

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 28, 2023**

Mayor Beagle called the meeting to order at 7:00 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:

Councilmember Gottschall added New Business #8, Discussion of the City Charter Section 4.11.E Part Two

PUBLIC HEARINGS:

1.) Public Hearing to Solicit Input Regarding Establishment of an Industrial Development District

Mayor Beagle read the rules for speaking at a Public Hearing and opened the Public Hearing at 7:01 p.m.

With no comments, the Public Hearing was closed at 7:02 p.m.

2.) Public Hearing to Solicit Input Regarding Establishment of an Industrial Facilities Exemption Certificate

Mayor Beagle read the rules for speaking at a Public Hearing and opened the Public Hearing at 7:02 p.m.

Mr. Benson noted as required by PA 198 of 1974, staff notified agencies that would be impacted by this tax abatement; however, they hadn't received any verbal or written communication from them. He expressed the importance of order in which they must establish the Industrial Development District prior to the consideration of the Exemption Certificate.

With no further comments, the Public Hearing was closed at 7:03 p.m.

PRESENTATION:

1.) Reaffirmation of Oath of Office for Fire Chief Brad Geistler

Mayor Beagle said that Mr. Geistler has been on the Wixom Fire Department for over 21 years and most recently led the Fire Department as Interim Fire Chief. The Fire Department had shown great improvement while Mr. Geistler served as Interim Fire Chief, for they've experienced unprecedented success in firefighter recruitment resulting in the achievement of their longtime goal of 24/7 staffing. He said while

the goals had been a collaborative effort between the Fire Chief and Fire Staff, Mr. Geistler's leadership had been critical to achieving operational and cultural improvements to the Department. He expressed his pride to have Brad Geistler serve as the Wixom Fire Chief. He looked forward to working with him and the entire Fire Department to ensure efficient, effective and high-quality services for the community. He noted that Chief Geistler's wife, daughters, parents and father-in-law were present.

At this time, Fire Chief Brad Geistler reaffirmed his Oath of Office with Mayor Beagle.

The Council recessed at 7:06 p.m. for a short recess. They reconvened at 7:23 p.m.

MINUTES:

CM-02-19-23: Moved and seconded by Councilmembers Gottschall and Gronlund-Fox to approve the Regular City Council meeting minutes of February 14, 2023.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC:

There were no comments made at this time.

CITY MANAGER REPORTS:

1.) Departmental Report – January 2023

Councilmember Gottschall noticed a resident called to report black flecks in their water and it appeared the resident ran tests. He asked if Council should be aware of this matter.

Mr. John of F&V Operations explained a backflow prevention expert was taken to this property to perform further analysis. They learned the black flecks were coming from the hot water heater itself; therefore, this was an isolated case.

CONSENT AGENDA: (None)

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

- 1.) Recommendation by the Tax Abatement Review Committee to Adopt a Resolution Authorizing the Establishment of an Industrial Development District at 49070, 49103 and 49106 Alpha Court in Accordance with Public Act 198 of 1974 as Amended and as Requested by People Driven Technologies, Inc.**

CM-02-20-23: Motion and seconded made by Councilmembers Gottschall and Smiley to adopt a resolution authorizing the establishment of an Industrial

Development District at 49070, 49103 and 49106 Alpha Court in accordance with Public Act 198 of 1974 as amended and as requested by People Driven Technologies, Inc.

Mr. Benson indicated this was a request to establish an Industrial Development District, which was the proceeding step to considering an Industrial Facility Tax Abatement. This case involved three parcels at the end of Alpha Court that equaled just less than six acres. The proposal presented by People Driven Technologies, Inc. was to have a \$6 million investment and construct a 27,000 square foot facility, providing no less than 75 jobs. The employees will be offered flexible hybrid scheduling with an average salary of \$129,000/year. He stated there was a financial benefit to the City and taxing jurisdictions given that all of the tax revenue generated would be new considering this would be a newly constructed building. The estimated first year investment from the City would be approximately \$20,500 with that amount escalating over time. He said the Tax Abatement Review Committee considered the proposal at their February 2, 2023 meeting to which they had a pretty robust discussion about the merits, need and what this company offered Wixom. The Tax Abatement Review Committee recommended that City Council authorize a seven-year abatement to People Driven Technologies, Inc. A seven-year abatement would allow the applicant to receive a tax savings of just over \$157,000 from the City assuming a 3% growth rate. Between all the taxing jurisdictions their estimated savings would be \$591,000. He added this proposed abatement would generate nearly \$750,000 in new tax revenue across all of the taxing jurisdictions.

