The Clerk/Treasurer referred to the Application Guide and the excerpted information provided in council packets. Council member Helmuth thought it important to continue to rotate awards for public service projects that meet the needs of the village community. Council member Frost withdrew his motion designating 100% of funding to Removal of Architectural Barriers.

MOTION: by Frost/Helmuth to approve Resolution 2019-17 funding \$7,784.70 to Removal of Architectural Barriers and designate 30% to Public Service in the amount of \$3,336.30 to the local Food Bank, Orion/Oxford Fish, as recipient of the Public Service project for CDBG PY 2020 and, to re-program existing projects with unused funds into Removal of Architectural Barriers as proposed for automatic entrance doors, ADA compliance of the public window counter and as funding allows, remodel the bathrooms to be ADA compliant.

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

c. Resolution 19-18 MERS Retiree Health Funding Vehicle: This is required by OPEB (Other Post-Employment Benefits) to recognize future liability and set aside a trust fund for retiree health funding.

MOTION: by Helmuth/Logan to adopt Resolution 2019-18 establishing a RHFV Trust with MERS of Michigan in order to comply with State of Michigan P.A. 202 with the initial investment into the Trust in the amount of \$6,000.00.

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

MOTION: by Frost/Helmuth to amend the budget, GL# 101-301-716.000 from \$77,133.84 to \$85,133.84 to cover initial investment of \$6,000 and cover the \$2,000 cost of actuarial fees.

Roll Call Vote: Ayes: 5. Kemp, Helmuth, Logan, Frost, Bailey. Nays: 0. Absent: 0. All in

138 favor. Motion carried.

- 139 **d. Residential Rental Ordinance- Discussion:** There was a draft ordinance proposed in 2016
140 with a Public Hearing held on 9.13.16. There is some concern from residential renters' that
141 have had problems with building owners not being responsible for proper construction and
142 poor or unsafe living conditions. Fire Chief Pete Sholz recommends properties be registered
143 with a process in place for inspection for rental properties divided into multiple units for
144 safety reasons. It was suggested that the village and township work together on a joint
145 residential rental ordinance.

146 **MOTION:** by Logan/Kemp to hold a Public Hearing on a Residential Rental Ordinance at
147 the December meeting. All in favor. Motion carried. The attorney will prepare language to
148 present to council based on the 2016 ordinance.

- 149
150 **e. Resolution 2019-19 Participation in the MEDC RRC program:**

151 **MOTION:** by Helmuth/Frost to approve the Resolution 2019-19 as presented.

152 **Roll Call Vote:** Ayes: 5. Helmuth, Logan, Frost, Bailey, Kemp. Nays: 0. Absent: 0.

153 Motion carried.

- 154
155 **f. Council Consideration to recommend PC investigate zoning of Tattoo**

156 **establishments.** In the last six (6) months, administration has been approached regarding
157 an existing local tattoo business and whether it could relocate into vacant retail locations
158 on Washington Street in the C-1 Central Business District. Council should have Planning
159 Commission review to consider removing it from the Adult Business category.

160 **MOTION:** by Logan/Helmuth to direct the Planning Commission to review the zoning
161 ordinance for tattoo parlors to consider removing it from the Adult Business category.

162 Motion carried by voice vote with Frost voting No.

- 163
164 **g. Schedule a Special Meeting for Employee Review:** It was the consensus of council to
165 schedule a special meeting to cover employee reviews on Monday, November 25, 2019 at
166 7:00 p.m. The Village Manager also suggested that the alternate appointment for the Polly
167 Ann Trail Committee be a subject of that meeting as well.

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169 **11.) ITEMS REMOVED FROM CONSENT AGENDA (Item 8):** None

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171 **12.) PUBLIC COMMENT:**

172 Kallie Roesner-Commented on Closed Session and read a prepared statement related
173 to a pending court decision.

174 Mike Neymanowski- Retired Village of Oxford Police Chief commented on events that
175 occurred during his employment and commented on his retirement.

176 Tanya Heuser, Lafayette St.-commented on Public Comments, Building Inspector availability.

177 Police Chief Solwold-Commented on the tenure of the former Police Chief, his service and
178 other comments.

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180 **13.) MANAGER, STAFF, & ATTORNEY REPORTS and Committee Report Updates:**

181 Communication Committee-K. Logan

182 Planning Commission-M. Helmuth

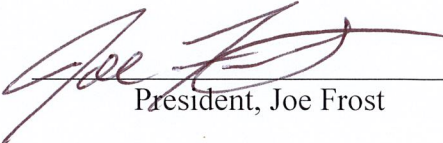
183 Cable Commission-M. Helmuth

184 NOTA – Dave Bailey.
185 DDA – Joe Frost
186 M-24 Task Force-Joe Frost

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188 **14.) COUNCIL COMMENTS**

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190 **15.) ADJOURNMENT:** With no further business to discuss meeting adjourned at 9:23 p.m.
191 **MOTION:** by Helmuth/Logan to adjourn. All in favor. Motion Carried.

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195 Respectfully Submitted,
196 Teresa L. Onica, Recording Secretary



President, Joe Frost