

CHARTER TOWNSHIP OF OXFORD BOARD OF TRUSTEES REGULAR MEETING,
WEDNESDAY, DECEMBER 13, 2017

A Regular Meeting of the Charter Township of Oxford Board of Trustees was held Wednesday, December 13, 2017 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, Michigan.

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

Members Absent: None

Also Present: Attorney Rentrop, Fire Chief Scholz, Assistant Fire Chief Creech, Finance Manager Edmonds, Township Engineer Sharpe, CJ Carnacchio – Oxford Leader, Recording Secretary Richter, a cameraman and approximately 8 citizens

Supervisor Dunn called the meeting to order at 7:01 pm.

APPROVAL OF THE AGENDA

Treasurer Ferrari moved, Trustee Durr seconded to approve the December 13, 2017 agenda as amended. Deleting Fire Department 7.a. - 2017 Budget Amendment.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

APPROVAL OF THE CONSENT AGENDA

Treasurer Ferrari moved, Trustee Curtis seconded to approve the following December 13, 2017 Consent Agenda items:

- Approval of Regular Township Board Meeting Minutes of November 8, 2017
- Approval of Treasurer Report October 2017
- Approval of Clerk Summary Report October 2017
- Approval of Regular Bills through December 8, 2017
- Approval of Consultant Bills through December 8, 2017
- Quarterly Revenue and Expenditure Report for 2017 Fiscal Year to Date
- NO HAZ Year End Report for 2017

Roll Call:

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

Nays: None

Absent: None

Motion Carried

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Larry Roesner commented that he is concerned that there are no ordinances to protect the larger lots in the township.

FIRE DEPARTMENT

2017 BUDGET AMENDMENT (removed from the agenda)

REQUEST TO PURCHASE – POWER COTS AND POWER LIFT SYSTEM

Treasurer Ferrari moved, Trustee Nichols seconded to authorize Fire Chief Peter Scholz to purchase four (4) Stryker Power-PRO XT powered ambulance cots and four (4) Stryker Power-LOAD powered fastener systems for the Oxford Fire Department at a total cost of \$138,989.20. This \$138,989.20 cost to be expensed to Account 213-357-970.001 Capital Outlay in the 2018 Oxford Fire Department Budget. Further, Fire Chief Peter Scholz and/or Supervisor William Dunn are authorized to sign any necessary documents on behalf of the Oxford Fire Department.

Roll Call:

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

Nays: None

Absent: None

Motion Carried

UNFINISHED BUSINESS

925 LEGACY CENTER LLC LIQUOR LICENSE

Treasurer Ferrari moved, Trustee Nichols seconded to adopt the following Resolution:

WHEREAS, the Township Board previously approved at its meeting on November 8, 2017 the issuance of a new Class C liquor license to “925 Legacy Entertainment, LLC” based on the name provided by representatives of the applicant; and

WHEREAS, the Township Board subsequently received from the Michigan Liquor Control Commission (“MLCC”) a notice dated November 22, 2017 (“MLCC Notice”) regarding its license investigation with regard to the premises at 925 N. Lapeer Road in Oxford Township for an entity named “925 Lapeer Legacy Entertainment, LLC” and the Township Board discovered that the application submitted to the Township as well as the Township’s Resolution on November 8, 2017 had been in the name of a non-existent entity, “925 Legacy Entertainment, LLC”; and

WHEREAS, the Township Board also discovered from the MLCC Notice that permit applications other than a Class C liquor license were also pending before the MLCC for the premises at 925 N. Lapeer Road in Oxford Township, namely permits for unspecified hours for Sunday Sales AM and Sunday sales PM, Outdoor Service, Dance, Entertainment, Extended Hours specifying “All” for Dance and Entertainment; and

WHEREAS, all of the above pending ancillary permit applications to MLCC sought for the premises at 925 N. Lapeer Road would be in violation of the Operating Plan submitted for these premises, other than Sunday hours from 11:00 a.m. to 8:00 p.m. as listed in the proposed Operating Plan; and