Present at the meeting were Bryan Teipel, President of People Driven Technology, Inc., Joe Zanchetta, Vice President of East Michigan and Project Consultant, Joe Agostinelli of Michigan Growth Advisors. Mr. Teipel said People Driven Technology, Inc. was a company that brought technical solutions to customers that helped further their business along. He believed their business could grow beyond what's anticipated, for in just under two years in business, they've grown to 75 employees. He said they were really excited to see the company grow and were pleased by the interactions they've had with the City of Wixom staff.

Mr. Benson explained that within the lengthy discussion at the Tax Abatement Review Committee meeting, they talked about how People Drive Technology Inc. would provide value back to the community in exchange for the tax break they've been given. He noted it was the desire of People Drive Technology, Inc. to work with the Walled Lake Consolidated School District, Oakland Technical SW Campus, Oakland University and others.

Mr. Teipel said in their efforts to honor those commitments, they started to collaborate with the Michigan Council of Women in Technology Foundation to work alongside them in leading the efforts to create more jobs for women in the technology field through the Oakland Technical SW Campus. Their company was community driven and for that reason it's their desire to have specific events to host job opportunities to residents of Wixom. He added an abatement would assist

them in their efforts to construct a new building considering the high costs within the current construction and construction materials climate.

Councilmember Gottschall noted People Driven Technology, Inc. offered employees the ability to work from home, but was it their desire or did they foresee a future where the office would have minimal staff present. Mr. Teipel said it was their intention to be a work to work culture but it would be desirable to have staffing work inside their office. Councilmember Gottschall liked the fact that they were new construction, therefore, adding an increase to taxable value on all three parcels. He also liked to see local businesses reaping the benefits of having employees live/work in Wixom. Mr. Teipel said they planned to host many events and planned to host events within the Wixom businesses/restaurants.

Councilmember Gronlund-Fox asked if there were criteria for a company to become tax abatement eligible. Mr. Benson said they had to abide by the State Statute and the Tax Abatement Policy adopted by the City in 2012. Councilmember Gronlund-Fox reviewed the packet of information given to them regarding the abatement and wondered where the discrepancy was between the initial request of a four-year abatement to becoming a seven-year abatement. Mr. Benson said the original recommendation from the administration to the Tax Abatement Review Committee was for a four-year term and that was based on the project being smaller. Since the original submission, the project became 40% larger all around. Councilmember Gronlund-Fox asked when they expected the building to be complete. Mr. Teipel said probably around the first quarter of 2024 considering they had some building re-designs in order to accommodate the Fire Marshal. Councilmember Gronlund-Fox asked if they were set on a seven-year abatement. Mr. Teipel said the seven-year abatement was significantly less than what they originally requested.

Mr. Brown noted that the actual amount of the abatement and expected cost of the project gets determined when the actual costs were incurred.

Deputy Mayor Rzeznik asked if the employees would be new hires when the operation opened. Mr. Teipel said there would be around thirty new hires. Deputy Mayor Rzeznik confirmed that the principals within the LLC were also principals within the company itself. Mr. Teipel said there would be some opportunities for employees to invest in the facility as well. Deputy Mayor Rzeznik recommended they tour and speak with the Dean of the Oakland Technological Campus sooner rather than later. Deputy Mayor Rzeznik said he'd been on City Council for a while and recalled when tax abatements were used for company attraction during the 2008-2010 recession, but we've always had companies promise to support local events/programming but didn't follow through. He hoped they would hold true to their commitment and encourage their employees to be active.

Councilmember Smiley was in favor of this abatement because of the new building.

Councilmember Behrmann echoed the comments from Deputy Mayor Rzeznik. He asked if the company would still move forward with the project if they were not given an abatement considering they already owned the property. Mr. Teipel said

he wasn't sure if they would due to the increased variables and added construction expenses that have come forward. He assured them their focus was on the community as that was part of the culture of their company.

Councilmember Sharpe thanked the Tax Abatement Review Committee for their hard work on this. He spoke to a member of the Committee and they praised the leadership of Mr. Benson on this. When he read the meeting minutes, it sounded as if the committee had the best interest of the City at heart. He was happy to see the property get developed and supported this abatement.

Vote: **Motion Carried**

2.) Recommendation by the Tax Abatement Review Committee to Adopt a Resolution Authorizing the Issuance of a Seven-Year Industrial Facilities Exemption Certificate for Real Property at 49070, 49103 and 49106 Alpha Court in Accordance with Public Act 198 of 1974 as Amended and Authorize the Mayor to Execute a Tax Abatement Agreement with People Driven Technologies, Inc.

