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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**

**July 09, 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, Kemp, Logan arriving at 6:32 p.m. Absent: 0.  
*Staff Present: Village Manager Joseph Madore, Clerk/Treasurer/Recording Secretary Tere Onica, Police Chief Mike Solwold.*
- 4.) **APPROVAL OF AGENDA:** July 09, 2019.  
**MOTION:** by Helmuth/Kemp to amend the agenda as follows: Move Closed Session Item 5 to Item 16. All in favor. Motion carried.
- 5.) **PRESENTATION:** None.
- 6.) **PUBLIC HEARING:** Prohibition of Marihuana Establishments (Ordinance No. 411)  
**MOTION:** by Helmuth Bailey to open the Public Hearing at 6:32 p.m. All in favor. Motion carried.  
With no public wishing to speak, Council President closed the Public Hearing.  
**MOTION:** by Helmuth/Bailey to close the Public Hearing on the Prohibition of Marihuana Establishments at 6:33 p.m. All in favor. Motion carried.
- 7.) **CALL TO PUBLIC**  
Emily Warnke, 62 W. Burdick St.-Tree replacement program/loss of mature trees.  
Jody Lomakia, 120 Rivercrest- Running for State Rep District 46.
- 8.) **CONSENT AGENDA:**  
**MOTION:** by Helmuth/Frost to approve Consent Agenda Item 8(a) as presented.  
All in favor. Motion carried.  
**MOTION:** by Helmuth/Bailey to approve Agenda Item 8(b) with bills in the amount of \$440,297.75.  
**Roll Call Vote:** Ayes: 5. Kemp, Helmuth, Logan, Frost, Bailey. Nays: 0. Absent: 0. Motion carried.
- 9.) **UNFINISHED BUSINESS:**  
a. **Chicken Ordinance:** Discussion continued. Attorney Davis tasked with reviewing the ordinance that prohibits chickens. The question was posed as to whether this should be a General or a Zoning Ordinance allowed only in the R1 District. Definition of a backyard, type of bird-hen vs rooster, personal use vs commercial, best practices, Right to Farm Act GAMPS included by reference, zoning district and sample ordinance provided by Council President were examined.  
**MOTION:** by Frost/Helmuth directing Attorney Davis to draft a Chicken Ordinance based

46 on discussion and bring back before Council at next meeting. All in favor. Motion carried.

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48 b. **E. Burdick P.U.D. Amendment-** The project and process has had setbacks and conditions  
49 causing delays. The Survey for the changes in relocating Mill St. were never recorded at the  
50 County Register of Deeds and caused a change in lot sizes. Easement encroachment into the  
51 Road Right of Way (ROW) led to redesigning of building footprint. An amendment to  
52 extend the development agreement dated July 2, 2019 was presented.

53 **MOTION:** by Helmuth/Frost to approve the Village Manager to sign the P.U.D. extension  
54 for East Burdick Development P.U.D. amendment to July 1, 2020 as presented. All in favor.  
55 Motion carried.

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57 c. **Dayton Street Traffic Enforcement Update:** The Village Manager met with the Police  
58 and Fire Chiefs to explore gate options. Gates in general are nonpractical. Flexible plastic  
59 poles with reflective tape are currently under consideration with potential to be a good  
60 deterrent to cut through traffic.

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62 **10.) NEW BUSINESS:**

63 a. **Charter/Spectrum franchise renewal consideration:** The original 15-year franchise  
64 agreement with Charter/Spectrum was a joint agreement between several parties: The  
65 Village of Oxford, Oxford Township, Addison Township, the Village of Leonard and  
66 Oxford Area Cable Communications Commission (OACCC). The agreement expires in  
67 August. The new agreement between the Village of Oxford and Charter/Spectrum provides  
68 for a maximum franchise fee of 5% (fee is passed on through cable billing to individual  
69 users). There were no PEG fees included in the joint agreement. The new franchise  
70 agreement has the option to implement PEG fees up to 2%; 100% of this fee would go to  
71 OCTV, the local PEG channel operator.