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WHEREAS, under Code Sec. 6-32 an Operating Plan is required to contain “any other information necessary to fully inform the board of the nature of the use and planned activity to take place at the proposed licensed establishment;” and

WHEREAS the applicant failed to disclose to the Board any of these ancillary permit applications to the MLCC for activities that would violate its Operating Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board hereby rescinds its approval granted on November 8, 2017 for a New Class C Liquor License for the following reasons:

1. The approval was granted to a non-existent entity “925 Legacy Entertainment, LLC” and hence such an action is a nullity.
2. The Township Board discovered after its resolution on November 8, 2017 that the applicant with regard to the premises at 925 N. Lapeer Road in Oxford Township had applied to the MLCC several months earlier for ancillary permits for activities that would violate the terms of its Operating Plan without disclosing to the Township such permit applications.

BE IT FURTHER RESOLVED, that the Township Board also rescinds an erroneously issued Local Governmental Approval form dated November 20, 2017 because that form does not match the non-existent entity name provided by the applicant on the application documents or the non-existent entity name in the November 8, 2017 Resolution;

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized and directed to advise the Michigan Liquor Control Commission that the Township’s November 8, 2017 Resolution of approval of the Class C Liquor License for the name “925 Legacy Entertainment, LLC” was a nullity and has been rescinded, and that the Local Government Approval form dated November 20, 2017 with the name “925 Lapeer Legacy Entertainment, LLC” on it is also rescinded as it was issued in error since it did not match the Board’s Resolution or the name provided on the application documents to the Township.

Roll call:

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

Nays: None

Absent: None

Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded that Oxford Township does not set a public hearing for the 925 Lapeer Legacy Entertainment LLC liquor license request until the following items have been addressed:

1. Any and all Oxford Township legal fees associated with the first liquor license request be reimbursed by Legacy before a new liquor license public hearing is held. There have been lots of communications back and forth on the first liquor license request, so these invoices may not be covered by the existing trust and agency account deposit.
2. A new updated written letter from the Oakland County Water and Sewer Department (Mike Pylar) detailing whether any additional building uses (including those associated with the liquor license) will impact the existing water and septic systems and to what extent.

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3. A written status update on the existing site plan deficiencies and all current and proposed building changes to see if any issues that were mandated to be addressed have been (i.e. parking, lighting, etc.).
4. A public hearing to be held with the township notifying everyone by mail located within 300 feet of this new liquor license request.
5. All of the liquor license application "punch list items" to be addressed in writing and provided to the township board in advance of said public hearing.

Roll Call:

Ayes: Durr, Ferrari, Nichols
 Nays: Payne, Wright, Curtis, Dunn
 Absent: None
 Motion Failed

Trustee Curtis moved, Trustee Payne seconded to schedule a public hearing for January 10, 2018 to consider the Liquor License Application for 925 Lapeer Legacy Center.

Roll Call:

Ayes: Curtis, Payne, Dunn, Wright,
 Nays: Ferrari, Durr, Nichols
 Absent: None
 Motion Carried

**CEDAR LAKE, LONG LAKE, AND TAN LAKE SPECIAL ASSESSMENT
DISTRICT RESOLUTION #3**

Clerk Wright moved, Treasurer Ferrari seconded to approve Resolution No. 3, proposed Special Assessment Roll for Cedar Lake, Long Lake, and Tan Lake and Scheduling of Public Hearing, to implement an Aquatic Weed Control Special Assessment District program for Cedar Lake, Long Lake, and Tan Lake and schedule a Public Hearing for the Oxford Township Board of Trustees regular meeting on Wednesday, January 10, 2018 at 7:00 p.m. or soon thereafter at the Oxford Township Meeting Room 300 Dunlap Road, Oxford, Michigan to hear, and to consider any written objections submitted by any interested persons with respect to the Special Assessment Roll.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