CM-02-21-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Smiley to adopt a resolution authorizing the issuance of a seven-year Industrial Facilities Exemption Certificate for Real Property at 49070, 49103 and 49106 Alpha Court in accordance with Public Act 198 of 174 as amended and authorize the Mayor to execute a Tax Abatement Agreement with People Driven Technologies, Inc.

Mr. Benson explained People Driven Technology, Inc. and the City Attorney both reviewed this agreement and have all agreed to the terms. He mentioned that part of those agreements required the applicant to post a bond with the City for the life of the tax abatement, which the City would keep should the applicant not achieve at least 75% of the goals set forth in the agreement or if they moved out of the City. The bond amount was set to the value of the first-year taxes.

Councilmember Behrmann knew the applicant requested a twelve-year abatement and landed with seven. He was not opposed to increasing the abatement to eight years if there was additional support from the dais. The last abatement given was for eight years. There was no additional support from the dais.

Vote: **Motion Carried**

3.) Recommendation to Approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.07, Village Center Area District, Sections 18.07.010 Through 18.07.090 and to Rezone All Parcels Currently Zoned Village Center Area to Village Center Area – Core, Village Center Area – Transitional or Village Center Area – Low Intensity as Recommended by the Planning Commission

CM-02-22-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Gronlund-Fox to approve the Introduction of an Ordinance to amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.07, Village Center Area District, Sections 18.07.010 Through 18.07.090 and to rezone all parcels currently zoned Village Center Area to Village Center Area – Core, Village Center Area – Transitional or Village Center Area – Low Intensity as recommended by the Planning Commission.

Mr. Benson explained after discussion regarding the VCA Ordinance was held with City Council last year, a request to dive deeper into the VCA Ordinance to determine what type of development would be allowable and what should they do with the VCA now that it's been built out. Mr. Benson presented an outline of the existing area that roughly coincided with the DDA District. It should be noted that the entire VCA had the same zoning; therefore, all the regulations would apply to each parcel equally. Given that all the zoning was the same, there was some concern about styles/types of development. Those concerns were given to the Planning Commission and Carlisle Wortman Associates. Mr. Carlisle took over this project and made huge progress in bringing the ordinance up to date while considering the expectations of City Council. He noted the two changes were to rezone the VCA from one to three zoning districts, along with the text amendments and new regulations to the new zoning districts. The second change was to incorporate those original design changes that were presented last year.

Mr. Carlisle said Carlisle Wortman Associates came into this project mid-stream and because of that they were able to come into it with a fresh perspective. Their first step was to find out the purpose and intent of the VCA so when the zoning was determined they had a foundation point. They spent a lot of time with the Planning Commission to determine the purpose and intent of the VCA. He said the majority of the conversations included dividing the zoning districts and determining the type and concept of the residential areas within the district. He explained the three different zoning districts within the VCA included the Core District or the centerpiece, Transition Area District or the buffer between and Core District and the third district which they called Low Intensity Area District. He said the Planning Commission spent a lot of time determining the boundaries of these districts within the VCA. They also spent a lot of time talking about where and what type of residential would be appropriate. He explained the Core District was for commercial use that did not allow standalone residential. The Transition Area District included low intensity or medium intensity that included multi-family residential such as townhomes, but not apartments. The Low Intensity Area District was only residential that included detached single family and through Special Land Use attached up to three units with specific standards. He believed this new Ordinance was more in line with the purpose and intent of the VCA, Master Plan and what the Planning Commission had in mind when they took this project on.

Deputy Mayor Rzeznik thanked them for addressing the temperature of screen lighting. The Ordinance reads they could have “warm light” up to 3,000k or appropriate filtering. He had a problem with the filter wording and would appreciate that being addressed. He recalled when they received many complaints when a filter lighting was used with the Stonegate Development.

Councilmember Gottschall said that he wasn't sure there was cohesiveness within the dwelling units in the Core and Transitional Area Districts. He questioned the Ordinance criteria that required a minimum of two stories at 25 feet and ground floor minimum elevation 14 feet which meant a second floor could be 11 feet. However, his main concern was the minimum floor area of 600 square feet. He assumed 600 square feet would only allow for a one bedroom/one-bathroom apartment style home which the Wixom residents did not want. When this was presented to Council last time, they expressed the previous requirement of 700 square feet was too small so 600 square feet was just agitating. He stated if he had support from the dais he would make an amendment to increase the square footage minimum.

