

CHARTER TOWNSHIP OF OXFORD BOARD OF TRUSTEES REGULAR MEETING,
WEDNESDAY, JUNE 12, 2019

A Regular Meeting of the Charter Township of Oxford Board of Trustees was held Wednesday, June 12, 2019 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, Michigan.

Members Present: Curtis, Dunn, Ferrari, Nichols, Payne, Wright

Members Absent: Durr (excused)

Also Present: Fire Chief Scholz, Assistant Fire Chief Creech, Finance Manager Edmonds, Township Engineer Sharpe, CJ Carnacchio – Oxford Leader, cameraperson and 25 citizens

Supervisor Dunn called the meeting to order at 6:30 pm.

APPROVAL OF THE AGENDA

Treasurer Ferrari moved, Trustee Nichols seconded to approve the June 12, 2019 agenda as presented.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

APPROVAL OF THE CONSENT AGENDA

Treasurer Ferrari moved, Trustee Nichols seconded to approve the following June 12, 2019 Consent Agenda items:

- Approval of Regular Township Board Meeting Minutes of May 8, 2019
- Approval of Treasurer Report April, 2019
- Approval of Clerk Summary Report April, 2019
- Approval of Regular Bills through June 7, 2019
- Approval of Consultant Bills through June 7, 2019
- 100th Anniversary of the 19th Amendment of the U.S. Constitution Resolution

Roll Call:

Ayes: Curtis, Nichols, Payne, Ferrari, Wright, Dunn

Nays: None

Absent: Durr

Motion Carried

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

1 citizen spoke at public comment.

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FIRST READING

**ZONING ORDINANCE 67A.020: AMENDMENTS TO ARTICLE 3 SECTION 2 –
OFFICIAL ZONING MAP**

Trustee Curtis moved, Trustee Nichols seconded to set a Second Reading and possible adoption of an amendment to Article 3 Section 2 of the Charter Township of Oxford Zoning Ordinance 67A to be considered at the Charter Township of Oxford Board of Trustees July 10, 2019 Regular Board Meeting.

Roll Call:

Ayes: Nichols, Wright, Ferrari, Dunn, Payne, Curtis

Nays: None

Absent: Durr

Motion Carried

FIRE DEPARTMENT

UNION AGREEMENT

Trustee Curtis moved, Trustee Payne seconded to approve the Labor Agreement between the Township of Oxford, Oakland County, Michigan and the Oxford Fire Fighters Union International Association of Fire Fighters Local 4763 effective June 12, 2019 as presented and authorize Supervisor William Dunn and Fire Chief Peter Scholz to sign the Agreement on behalf of the Township of Oxford as necessary.

Roll Call:

Ayes: Wright, Nichols, Payne, Curtis, Dunn

Nays: Ferrari

Absent: Durr

Motion Carried

HIRING OF TWO (2) FULL TIME FIRE FIGHTER/PARAMEDICS

Treasurer Ferrari moved, Trustee Nichols seconded to approve the hiring of Ben Parshall and Robert Fitzpatrick as Fulltime Firefighter/Paramedics for the Oxford Fire Department effective tentatively June 24, 2019 at the Probationary Employee wage per the current Collective Bargaining Agreement.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Wright, Nichols

Nays: None

Absent: Durr

Motion Carried

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ADDITION OF 457b RETIREMENT PLAN OPTION

Treasurer Ferrari moved, Trustee Payne seconded to authorize the Oxford Fire Fighters Union International Association of Fire Fighters Local 4763 the option to participate in an Edward Jones 457b retirement investment plan.

Roll Call:

Ayes: Ferrari, Curtis, Nichols, Dunn, Payne, Wright

Nays: None

Absent: Durr

Motion Carried

ACCUMED AGREEMENT

Treasurer Ferrari moved, Clerk Wright seconded to approve a new Billing Service Agreement between AccuMed Billing, Inc. and the Oxford Fire Department for a five (5) year term commencing July 1, 2019 and expiring June 30, 2024 and authorize Fire Chief Pete Scholz to sign the Agreement.

Roll Call:

Ayes: Payne, Wright, Curtis, Dunn, Ferrari, Nichols

Nays: None

Absent: Durr

Motion Carried

DAYTON STREET – PROPOSED EMERGENCY ACCESS

Supervisor Dunn moved, Trustee Nichols seconded to have Fire Chief Scholz take this request to the Road Commission for Oakland County for their approval or denial.

Ayes: 6 Nays: 1 (Ferrari) Absent: 1 Motion Carried

UNFINISHED BUSINESS

None

Supervisor Dunn recognized Boy Scout Brandon Harris. He is working on his Citizenship in the Community Merit Badge.