SALE OF PORTIONS OF PARCEL 04-18-100-061 TO ADJACENT PROPERTY OWNERS

Treasurer Ferrari moved, Trustee Curtis seconded that the Oxford Township Board of Trustees authorizes Treasurer Joseph G. Ferrari to split/combine properties on N. Baldwin Road and Elk View from township-owned parcel number P-04-18-100-061 (which will be P-04-18-100-063 in 2018). The Property Combinations spreadsheet is to be attached to the meeting minutes as well. The purchase price, survey reimbursement and ZBA fees for these properties is as follows:

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<u>Parcel</u> <u>I.D.</u>	<u>Owner</u>	<u>Address</u>	<u>Negotiated</u> <u>Purchase</u> <u>Price</u>	<u>Will</u> <u>Pay</u> <u>for</u> <u>Survey</u>	<u>Will</u> <u>Pay for</u> <u>ZBA fees</u>
04-18-100-035	Nicholas Walls	1648 N Baldwin	\$4,195.00	Yes	
**04-18-100-036	David Hingst	1786 N Baldwin	\$4,500.00	Yes	Yes
04-18-100-037	Charles Halifax	1770 N Baldwin	\$7,000.00	Yes	
**04-18-100-038	Raymond Weir III	1758 N Baldwin	\$6,000.00	Yes	Yes
04-18-100-060	Richard Roark	2531 Elk View	\$2,800.00	Yes	

****Contingent upon Zoning Board of Appeals approval.**

Roll Call:

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

Nays: None

Absent: None

Motion Carried

NEW BUSINESS:

FREEDOM OF INFORMATION ACT

Treasurer Ferrari moved, Trustee Nichols seconded to waive the fees associated with the October 13, 2017 Freedom of Information Act request of Dr. Bruce Meyers.

Roll Call:

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

Nays: None

Absent: None

Motion Carried

MICHIGAN SENATE BILL 637 (removed from the agenda)

SEYMOUR LAKE ROAD SAFETY PATH EASEMENTS APPRAISALS

Treasurer Ferrari moved, Trustee Curtis seconded to authorize Safety Path Committee Chairman Joseph G. Ferrari to contract with Mark W. Shepell & Associates, Inc. for a total of \$3,600.00 to devise 60 foot right of way acquisition appraisals for 1675 Seymour Lake Road, 1711 Seymour Lake Road, 1757 Seymour Lake Road and 1781 Seymour Lake Road. The funds are to be expensed from the Safety Path Fund for Easement Acquisition 297-852-971.001. Upon receiving these appraisals, Chairman Ferrari is authorized to work with the Oxford Township Safety Path Committee to negotiate an acceptable easement acquisition price for these four (4) properties. Once these easement acquisition figures have been negotiated and obtained, the Safety Path Committee will make a recommendation to the township board for final ratification.

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Roll Call:

Ayes: Ferrari, Wright, Durr, Payne, Curtis
Nays: Nichols, Dunn
Absent: None
Motion Carried

N.O.T.A. INTERGOVERNMENTAL CONTRACTED SERVICES AGREEMENT

Trustee Payne moved, Trustee Curtis seconded to approve the Interlocal Contracted Services Agreement between Addison, Orion, and Oxford Townships and the North Oakland Transportation Authority commencing January 1, 2018 and expiring December 31, 2022, and authorize Supervisor William Dunn to sign the Agreement on behalf of the Charter Township of Oxford.

Trustee Payne withdrew her motion and Trustee Curtis retracted his second.

Trustee Curtis moved, Treasurer Ferrari seconded to table the N.O.T.A. Intergovernmental Contracted Services agreement pending Oxford Township attorney review as to what are Oxford Township's financial obligations if a N.O.T.A. operating millage were to not be successful.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

CEMETERY MAINTENANCE CONTRACT

It was the consensus of the Board to go out for bids for the Cemetery Maintenance for 2018 and beyond.

CREMAINS BURIAL FEES

Treasurer Ferrari moved, Trustee Nichols seconded to approve the Resolution to amend Appendix A of the Oxford Township Cemetery Ordinance No. 121 as presented.