Mayor Beagle assumed they could remove the entire sentence that called for a 600-minimum footprint (letter D) from Section 3.D within the Ordinance for that seemed to be the easiest solution.

Mr. Carlisle apologized for the disconnect as he wasn't aware the square footage concern from the City Council. He said they he did not change any of the bulk standards within the current VCA Ordinance because most of them were appropriate; however, if it was City Council's desire they would raise the square footage minimum to 900 square foot. He suggested any change in square footage should be consistent throughout the entire Ordinance; however, whether it was 600 or 900 square foot was entirely up to the City Council.

Councilmember Behrmann asked if there was a minimum square footage in the Low Intensity District. Mr. Carlisle said there was not because they were single attached and detached homes. Councilmember Behrmann would support increasing the square footage in the Core and Transition Area Distracts.

Councilmember Gronlund-Fox would support increasing the size of the square footage.

Councilmember Smiley asked how common was it to have a VCA broken up into multiple zoning districts. Mr. Carlisle said this was a traditional way to perform zoning within the VCA.

Councilmember Sharpe hated to jump in and change it to 900 square feet because he wasn't sure exactly what that would accomplish. He asked if the 600 square feet was the number set by the Planning Commission.

Mr. Benson didn't think that the Planning Commission took a particular interest in unit size but they did spend time talking about the potential person(s) that would have an interest in downtown living. He knew that part of having smaller unit sizes would become more appealing to a wider audience.

Councilmember Sharpe respected Councilmember Gottschall's thought process because they had had many residents come to Council meetings expressing their disinterest in renter occupied apartments; however, that's where the disinterest stopped as they were not concerned with square footage of homeowner units.

Councilmember Gottschall said increasing the square footage wasn't to make them build larger units but more what the size of the unit lends itself to. He wanted to refrain from putting the City in a situation where they had small dwellings on top of businesses similar to what's in Walled Lake. He believed when you sized up the units you were more apt to build to sell, not build to lease.

Councilmember Behrmann was disappointed to see this again because when this was before Council last year, they discussed at length the unit sizes. He did not see any reason why they shouldn't be regulating the size. If they regulated a larger square footage, they could get a development like Shearwater Apartment comparison vs. the Village Apartments. He was adamant that the unit size needed to be solidified within the ordinance. He could accept the Core Center Area at 900-1,100 square feet just as long as the 600 square feet was removed. He suggested the Transition and Low-Density Area needed to be increased.

Mr. Carlisle reminded them the Core Center Area only involved residential mixed-use buildings. From his experience, he hadn't seen a distinction between the size of a unit vs. a rental because he'd seen 600 square foot condos. He did not have a concern whether or not the size would dictate the form of ownership. He noted if there was a concern about having a one-bedroom unit at 600 square feet, they could eliminate 600 square feet and go to 1,000 more because that would encourage multi-bedroom units; however, smaller square footage with residential made the numbers work much better for a developer. He thought it made sense to increase the square footage in the Transition District Area because the cost of construction materials alone would set that requirement to around 1,000 square feet.

Deputy Mayor Rzeznik said on January 11, 2022 they asked the Planning Commission to increase the square footage from 700 to 1,000 square feet. He was in support of increasing the square footage.

CM-02-23-23: Motion and seconded made by Councilmembers Gottschall and Smiley to amend the minimum dwelling unit size to 900 square feet within the Core District Area of the VCA Ordinance, and 1,000 square feet within the Transition

Area of the VCA Ordinance and in the Low-Intensity Area of the VCA Ordinance the minimum square footage be 1,200.

Mr. Benson pointed out that in the R-3 Zoning District for a single-family home on 1/3 acre was 1,150 square foot. He thought 1,200 square foot was high for the Low-Density District. Councilmember Gottschall understood and amended the square footage to 1,150.

CM-02-24-23: Motion and seconded made by Councilmembers Gottschall and Smiley to amend the minimum dwelling unit size to 900 square feet within the Core District Area of the VCA Ordinance, and 1,000 square feet within the Transition Area of the VCA Ordinance and in the Low-Intensity Area of the VCA Ordinance the minimum square footage be 1,150.

Councilmember Sharpe wasn't in favor of amending the information at the meeting tonight for fear of shooting from the hip. He understood they would be reluctant to send it back to Planning Commission, but he thought this could be set aside just until they've collected appropriate data, facts, etc. and so Mr. Carlisle could gain some additional knowledge.

Mr. Benson noted a point of reference RM-1 and RM-2 zoning required a minimum square footage of 500 square feet.

