

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, AUGUST 23, 2022**

Mayor Beagle called the meeting to order at 7:04 p.m. and the Pledge of Allegiance was recited.

Present:

Mayor: P. Beagle
Deputy Mayor: T. Rzeznik
Councilmembers: P. Behrmann
K. Gottschall
T. Gronlund-Fox
P. Sharpe
R. Smiley

AGENDA CHANGES: (None)

MINUTES:

CM-08-115-22: Moved and seconded by Councilmembers Behrmann and Gronlund-Fox to approve the Regular City Council meeting minutes of August 9, 2022.

Vote:

Motion Carried

CORRESPONDENCE:

- 1.) Notice of Hearing for the Customers of Consumers Energy, Case No. U-21062
- 2.) Memo from City Manager Brown Regarding Emergency Project Change Order Approval for Civic Center Walking Path

In regards to the Change Order for the Civic Center Walking Path, Deputy Mayor Rzeznik noted that there were private utilities discovered. He asked if those would now be added to our GIS database. Mr. Sikma said that we typically do not add private utilities to our GIS but because this was on City property, we will be adding them.

Councilmember Gottschall said that technically, this project was still under budget. He wanted to confirm that the overage wasn't paid out of the General Fund. Mr. Brown said he would check with Ms. Stamper.

CALL TO THE PUBLIC: (None)

CITY MANAGER REPORTS:

1.) Departmental Monthly Report – July 2022

Councilmember Sharpe commented that the pavers and the benches at the Columbarium have still not been installed. We are well into a year and a half saying that we are going to get them in place. Mr. Sikma said he fully intended to get those in place this last spring. Landscaping contractors are very difficult to find and pin down for a project this size. He was still working on that. At one point, he had hoped to do it inhouse, but with the employee shortages in the DPW, he couldn't do

that. He hoped they would be in place within the next month or so. Councilmember Sharpe asked about the back nine on the disc golf course. Mr. Sikma said he hoped to finish that before the leaf season. Councilmember Sharpe asked for an update on the Air Line Trail. He had previously talked about the end of August being the target date for at least the concrete work. Mr. Sikma said they have a list of items that need to be completed on the Trail and they worked on that today. Although there are a few items that won't be finished until November, he hoped most would be taken care of in the next couple of weeks. Councilmember Sharpe said that the Huron Trail started after us and they are done. Mr. Sikma mentioned that the Hawk signaling has been difficult but he was hoping to see that in place within a month. Mr. Brown added that the degree of difficulty on a straight path (Huron Trail) and what we did is totally different. Councilmember Sharpe knew that was correct.

Councilmember Behrmann appreciated the barricades on the Trail at Wixom Road; however, they were not working. On his way to this meeting, a bike darted out between the heavy barricade and the barrel. He thought we needed to do more. He thought our Police Department needed to pull some of the bikers over for jaywalking. They are not in a crosswalk. It needs to be enforced that they cannot be crossing there until there is a crosswalk.

Mayor Beagle appreciated them putting up the barricades. He noticed after the last Council meeting that there was tape across that area, but the next day it was taken down. No matter what we do there, short of putting a wall all the way to Pontiac Trail, they will still cross. Mr. Sikma said that there are signs asking people to use the crosswalk at the corner. Mr. Brown said that when we put the barriers up, it would only make it clear you would be doing something you shouldn't be doing. It is a willful act.

Councilmember Sharpe said it was nice to see the Code Enforcement list. He didn't see boats on trailers in front yards listed on this report. He couldn't believe how many people store their boats in the front yard even wrapped and on blocks. He knew the Building Department said they would respond to complaints, but he was surprised there weren't any. Mr. Benson explained that those complaints would go under Recreational Vehicles. There were two that went through the whole process. Mr. Sikma commented that there is a City ordinance and it is also up to the Homeowners Association.

Councilmember Sharpe asked how we were doing with the easements on the east side of Wixom Road. Mr. Sikma said that we were still working on those. Lastly, Councilmember Sharpe asked if the GIS Kickoff meeting was held yesterday and Mr. Benson replied yes.