Roll Call:

Ayes: Durr, Curtis, Ferrari, Nichols, Dunn, Payne, Wright
Nays: None
Absent: None
Motion Carried

2017 NO HAZ AGREEMENT

Treasurer Ferrari moved, Trustee Nichols seconded to accept the 2018 North Oakland County Household Hazardous Waste Interlocal Agreement between Oakland County and the Charter Township of Oxford as presented and authorize Supervisor William Dunn to sign the Agreement.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded that the Charter Township of Oxford shall notify Oakland County that it will not charge a \$10.00 participation fee per resident and the cost for the participation shall be paid by the Charter Township of Oxford.

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Ayes: 7 Nays: 0 Absent: 0 Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded to approve the North Oakland Household Hazardous Waste Consortium Resolution as presented and hereby appoint Treasurer Ferrari as the official representative and Trustee Durr as the alternate for the Charter Township of Oxford to the NO HAZ Advisory Board for 2018.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

2017 BUDGET AMENDMENTS

Treasurer Ferrari moved, Trustee Curtis seconded to approve the 2017 amended General Fund Budget (101) with revenues and expenditures balancing at \$3,684,917.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

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

Nays: None

Absent: None

Motion Carried

Treasurer Ferrari commented that the fund balance is now at 29% based on the 2017 amended General Fund Budget and we need to keep monitoring it.

Treasurer Ferrari moved, Trustee Curtis seconded to approve the 2017 amended Road Fund Budget (204) with revenues and expenditures balancing at \$591,151.00.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

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

Nays: None

Absent: None

Motion Carried

Treasurer Ferrari moved, Clerk Wright seconded to approve the 2017 amended Police Contracting Fund Budget (205) with revenues and expenditures balancing at \$2,738,644.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

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

Nays: None

Absent: None

Motion Carried

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Treasurer Ferrari moved, Trustee Nichols seconded to approve the 2017 amended Cemetery Maintenance Fund Budget (209) with revenues and expenditures balancing at \$85,122.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

Ayes: Payne, Wright, Nichols, Curtis, Durr, Ferrari, Dunn
Nays: None
Absent: None
Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded to approve the 2017 amended Telecommunication Fund Budget (239) with revenues and expenditures balancing at \$27,042.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Wright, Durr, Nichols
Nays: None
Absent: None
Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded to approve the 2017 amended Building Permit Fund Budget (295) with revenues and expenditures balancing at \$597,501.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

Ayes: Payne, Durr, Curtis, Nichols, Wright, Ferrari, Dunn
Nays: None
Absent: None
Motion Carried

Treasurer Ferrari moved, Trustee Curtis seconded to approve the 2017 amended Safety Path Fund Budget (297) with revenues and expenditures balancing at \$148,496.00 and attach the spreadsheet as an appendix to the minutes.

Roll Call:

Ayes: Wright, Ferrari, Curtis, Nichols, Durr, Dunn, Payne
Nays: None
Absent: None
Motion Carried

Treasurer Ferrari moved, Trustee Nichols seconded to approve the 2017 amended Building Site Fund Budget (471) with revenues and expenditures balancing at \$710,123.00 and attach the spreadsheet as an appendix to the minutes.

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Roll Call:

Ayes: Nichols, Curtis, Payne, Durr, Ferrari, Wright, Dunn
Nays: None
Absent: None
Motion Carried

APPOINTMENT TO PLANNING COMMISSION

Based on Supervisor Dunn's Recommendation.

Supervisor Dunn moved, Trustee Curtis seconded to re-appoint Jonathan Nold to the Oxford Township Planning Commission for a three (3) year term commencing January 1, 2018 and expiring December 31, 2020.