Councilmember Gottschall confirmed RM-1 and RM-2 were the designated apartment developments. He wondered if they would have the same objections if they were to send this back to the Planning Commission and they didn't want it changed.

Councilmember Gronlund-Fox asked what additional information could they get to help make this clear enough to make an educated decision. Mr. Benson said they could get data and bring it back but he did not believe it would matter much because square footage was a concern of the Council and not so much the Planning Commission.

Mr. Carlisle specified this ordinance went to the Planning Commission four times but they didn't talk about square footage. If it was Council's desire to have that discussion, he'd be happy to take this back to them.

Councilmember Gronlund-Fox said if the size of the units wasn't important to them than perhaps the Council should just make the decision.

Councilmember Sharpe was hesitant about just changing the number of square footages without understanding how they reached 600 square foot in the first place. Perhaps, 600 was rhythmically thought out for good reason.

Councilmember Smiley didn't think Council should continue to debate this. He felt inclined to give this back to the Planning Commission and the administration so they could determine where the 600 square footage came from and obtain pros and cons with 600 vs. 900.

Mr. Brown thought a motion to table was fine. It stays on the table until you take it off. At the next meeting, when you were prepared to talk about it, you would take that motion off the table and act on it. He was clear on the Council's direction to go back to the Planning Commission if that was the consensus.

Councilmember Smiley said part of the feedback he would like to see from the Planning Commission and Mr. Carlisle was what the 600-number meant. He liked an impartial understanding of what the pros and cons were for 600 versus 900 square feet. We've had this go around before. Now there is a new planner working with our Planning Commission. He wanted to send it back to them one more time. He hoped it was very clear that the square footage thing was important. He thought everything else was okay. If they are not discussing it at the Planning Commission meetings, please make sure they are. Mr. Carlisle said that message was loud and clear.

Councilmember Gottschall wondered how the Planning Commission would come up with a new set of numbers just through deliberation. Mr. Benson had corrected the minimum square footage for R-3, so we amended the motion, but he asked what new data would come up for them or would it be straight deliberation of our intent and the square footage we think was appropriate. Mr. Carlisle said he would do a number of things. First off, he would get some of the data of some of the apartment sizes and other residential sizes. His company also works with 80 communities in the State, so they have written a lot of downtown ordinances. He said he would go back and look at those to see their square footages. He commented that most of the time square footages are not listed because densities are controlled by other means (parking, height, setbacks, etc.). There are other ways to control density in the downtown environment. You don't necessarily care about the size of the unit. He did guarantee that there were some that did have the square footage limitations. He will review other communities that they work for that has some of the zoning ordinance and bring some of that data to the Planning Commission to have some comparisons with them. He wanted the Council to know that Wixom was different than the other 80 communities that they work for. He could tell them what they do in Dexter, Saline, Plymouth, Northville, etc., but the Council has to come up with their own standards that make them comfortable. He said he wants to give the Planning Commission multiple ways to approach this. He thought the message was very clear from this Council that this was a big point of discussion. He thought he would start with some best practices of other communities to see what they have, if they have them at all.

Councilmember Gottschall said it kind of boils down to a deliberation of what our intent is. Ann Arbor might have 400 square feet and Northville might have 1,000 square feet, but what does Wixom want. It was nice to have those data points, but ultimately, it is irrelevant in some sense to what we truly want as a City. He said he would prefer not to send it back to the Planning Commission. If we send it back and they discuss what we want and send it back to us that they agree, he didn't need to be told what he wants to hear from them. At the same time, if they take no action and we want to change it, that was our prerogative too because they are an appointment board; they are not an elected board. In either scenario, he didn't see how it would benefit the Council by delaying this because it was Council's prerogative to determine it.

CM-02-25-23: Motion and seconded made by Councilmembers Gronlund-Fox and Smiley to table New Business #3 for more information on square footage sizes.

Deputy Mayor Rzeznik commented that as Mr. Benson and Mr. Carlisle pointed out, it doesn't have to go back to the Planning Commission. The data could be gathered from other communities and the Council can bring it off the table at the next meeting.

Mr. Benson said that level of direction would be useful in the motion so we know exactly where we are bringing it back.

Councilmember Behrmann called for Point of Order. A motion to table is not debatable. There was a motion on the floor to table and it needs to be voted on before we have further discussion.