Deputy Mayor Rzeznik noticed on the Plant Influent Quality Report we only report things required under our NPDES permit. He asked if it would be possible to temporarily put the PFAS and the hexavalent chromium on the report since we are testing monthly. Mr. John stated that the PFAS numbers are on the report at the end. The Chrome numbers would be included in the future. He said they were told by the State to monitor that for the next three weeks every day. They have been collecting samples and getting results, so he would be happy to include that in the next report. Deputy Mayor Rzeznik asked if that would be ongoing. Mr. John said

that was entirely up to the State. They said three weeks for now and then their requirements will be revisited.

CONSENT AGENDA: (None)

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

1.) Recommendation to Approve the 2022/2023 Municipal and Community Credit Contract with the Suburban Mobility Authority for Regional Transportation in the Amount of \$16,093 and Authorize the Mayor to Sign the Contract

CM-08-116-22: Motion and seconded made by Councilmembers Smiley and Gronlund-Fox to approve the 2022/2023 Municipal and Community Credit Contract with the Suburban Mobility Authority for Regional Transportation in the amount of \$16,093 and authorize the Mayor to sign the contract.

Ms. Magee stated that we have done this every year for transportation. We get reimbursed for our senior transportation through this contract. The effective dates of this contract are from July 1, 2022 to June 30, 2023. She pointed out that there was an increase of a little over \$2,000 from last year.

Councilmember Smiley updated the Council on his visit to the Board of Commission meeting on August 10th. He presented the City of Wixom's Resolution opposing the transit proposal that the Commission was putting together with no opt-out element included. An opt-out amendment was proposed by one of the Commissioners, but it failed to get enough votes, unfortunately. As was previously discussed, if voted on and passed by the people of Oakland County, Wixom will get hit with a .95 millage for a regional transit program. He reminded everyone that equated to \$845,000 in additional tax on our residents when we need far less than that to satisfy most of our transit needs. The current transit program, which is set to expire, allows us the option to opt out, but the new one will not.

Mayor Beagle thanked Councilmember Smiley for the update.

Vote:

Motion Carried

2.) Recommendation to Award the Municipal Floor Mat Rental Services Contract to Continental Linen Supply of Kalamazoo, Michigan in the Amount of \$8,446.88 Annually for Three Years with an Option to Extend the Contract for Two Additional Years with an Annual Cost Increase of 5% and Authorize the DPW Director to Sign the Agreement

CM-08-117-22: Motion and seconded made by Councilmembers Behrmann and Smiley to award the Municipal Floor Mat Rental Services Contract to Continental Linen Supply of Kalamazoo, Michigan in the amount of \$8,446.88 annually for three years with an option to extend the contract for two additional years with an annual cost increase of 5% and authorize the DPW Director to sign the agreement.

Councilmember Gottschall wondered why this was on the agenda since it was under the \$10,000 threshold that was approved. Mr. Sikma said this is a service contract and through our ordinance, we are required to bring contracts to City Council for approval. Councilmember Gottschall noted that the Charter stated nothing below \$10,000 including contracts. Mr. Brown added that this was a three-year contract and he didn't want it to appear he was taking advantage of that \$10,000 threshold. We were committing for more than \$10,000 so that was his rationale. Councilmember Gottschall said that in looking at the increases annually, it was still under \$10,000 each year. This was one of those things he had hoped staff could do things more quickly instead of bringing reports to Council for approval.

Mr. Brown clarified that it was not just a \$10,000 expense that we were approving because it was a commitment of a three-year contract at \$8,400 per year, which was over \$10,000. He took the conservative approach and brought it to Council for approval. If the Council was okay that as long as the annual expenditure, regardless of the number of years, was below \$10,000, he will take that marching order and avoid this in the future. Councilmember Gottschall thought it was an annual amount.

Councilmember Smiley trusted Mr. Brown to put anything he wanted the Council to look at before them.

Councilmember Behrmann viewed this as being close to a \$30,000 contract with it being a three-year commitment. He didn't have a strong opinion either way, but he thought he would like to see anything with more than a three-year commitment. He said the pricing seemed fine for what we were getting.