Roll Call:

Ayes: Wright, Curtis, Nichols, Payne, Dunn, Durr, Ferrari
Nays: None
Absent: None
Motion Carried

PLANNED UNIT DEVELOPMENT COMMITTEE APPOINTMENTS

Treasurer Ferrari moved, Trustee Nichols seconded to appoint the following Officials to the Planned Unit Development Committee:

Supervisor William Dunn with the term expiring November 20, 2020;
Trustee Jack Curtis with the term expiring November 20, 2020;
Planning Commissioner Jonathan Nold with the term expiring December 31, 2020;
The Planning Commission Chairman and the Oxford Township Zoning Official.

Roll Call:

Ayes: Curtis, Payne, Ferrari, Dunn, Wright, Durr, Nichols
Nays: None
Absent: None
Motion Carried

2018 OXFORD TOWNSHIP BOARD MEETING DATES

Treasurer Ferrari moved, Trustee Nichols seconded to adopt the proposed 2018 Charter Township of Oxford Board of Trustees Regular Meeting Schedule as presented

Roll Call:

Ayes: Curtis, Payne, Ferrari, Durr, Nichols
Nays: Wright, Dunn
Absent: None
Motion Carried

ITEMS REMOVED FROM CONSENT AGENDA FOR ACTION OR DISCUSSION

None

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PUBLIC COMMENT

Bruce Meyers from 3100 Delano Road thanked the Board for waiving the fee for his Freedom of Information request and read a letter to the Board regarding his concerns.

BOARD OF TRUSTEE COMMENTS

Trustee Curtis wished everyone Merry Christmas.

Trustee Payne wished everyone Merry Christmas and Happy New Year.

Treasurer Ferrari wished everyone Merry Christmas and Happy New Year.

Supervisor Dunn wished everyone Merry Christmas and Happy New Year.

Clerk Wright wished everyone Merry Christmas and commented that the Parks and Recreation will be holding a blood drive on January 10, 2018.

Trustee Durr wished everyone Merry Christmas.

Trustee Nichols commented his wife made Christmas cookies and to help yourself to them.

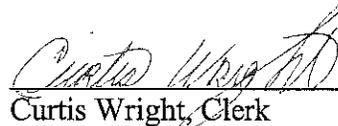
ADJOURNMENT

Treasurer Ferrari moved, Trustee Curtis seconded, to adjourn at 8:12 pm.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried



William Dunn, Supervisor



Curtis Wright, Clerk

Approved:

/kmr

Elkview Estates Property Combinations									
Parcel	Owner	Address	Additional (ESTIMATED) Area	Additional Purchase Price *	Pond Access	Variance Needed	Negotiated Purchase Price	Will Pay for Survey	Will Pay for ZBA fees
04-18-100-032	Filip Jakupovic	Baldwin Rd.	No Response	\$0					
04-18-100-033	Chad Stanek	1692 Baldwin Rd.	Not Interested	\$0					
04-18-100-034	Charter Twp. of Oxford	1670 Baldwin Rd.	2.14 Acres	\$23,900			N/A		
04-18-100-035	Nicholas Walls	1648 Baldwin Rd.	0.57 Acre	\$6,366			\$4,195.00	Yes	
04-18-100-036	David and Sharon Hingst	1786 Baldwin Rd.	0.64 Acre	\$7,148	Yes, through 6 foot permanent easement	Yes	\$4,500.00	Yes	Yes
04-18-100-037	Charles Halifax	1770 Baldwin Rd.	1.15 Acres	\$12,843	Yes		\$7,000.00	Yes	
04-18-100-038	Raymond Weir III	1758 Baldwin Rd.	1.25 Acres	\$13,960	Yes	Yes	\$6,000.00	Yes	Yes
04-18-100-039	Eric Kaczor	Baldwin Rd.	No Response	\$0					
04-18-100-059	Bryce Gower	2553 Elk View	Not Interested	\$0	Property combined with Hingst				
04-18-100-060	Richard Roark	2531 Elk View	0.41 Acre	\$4,579	Yes		\$2,800.00	Yes	
* NOTE:									
Price based on \$23,900 purchase price for 1670 Baldwin Road 2.14 Acre Parcel 04-18-100-034									
\$23,900 / 2.14 Acres = \$11,168.22 per Acre									