**ROLL CALL VOTE: (5) AYES – Beagle, Gronlund-Fox, Rzeznik, Sharpe, Smiley
(2) NAYS – Behrmann, Gottschall
Motion Carried**

4.) Recommendation to Authorize Participation in the Michigan Inter-Governmental Trade Network to Sell Surplus City Vehicles, Equipment and Miscellaneous Tools and Designate Russ Pierson as the Authorized Agent for the Sale of this Property

CM-02-26-23: Motion and seconded made by Councilmembers Gottschall and Gronlund-Fox to authorize participation in the Michigan Inter-Governmental Trade Network to sell surplus City vehicles, equipment and miscellaneous tools and designate Russ Pierson as the authorized agent for the sale of this property.

Mayor Beagle explained that this was a routine practice. The only thing that was different was designating Russ Pierson instead of Tim Sikma.

Vote:

Motion Carried

5.) Recommendation to Award a Bid to Lansing Real Green Lawn Care & Landscape, Inc. of Dimondale, MI for a Three-Year Contract for Outdoor Landscape Services in the Amount of \$8,462 and Authorize the Mayor to Sign the Agreement

CM-02-27-23: Motion and seconded made by Councilmembers Gronlund-Fox and Smiley to award a bid to Lansing Real Green Lawn Care & Landscape, Inc. of Dimondale, MI for a three-year contract for outdoor landscape services in the amount of \$8,462 and authorize the Mayor to sign the Agreement.

Ms. Magee indicated that this was a routine business for Council. The City contracts with a landscaping firm to do our spring cleanups, our fall cleanups and annual flower planting. We have a new contractor this year and she was recommending Lansing Real Green Lawn Care, as they were the low bidder.

Mayor Beagle asked if the previous company did not want to bid this year. Ms. Magee replied that they disassembled due to medical reasons.

Councilmember Sharpe saw the difference between their bid and the next one being about half or a third. He asked if we would be confident that they would drive 64 miles to do business. Ms. Magee said she did check their references. They do a lot of work for MDOT so they are in the area. Aside from the spring and fall cleanup, they come once a week for weeding.

Vote:

Motion Carried

6.) Recommendation to Authorize Resolutions for Special Liquor License Applications for Events at Sibley Square Park on June 22, 2023 and July 20, 2023 and for an Event at the Community Center on December 1, 2023

CM-02-28-23: Motion and seconded made by Councilmembers Smiley and Gronlund-Fox to authorize resolutions for Special Liquor License Applications for events at Sibley Square Park on June 22, 2023 and July 20, 2023 and for an event at the Community Center on December 1, 2023.

Mayor Beagle announced that this was another routine item.

Vote:

Motion Carried

7.) Recommendation to Award the Low Qualified Bid for a Fireworks Display to American Fireworks Company of Hudson, Ohio for a Three-Year Contract Totaling \$14,000 for 2023, \$14,500 for 2024 and \$15,000 for 2025 from Lite the Nite Account #101-751-807.543 and Approve the 2023 Permit Application and Authorize the Mayor to Sign the Contract

CM-02-29-23: Motion and seconded made by Councilmember Gronlund-Fox and Deputy Mayor Rzeznik to award the low qualified bid for a fireworks display to American Fireworks Company of Hudson, Ohio for a three-year contract totaling \$14,000 for 2023, \$14,500 for 2024 and \$15,000 for 2025 from Lite the Nite Account #101-751-807.543 and approve the 2023 permit application and authorize the Mayor to sign the contract.

Ms. Magee stated that American Fireworks was the low bid for the first year. She was recommending that we go with that company.

Councilmember Behrmann asked if it was American we used last year or if it was Great Lakes. Ms. Magee said it was Great Lakes. Councilmember Behrmann asked if we had references on American. Ms. Magee replied yes. They do over 650 displays across nine states and the City used them about 15 years ago for three years. She explained that we bid this contract every three years.

Vote:

Motion Carried

8.) Discussion of City Charter Section 4.11.E Part 2

Councilmember Gottschall wanted to discuss the section in the Charter related to vacancies on Council. Part 2 was the discussion about the process of appointments due to vacancies. He has had discussions with other Councilmembers and they understand some of the potential issues and thoughts that go behind this. He wanted to clarify that essentially the motion he will make will be just to insert simple language along the lines of an open and public application process carried out in a public meeting. If it does get passed for the purpose of debate, it was not to insert into the Charter some extremely stringent process where a new timeline is laid out or an exact process. It would just be simply clarifying that the appointment process shall take place through an open application and public meeting process. That will hopefully give some leeway to future Councils on how exactly they want to handle that, whether they interview everyone in a public meeting or have a top few presented. It does, at least, put into the Charter that it will happen publicly in a transparent manner.