Vote:

Motion Carried

- 3.) Recommendation to Renew the Winter Maintenance Agreement for \$12,552.62 with the Road Commission of Oakland County for Pontiac Trail (from the Western City Limits to Beck Road) and Loon Lake Road (from Benstein Road to the City Limits) by Adopting the Authorizing Resolution and Authorize the Mayor and City Clerk to Sign the Agreement on Behalf of the City**

CM-08-118-22: Motion and seconded made by Councilmembers Gronlund-Fox and Behrmann to renew the Winter Maintenance Agreement for \$12,552.62 with the Road Commission of Oakland County for Pontiac Trail (from the western City limits to Beck Road) and Loon Lake Road (from Benstein Road to the City Limits) by adopting the following authorizing resolution and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City:

**RESOLUTION 2022-43
2022-2023 WINTER MAINTENANCE AGREEMENT**

WHEREAS, since 2005, the City of Wixom has assumed snow and ice control on Pontiac Trail from Beck Road to westerly City limits and Loon Lake Road from the City limit east to Benstein and has realized an increase in the level of service and community satisfaction; and,

WHEREAS, Pontiac Trail and Loon Lake Road from the City limit east to Benstein are under the jurisdiction of the Road Commission for Oakland County; and,

WHEREAS, the Road Commission for Oakland County has assigned snow and ice control responsibilities to the City in the past for these roads.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Wixom hereby approve the 2022-2023 Winter Maintenance Agreement renewal with the Road Commission for Oakland County and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City of Wixom.

Vote:

Motion Carried

4.) Recommendation to Accept the Agreement with Oakland County, MI to Provide \$80,310 Through the Oakland County Local Government Critical Infrastructure Grant Program and Authorize the DPW Director to Sign the Agreement

CM-08-119-22: Motion and seconded made by Deputy Mayor Rzeknik and Councilmember Smiley to accept the Agreement with Oakland County, MI to provide \$80,310 Through the Oakland County Local Government Critical Infrastructure Grant Program and authorize the DPW Director to sign the Agreement.

Mr. Sikma said this was part of the ARPA funds through Oakland County that they presented for us. Some of the planning was for PFAS removal in the collection system. There was some design work out of this and the rest would be for cleaning and televising the sanitary sewers. The first portion would be finished by the end of the year and he didn't anticipate any problems with that. He also thought that could be extended if necessary.

Councilmember Gronlund-Fox asked if this was a 50-50 split and Mr. Sikma replied yes. She read that the City of Wixom was submitting a project for a loan. Mr. Sikma said that we are. Part of that was through the SRF funds. A portion of that funding was the Clean Water Drinking fund that we are working on with the County to get the funds from the State. We received the notice today that they would allow us to do that. We were looking for full principle forgiveness for any PFAS-related items and right now they are offering 10% for principle forgiveness for that portion. The rest would have to be funded through an SRF loan. We still have to investigate this more before a recommendation is made to do that portion.

Councilmember Sharpe asked if the \$80,000 was in our budget. He remembered talking about this during the budget session. Mr. Sikma replied that there was a portion in the Capital for the UV disinfection. The other portion was for regular sewer televising and cleaning that we do on a regular basis. No budget adjustment was required. The contract with Metro Sewer Cleaners can be utilized for this purpose. Councilmember Sharpe noted that in the Oakland County letter, it does say that the funds have to be used by December 31, 2022. Mr. Sikma said that there won't be any issues with that.

Vote:

Motion Carried

5.) Recommendation to Approve Hubbell, Roth, & Clark's Proposal for Engineering Services for the Water Reliability Study Update for an Amount Not to Exceed \$23,000

CM-08-120-22: Motion and seconded made by Councilmembers Behrmann and Gronlund-Fox to approve Hubbell, Roth, & Clark's proposal for Engineering Services for the Water Reliability Study Update for an amount not to exceed \$23,000.

Mr. Sikma said every five years we need to look at our water system to make sure it is able to support any type of fires that may occur in the City. It is also important to make sure it can supply the quantity that is needed for all of the industries and residential folks. It is the quantity and the quality of our water system. This is a requirement of the State and it helps us with Capital planning. HRC has been doing this for many years. There is flow-testing that we do for fire hydrants and we will be working with FVOP for that.