NEW BUSINESS:

925 LAPEER LEGACY ENTERTAINMENT LLC – REQUEST FOR OUTSIDE DINING

Two (2) letters were submitted and requested to be read into the minutes. Those letters are attached.

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Treasurer Ferrari moved, Trustee Nichols seconded to table the request for 925 Lapeer Legacy Entertainment LLC request for Outside Dining until Wednesday, July 10, 2019 in order to publish and post a public hearing notice for 7:00 p.m. The Township will also notify, in writing all the property owners within 500 feet of the Legacy Center of this meeting.

Roll Call:

Ayes: Nichols, Ferrari,
Nays: Wright, Payne, Curtis, Dunn
Absent: Durr
Motion Failed

Supervisor Dunn moved, Trustee Payne seconded to allow temporary permission to open up the patio area from now until September 30, 2019 with no outdoor music or televisions with no guarantee and not to go beyond 11:00 p.m.

Roll Call:

Ayes: Curtis, Payne, Dunn, Wright
Nays: Ferrari, Nichols
Absent: Durr
Motion Carried

Supervisor Dunn moved, Trustee Payne seconded to have a public hearing meeting July 10, 2019 at 7:00 p.m.

Roll Call:

Ayes: Nichols, Dunn, Payne, Curtis
Nays: Wright, Ferrari
Absent: Durr
Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded to notify, in writing, all property owners within 1500 feet of the Legacy Center of the public hearing scheduled by Wednesday, July 10, 2019 at 7:00 p.m.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Nichols
Nays: Wright
Absent: Durr
Motion Carried

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SANITARY SEWER CONNECTION FEE INCREASE

Trustee Curtis moved, Clerk Wright seconded that effective January 1, 2020 the sanitary sewer connection fee per Residential Equivalent Unit will increase to \$5,000.00. Any developer in the sanitary sewer district that wants to pre-pay sanitary sewer connection fees prior to January 1, 2020 is permitted to do so at the \$3,500.00 connection fee rate.

Roll Call:

Ayes: Curtis, Wright, Dunn, Ferrari, Payne, Nichols

Nays: None

Absent: Durr

Motion Carried

WOOD TRAIL DISCUSSION

OPEN SESSION: Treasurer Ferrari moved, Clerk Wright seconded to meet in Open Session to entertain a motion and take a roll call vote regarding calling a Closed Session for the purpose of:

1. Discussion: "To consider disclosure contained in the Township Attorney written opinion letter exempt under MCL 15.268h as Attorney Client Privilege.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Wright, Nichols

Nays: None

Absent: Durr

Motion Carried

CLOSED SESSION: If approved by requisite vote, to meet in Closed Session for the above stated purpose.

Treasurer Ferrari moved, Clerk Wright seconded to meet in Closed Session for the purpose of discussion to consider disclosure contained in the Township Attorney written opinion letter exempt under MCL 15.268h as Attorney Client Privilege. Attendance to include the Township Board, Attorney Rentrop, Engineer Sharpe and Recording Secretary Richter.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Wright, Nichols

Nays: None

Absent: Durr

Motion Carried

OPEN SESSION: Trustee Curtis moved, Trustee Payne seconded to return to Open Session for the purpose of possible Board action with regard to the above Closed Session item.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

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Supervisor Dunn moved, Trustee Payne seconded to offer the Road Commission for Oakland County \$100,000.00 to settle the Wood Trail dispute with no prejudice.

Roll Call Vote:

Ayes: Nichols, Wright, Dunn, Payne, Curtis

Nays: Ferrari

Absent: Durr

Motion Carried

ITEMS REMOVED FROM CONSENT AGENDA FOR ACTION OR DISCUSSION

None

PUBLIC COMMENT

None

BOARD OF TRUSTEE COMMENTS

Trustee Nichols commented that there is a major concern on the noise ordinance and that we need to review it.

Clerk Wright commented that the ballots for the August 6, 2019 election will be in next week.

Clerk Wright sends his condolences to Trustee Durr and her family.

Supervisor Dunn also sends his condolences to Trustee Durr and her family.

Supervisor Dunn further commented that he helps Parks and Recreation Director Ron Davis every year with the Seymour Lake Celebration and encourages everyone to come out and help volunteer.

Treasurer Ferrari commented that when we are discussing the Legacy Center request that we also include a definitive timeline to complete all the outstanding site plan requirements as detailed by Township Engineer Jim Sharpe.