CM-02-30-23: Motion and seconded made by Councilmembers Gottschall and Gronlund-Fox to direct the City Manager to work with the Attorney to amend Section 4.11.E of the City Charter to insert phrasing to convey that appointments to Council vacancies shall occur through an open and public application and review process.

Councilmember Behrmann thanked Councilmember Gottschall for taking the time to have a private conversation with him on his reasoning behind this. He said he could support this at this point, unlike last week.

Councilmember Smiley asked Councilmember Gottschall to explain the open and transparent process. Councilmember Gottschall stated that he was not dictating the wording right now. It was a direction to City staff and it will be up to them and the City Attorney to figure out exactly what language they want to bring back to the Council at a future meeting. Then the Council can debate that. He knew that the Council had discussed over the years a more stringent process in the Charter or whether that goes in Council Rules. This was not meant to convey that we are going to have a very detailed process. Right now, it is vague and says it will be by majority appointment of Council remaining. We just want to add in some words to indicate that process will be through applications and a public meeting to be transparent. It is not to say here is the process. It gives the vagueness still for future Councils to determine exactly how they want to handle it, but at the bare minimum, it will be done in a public setting rather than how it has been handled in the past.

Mayor Beagle said he was not in favor of this. Since he has been Mayor, he has been transparent. There have been issues in the past of that happening, but this was one of those circumstances that when you are the Mayor, it is one of the decisions that you get to do. He said he has been transparent all along and he hasn't hidden anything from anybody. He can't support this because we have a system in place right now and it is not broken. If it's not broke, why fix it.

Councilmember Gottschall wanted to publicly clarify that this was not a critique or commentary on Mayor Beagle's handling of anything. It was about how it has been handled by others in the past and how it can be handled by others in the future. This was not an attack against Mayor Beagle. He has given the Council the opportunity to meet with other applicants or candidates in the past and Councilmember Gottschall has appreciated that. This was not how it was handled before Mayor Beagle and he thought it was time to codify that it will be done in a more public setting.

**ROLL CALL VOTE: (5) AYES – Behrmann, Gottschall, Gronlund-Fox, Rzeznik, Sharpe
(2) NAYS – Beagle, Smiley**

MOTION CARRIED

CALL TO THE PUBLIC:

Chuck Pelto, 1960 Roxbury Run, was curious about the railroads. It was common knowledge we have railroad tracks running through Wixom. It is not heavy traffic, but it is ongoing. The situation in East Palestine has brought the railroad situation to a lot of people's concerns. He said his understanding was that regulations were set by federal agencies and local municipalities have very limited input or influence on the daily rail operations. He asked what special information was available to the City regarding the nature of what was passing on the railroad tracks that go through our City? He asked if the City could compile what we know and share it

with the citizens? If there are gaps in what we know, what can be done to fill in those gaps? He didn't think the rail traffic was that much and they are usually passing pretty slow if you get caught at one of the crossings. There was one derailment on the news tonight and there was another one in Florida. Two tank cars with 30,000 gallons of liquid propane derailed. Fortunately, they didn't explode, but we are hearing about it all the time. He was really curious as to what we know and, perhaps more importantly, what don't we know about what is passing through our City on the railroads.

CITY MANAGER COMMENTS:

Mr. Brown stated there were seven employees celebrating their work anniversaries during the month of March. Those years of service range from two years to 32 years. He congratulated those seven employees and thanked him. Also, he said that the University of Michigan College of Business eCities project collects and analyzes data across Michigan communities as it relates to entrepreneurship, economic development and job growth. The City of Wixom was recognized as a 2022 Honored Community and given recognition for our participation.

Mr. Benson had no additional comments.

COUNCIL COMMENTS:

Councilmember Gottschall said he would be interested to know more for our concerned resident regarding the railroads. When we were having discussions about the wastewater leak that we had, there were discussions by our new Fire Chief about us having a list for permits from companies of what hazardous chemicals they do have. He didn't know if anything was filed like that for when trains are taking things through our railroad. As was noted, unfortunately, we have zero control over anything to do with the rail lines.

Mr. Brown indicated that right before he left town for a week's vacation, Councilmember Behrman brought up concerns about this and asked him to check into it. This was something that would require a little bit of time and effort to reach out to a variety of places. He has not gotten very far on the assignment, but he has it at the top of his mind. He shared with Councilmember Behrman that he had the same concerns after seeing what happened in East Palestine. Currently, no information is shared with the City as to what has traveled through town on the trains. He will be checking into this with a multi-level of government kind of approach to see what we can find out about what should be provided to us if anything. If nothing has to be shared with us, he will determine what we can do to change that to have some kind of report requirements to protect ourselves from something like that happening in Wixom.