72 **MOTION:** by Frost/Kemp authorizing the Village Manager to sign the 10-year Uniform  
73 Video Service Local Franchise Agreement with Charter/Spectrum on behalf of the Village  
74 of Oxford with 5% franchise fees and 2% PEG fees.

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

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78 b. **Recreational Marihuana:** First Reading of Ordinance No. 411.

79 **MOTION:** by Helmuth/Kemp to approve the first reading of Ordinance No. 411,  
80 Prohibition of Marihuana Establishments as presented.

81 **Roll Call Vote:** Ayes: 4. Frost, Bailey, Kemp, Helmuth. Nays: 1, Logan. Absent: 0. Motion  
82 carried. The second reading will take place on August 13, 2019.

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84 c. **MERS Resolution 19-13**

85 **MOTION:** by Helmuth/Frost to adopt Resolution 19-13 designating the positions of  
86 Clerk/Treasurer and Village Manager to sign MERS contracts, implement decisions, provide  
87 administrative services with respect to Employer participation in any MERS administered  
88 product and/or amendments and addendums to the MERS retirement plan for the Village of  
89 Oxford.

90 **Roll Call Vote:** Ayes: 5. Logan, Helmuth, Frost, Bailey, Kemp. Nays: 0. Absent: 0.  
91 Resolution 19-13 declared adopted.

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- d. **Burdick Street Paving Payment Approval:** Birmingham Seal Coat has been contracted to do the paving work on W. Burdick St. scheduled to begin July 17, 2019 at a cost of \$178,623.00. The contractor is a locally owned and operated small business. With approval of DPW Supervisor Don Brantley, Rowe Engineering and the Village Manager, 90% payment has been requested for paving and striping without delay. The remaining 10% to be paid when the project is 100% complete.

**MOTION:** by Helmuth/Bailey authorizing the Village Manager to pay Birmingham Seal Coat up to 90% of the contract amount for the Burdick St. paving project provided the portion completed meets the approval of the Village Manger, DPW Supervisor and Rowe Engineering with the remainder to be paid when the project is 100% complete.

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

- e. **Michigan Ovarian Cancer Association Ribbon Display Request in Village**  
The Village Manager received a request from the Michigan Ovarian Cancer Association to place ribbons in the Village in September.

**MOTION:** by Helmuth/Kemp to permit the Michigan Ovarian Cancer Association to place ribbons around trees provided they are not tied to street signs, on the M-24 Corridor, or private property. The placement of ribbons in honor of the Ovarian Cancer Alliance will be allowed in Centennial Park and in the Public ROW. All in favor. Motion carried.

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

**12.) PUBLIC COMMENT:**

Lee Ann Zeliasko, 90 Dennison St.- Asked who will enforce the chicken ordinance?  
Commented on the MDOT project.

**13.) MANAGER, STAFF, & ATTORNEY REPORTS:**

Village Manager- M-24 Update, GFL Waste services update, complaints, repeat issues.

**14.) COUNCIL COMMENTS**

Communications Committee Update.  
Child Care for Meetings-requested to be on August 13, 2019 Agenda.  
Recreational Marihuana ordinance development update.  
Suffrage Flag Celebration/Ceremony.

**15.) CLOSED SESSION- Litigation update (MCL15.268).**

**MOTION:** by Helmuth/Kemp to enter closed session to discuss ongoing litigation with the following individuals present: Council members Frost, Bailey, Kemp, Helmuth, Logan. Attorneys Davis and Young, Village Manager Madore and Clerk/Treasurer/Secretary Onica at 7:25 p.m.

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

**MOTION:** by Frost/Helmuth to return to open session at 7:54 p.m. All in favor. Motion

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carried.

**MOTION:** by Helmuth/Frost to approve the strategy discussed in closed session.

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

Motion carried.

16.) **ADJOURNMENT:** With no further business to discuss meeting adjourned at 7:56 p.m.

**MOTION:** by Helmuth/Kemp to adjourn. All in favor. Motion Carried.

Respectfully Submitted,  
Teresa L. Onica, Recording Secretary

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President, Joe Frost