Trustee Curtis commented on the following:

- Golf carts on public roads are a concern and needs to be addressed.
- Beaumont Hospital – Won't hear anything until after July 1, 2019
- Tom's Hardware Dumpster

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ADJOURNMENT

Treasurer Ferrari moved, Trustee Curtis seconded, to adjourn at 8:43 pm.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried



William Dunn, Supervisor



Curtis Wright, Clerk

Approved:

/kmr

Curtis Wright

From: Suzanne Fodor-Novak <sfodor@sbcglobal.net>
Sent: Tuesday, June 11, 2019 4:21 PM
To: Bill Dunn
Cc: Curtis Wright
Subject: Legacy Center Request for Music

Dear Mr. Dunn;

I am a resident at Stony Lake Condo Association. I live on the Court at the bottom of the hill of The Legacy Center. I would like this letter to be submitted for the record and read at the Township Board meeting on June 12, 2019. I am unable to be there in person due to a previous engagement. If I could cancel my prior made appointment, in order to attend this very important meeting, I would! I would appreciate if this letter could be read aloud at the meeting since I am unable to be there myself.

It has been brought to our attention that the Legacy Center will be at the Township meeting on Wednesday, Jun 12, 2019 in order to request a permit to have music and televisions outdoors on their back patio. I and my neighbors on the court can see the rear of the Bar and Grille which means we will be subjected to the loud music or TV Sports being played outside. Actually, last summer, we could hear the music that was being played inside because they had their rear doors open! Just imagine what we will be subjected to should you allow them to playing music outside!

Allowing this music and television noise outside will do nothing but disturb our peace and de-value our properties. The people who purchased here chose to live here to enjoy a peaceful, private and country feeling life style. I have been a Realtor in the area for the last 28 years. Adding loud, music whether live or radio and television sports noise to their rear patio will do nothing but devalue our properties and jeopardize our quality of life. Our property value will definitely be affected by this as people looking to move here may be looking when the music is playing or they may read about our concerns in the Oxford Leader now knowing that this would not be a good place to live because of live music.

Mr. Dunn, how would you feel if you lived here? Would you want to have live music played within 300 yards of your house until who knows what time of night? Your house where you enjoy quiet time with your family? Your house where you retreat at the end of a stressful day at work? Your house where you entertain your friends? Your house that you might decide to sell some day?

Please, Mr. Dunn and Council, please put yourself in our shoes before you go ahead and approve this. Live music inside can still be heard outside. Please, please, please take our quality of life and property values into consideration.

Respectfully submitted,
Suzanne Novak
861 Stony Lake Ct.
Oxford, MI 48371
248-240-0114

Curtis Wright

From: Bill Dunn
Sent: Wednesday, June 12, 2019 1:40 PM
To: Curtis Wright
Subject: FW: Unable to attend 6-12-19 Meeting. Please read my concerns into the record.
Thank you.

-----Original Message-----

From: diana dres <dldres@yahoo.com>
Sent: Wednesday, June 12, 2019 3:02 AM
To: Bill Dunn <BDunn@oxfordtownship.org>; Deanna Cushing <DCushing@oxfordtownship.org>; pratt44champs@yahoo.com <pratt44champs@yahoo.com>
Subject: Unable to attend 6-12-19 Meeting. Please read my concerns into the record. Thank you.

To: Oxford Township Board
From: Les Pratt / Stony Lake Village condos

As I am unable to attend this meeting, please read my following concerns into the record. Thank you.

It has come to my attention an approval for outdoor music and TV's for the Legacy Center may be discussed at the 6-12-19 meeting. As a resident of Stony Lake Village Condos, I would like it noted that I am strongly opposed to this idea for the following reasons:

Noise is a big concern in that we can now hear many different remote car door openers and loud voices carrying as people exit the bar. Please remember that this is a residential area with 75 homes. We live here.

This is a beautiful area of Oxford. It's very quiet, and well-maintained, with pleasant lakes surrounded by nature. People chose to live in Stony Lake Village 15 years ago for those reasons. They did not move here to listen to the level of noise being produced so very near to our homes today by the Legacy Center.

There have been previous attempts by Mr. Mills to portray the Legacy Center as comparable to any other local establishment with outside privileges. There is no room for such a comparison of the Legacy Center with respect to the proximity of our homes. It is difficult to imagine how a small restaurant with an outside patio, sheltered by other buildings in the middle of downtown Oxford can possibly produce the same level of noise to the local neighborhood as an outdoor patio at a several thousand square foot sports and family entertainment center situated directly on an open lake. I believe we have all experienced just how easily sound travels over an open body of water. Unfortunately, this open body of water is right in our backyard.

The Legacy Center was initially marketed to the community as a family entertainment center... a place for the kids. Requests for additional features- the expansion of parking, dining and liquor outside, and now perhaps additional noise from TV and music sources outdoors- have all had a negative impact on the quality of life and property values of the residents of Stony Lake Village. Mr. Mills requests of a little here, and a little there over a long period of time have been approved by the Board. Taken as a whole, however, Oxford officials are approving an outdoor Bar and Party Palace right in our own backyard.