Councilmember Gottschall thought this was an issue where we can be more proactive, as we have been on certain other things. It sounds like there is an appetite for hearings finally of one of the country's worse energy providers. With a few train derailments, unfortunately it takes that kind of issue to make the federal government wake up to say they really shouldn't have taken power away from everybody. He thought it was time for us to be proactive on that front.

Councilmember Sharpe complimented the support we had and the good data brought to Council. He also thanked the members of Council. It is always good to have debate. He loves it when we don't have unanimous votes. He thought the Council was best serving our residents. Lastly, he said he looked it up in Roberts Rules of Order and a tabled motion is not debatable. Councilmember Behrmann was correct.

Councilmember Behrmann shared the same concerns with the knowledge of what was going on our railroad tracks. He didn't believe we had any ability to control, but hopefully our City Manager can at least get us some information and we can share that to residents. One small thing that has been bugging him for about a year was something at the corner of Maple and Wixom Road. There are a bunch of technology boxes that have been smashed from a car accident. They have been sitting like that for well over a year. There is also a yellow post down. He said he didn't know whose boxes those were but if we could get on somebody to either fix them or remove them, it would help that corner look a little better in front of the dentist office. He gave a huge thanks to our DPW. Obviously, they have been working extremely hard the last week with the ice storm. His subdivision lost a bunch of branches and trees in front and his HOA was trying to figure out how to have a meeting to hire someone to clean it up. Before they could figure out how to do a meeting, the DPW was there to clean up the front of his subdivision and it looks almost like they didn't lose half of their trees. Lastly, to the Fire Department, he thanked them for the hard work that they had Sunday at the fire they put out. It sounded like they had a very long day. He appreciated all the work from all of the staff.

Councilmember Gronlund Fox congratulated and thanked all of the employees who were celebrating work anniversaries. She thanked the City Manager's Office for being recognized and honored by the University of Michigan. Lastly, she congratulated Chief Geistler.

Councilmember Smiley said that a lot of us were thinking about this train derailment. In his note to Mr. Benson on the Goal Sessions, he asked for an update on this. This popped up before on what if there was a train derailment and it had to do more with our emergency funds. He was looking for a refresher on what our policies and procedures are for something like this. He sent his love to the Fire Department. They had a really rough week with Wednesday's ice storm, several fires, and the fire at Mac Valves. And there were more icy conditions coming. Say a little prayer for them and they have the Council's support, of course.

Deputy Mayor Rzeznik was approached by several residents and business owners within the community with the discussions about trains – what do we know and what don't we know. He echoed his fellow Councilmembers' and Mr. Pelto's comments that it would be good to understand what we do know and what we don't know. At a minimum, our Public Safety Officials should be advised when something bad was coming through on the rail and what our response would be. It could be disastrous if something happened on one of the two intersections. He imagined

other communities that those tracks pass through have shared similar concerns. Speaking of things that have been bugging him for years, he was driving to work this morning and he noticed that the sign at the corner of Beck Road and Maple Road still says, "Wixom, a community with character." He remembered when he and Mr. Pelto were on the Parks and Recreation Commission back in 1994 when they erected those. As part of City branding, he wondered if we were looking to replace all of those City entrance signs. Mr. Benson said he was glad Deputy Mayor Rzeznik brought this up. He said this would be a Goal Setting topic. The long story short is yes. Deputy Mayor Rzeznik said he passes this sign every morning, but he really noticed it this morning.

Mayor Beagle congratulated and thanked all the employees who were celebrating work anniversaries this month. He congratulated the City of Wixom on the University of Michigan College of Business e-Cities award. He congratulated and was really looking forward to working with new Chief Geistler. Things have improved so much in just the short time he has been there. It is nice to see the guys and gals in blue with smiles on their faces at the Fire Station. We haven't had those in a while. He thanked Mr. Sikma and his staff for all their hard work during the recent ice storm, as well as the Fire Department. He thought they had about 45 to 50 calls within 24-hours of that ice storm and they came back with the fire at Mac Valves. They have had a rough week. He wouldn't trade these guys for anybody. They went in there and knew what they were doing. They took care of things. It was the same with the DPW Department. He was happy to have them all offering these services to the City.

ADJOURNMENT:

The meeting was adjourned at 9:35 p.m.

Catherine Buck
City Clerk

Approved 3-14-2023