Deputy Mayor Rzeknik asked if the municipal well heads come in to play on this. Mr. Sikma replied that they do to a certain extent. They average the number of gallons that we could potentially use. Currently, we do have two wells down and we have two well houses left in the City. We are not quite ready to do major repairs on those wells because we think the two existing wells will handle what we need. We work with Oakland County, Commerce Township and the City of Novi for emergency connections as well. This is all part of the Reliability Study.

Vote:

Motion Carried

CALL TO THE PUBLIC:

Terrence Dean, 1084 Beechnut Drive, had concerns about the letter referring to sidewalk repairs. He talked to Mr. Benson and asked who was responsible for approving the layout of a subdivision when it is built, including the sidewalks, the roads, and even the trees that are planted. Mr. Benson told him the City gives the final approval of any plans. Mr. Dean showed Mr. Benson a photograph of a tree next to his property that is 40-feet high with a girth of about five feet. It sits two feet from his sidewalk. At that time, Mr. Benson told Mr. Dean that he was responsible for repairing the damage of the sidewalk caused by this overgrown tree. Mr. Dean felt he was being unfairly treated compared to others who have no problems because the rest of the trees in his area are significantly smaller. He was faced with a bill of almost \$400 because there are four slabs, two on either side of the big tree that are heaving. It was because someone did not follow what he believed to be the standard practice of planting the proper trees in the first place. He said that sidewalks are common areas and are used by everyone – people out for a stroll, or walking their dogs. He has even seen motorized bikes, scooters and golf carts. He was well aware that they are being shared. He understood that the entire Council voted for this City Code with a bill he could least afford. He is a pensioner on limited income and a more equitable way to manage the costs of repair should be shared by the residents of the subdivision. He asked why he should bear a significant charge when the problem was caused by bad planning. His expectations were that the Council revisit this City Code and produce a more equitable solution. As taxpayers, we all share the responsibility of paying for the

amenities we enjoy – garbage collection, street cleanings, schools, and road repairs. He said there was no reason why repairs to sidewalks should not be included in a shared cost system since they are a shared amenity.

CITY MANAGER COMMENTS:

Mr. Brown stated that there were nine employees with work anniversaries during the month of September. They range from two years to 16 years of service.

Mr. Benson said there was a Ribbon Cutting for a new business on North Wixom Road, Connect Boutique. They will be taking over what used to be the Purple Door Store. While not technically in the DDA District, it is in the VCA Zoning District. He added that he has the opportunity to attend the Michigan Economic Developers Association Annual Meeting on Wednesday and Thursday this week.

COUNCIL COMMENTS:

Councilmember Smiley thought Chief Moore's retirement party last week was a wonderful testament to all the lives that he touched. Many servants of Wixom, both present and past, came with words of congratulations and praise. He wished our friend very well.

Councilmember Behrmann noticed that our new Chief made a social media debut this morning and he was happy to see that we would still be using that social media page. He hoped that would continue.

Councilmember Gottschall had no comments.

Councilmember Sharpe thanked FVOP for hosting a nice gathering today at the DPW Garage for City employees. It was well-attended and it was good food. Mr. Sikma gave him another tour of the plant and he felt it was really worthwhile. When we think about the hundreds of thousands of dollars that we spend, you see why. We are very fortunate.

Councilmember Gronlund-Fox thanked and congratulated the employees who were celebrating their work anniversaries. She also congratulated and thanked the staff for a very successful summer concert series.

Deputy Mayor Rzeznik echoed the comments on the summer concert series. He was able to attend all of them this year and Mother Nature cooperated. The last concert was very well attended. Usually attendance wanes off. Great job.

Mayor Beagle congratulated everyone with work anniversaries. He thanked F&V for the lunch today. We are very fortunate to have F&V because the hexavalent chromium wouldn't have been caught. He thanked Ms. Magee and her staff for the great concert series. It will be hard to outdo next year, but he was sure they would find a way to do it. They bring in good entertainment, not only with the bands but with the Family Fun Night. They become a family event that way and they are well-attended.

ADJOURNMENT:

The meeting was adjourned at 7:44 p.m.

Catherine Buck
City Clerk

Approved 9-13-2022
