

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 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: (None)

MINUTES:

CM-03-38-23: Moved and seconded by Councilmembers Gronlund-Fox and Gottschall to approve the Regular City Council meeting minutes of March 14, 2023.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC:

There were no comments made at this time.

CITY MANAGER REPORTS:

1.) Departmental Reports – February 2023

Deputy Mayor Rzeznik wondered if we already had a landscape contractor lined up for the columbarium brick work and benches. Mr. Sikma replied yes. We got someone last fall and there wasn't time to get him out there. We should be first on their list.

Councilmember Sharpe was happy to see Mr. Benson was meeting with the School District regarding their property in Wixom. It was good to see him developing those relationships, especially with the new superintendent. He asked if there were any changes since the report was prepared regarding the purchase of 119 and 121 N. Wixom Road. Mr. Benson said that we are still in the due diligence period. We did get the first draft of the Phase One Environmental reports for both properties. So far, we haven't seen anything abnormal. He still expected for the closing to happen on or before May 1st.

2.) Quarterly Budget and Investment Report – December 31, 2022

Deputy Mayor Rzeznik said that with all of the scrutiny regarding bank deposits and the talk of the downgrading of banks including Comerica, we have a sizable amount of our investments in banks like Comerica. He asked how our deposits differed from

the general public's deposits. Ms. Stamper said that as far as Comerica, those are kept in accounts called J funds. Those are primarily designed for the use of local government funds. They are not on the bank balance sheet, so they are not at risk if a bank fails. Our current rate is 4.6% on those funds so we realize a fairly good rate of return. Last week the maturity was 24.2 days, which means that if something were to drastically happen, the money would become available when it matures at 24 days. Those funds are solid. We do have a couple of commercial banking accounts there that process our lockbox for taxes and water. Those funds are transferred on a regular basis into the J fund accounts.

CONSENT AGENDA:

CM-03-39-23: Motion and seconded made by Councilmembers Smiley and Sharpe to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
 - a.) Downtown Development Authority Minutes – November 28, 2022
 - b.) Downtown Development Authority Minutes - January 24, 2023

Vote:

Motion Carried

UNFINISHED BUSINESS: (None)

TABLED ITEM:

- 1.) **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-03-40-23: Motion and seconded made by Councilmembers Behrmann and Sharpe to remove from the Table 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.

Vote:

Motion Carried

CM-03-41-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Sharpe to amend the Draft Village Center Ordinance, Section 18.07.70 (D) (1) (B) Minimum Dwelling Unit Size in the Village Center Area – Transitional Zoning District to seven hundred and eighty square feet and add a minimum dwelling unit size of nine hundred and sixty square feet in the VCA – Low Intensity Zoning District under Section 18.07.80 (C) (1) (A).

Mr. Benson indicated that City management has been working with Ben Carlisle of Carlisle Wortman and Associates. We put together some additional information based on City Council discussion regarding the minimum unit size allowable in the various new districts that would be created in the Village Center Area. This was all part of a larger discussion to adopt a comprehensive rewrite of the VCA ordinance and to rezone the entire district into three individual districts. The report talks about the history of the 600 square foot minimums. The original intent was to be as attractive and flexible to developers as well as to build an attractive level of density that could support a retail downtown district. He noted that they looked at the minimum unit size of other communities similar to Wixom that have downtown districts. We were able to pull additional information from the City's Master Plan as well as the intent statement for each district in the draft ordinance. He said he summarized all of that with the comparison to the current minimum unit sizes in each residential district within the City, everything from R1 (minimum lot size is 2,000 square feet) all the way to RM2 (minimum lot size is 2,400 and the minimum unit size is 500). Based on all of this information, he recommended the structure of minimum unit sizes of 960 square feet for the Low Intensity District to mirror what was available in the smallest one-family residential district outside of the VCA. He also recommended maintaining the 600 square foot minimum in the VCA Core District, primarily to be as attractive as reasonably possible to developers looking to do mixed-use developments downtown. For the Transitional District, he thought splitting the difference between 600 and 960 was a reasonable idea. He noted that the way this motion was structured, Council had the opportunity to change those numbers.

Mr. Carlisle stated that when he was at the meeting in February, he said it was unusual to have minimums on square footages in certain zoning districts, but he wanted to be certain. He looked at comparable communities to be sure that was a fair statement and to determine the best practices from six to ten communities in the area. The only one that had a minimum square footage requirement in a downtown mixed-use zoning district was Birmingham. They require 600 square feet for an efficiency or one bedroom, 800 square feet for a two bedroom and 1,000 square feet for three or four bedrooms. Every other comparable community in southeast Michigan he found did not have any minimums for unit size. All of them did not have minimums for lot size and density caps. They regulate it through the general means of setback, height, and parking. It was not out of the realm to put a minimum on the unit size, but it was unusual for other area communities. He looked a lot at intense and vision in our policy documents. Wixom talks along the lines of a strong Village Center. There are three points in the Master Plan and Zoning Ordinance, which is a goal toward mixed-use, housing diversity, and compact and pedestrian-friendly. Those three principles are not unique to what we want in a downtown. What we are trying to achieve is realistic in principle to what we think of as a good common downtown. The goal is to develop the Village Center Area with those principles in mind. If we increase the minimum size to more than 600 square feet, we would potentially constrain development patterns that are necessary to achieve the goals that we already outlined in the Master Plan and Zoning Ordinance. Mr. Carlisle said that staff was recommending that the Core be kept at 600 square feet. We agree that there could be some opportunity for

increasing the number in the two other districts. He agreed with City management with the 780 minimum square feet in the Transitional District and 960 minimum square feet in the Low-Intensity District.

Councilmember Gronlund-Fox appreciated the additional information. She clarified that if we go above the minimum 600 square feet, it could negatively impact development opportunities in that area. Mr. Carlisle said he wouldn't use the word negatively. He explained that the more you increase that square footage, you are potentially limiting development opportunities. If you want to get the goals of mixed-use, compact development and housing diversity in the district, which was stated in the Master Plan and Zoning Ordinance, the more you put constraints on the square footage, the more it could impact the potential for the type of development you are trying to achieve. There will still be the site plan review and the plans still have to be reviewed by the Planning Commission. All of the other development parameters that we want are still in place. This was just the minimum size of the unit within the Core, Transition and Low-Intensity areas.

Mr. Benson thought that it did make a difference in the attractiveness of a project. If you look at 600 vs 900 square feet, you are cutting the number of units and that directly impacts the developers on whether they want to do a project. It was rare that someone would want to do a whole building of 600 square foot units. Often times they will look for a variety of having one bedroom, two bedroom, and three bedroom options to be able to accommodate a variety of clients. It also helps them fill out the space in the most efficient way and makes them the most money. He thought it was primarily related to flexibility that makes it attractive.

Councilmember Gronlund-Fox asked what the leasing or selling data was regarding the 600 square foot units. She thought that seemed small and wondered about the market. Mr. Carlisle said he didn't have the data. Every real estate market is pretty localized and individual. There would be a market for 600 square foot units in some communities that there might not be a market for in Wixom, or vice versa.

Mr. Carlisle added that from a development standpoint, developing in a downtown is very complex. You are dealing with smaller lots and lot consolidation. You are dealing with infrastructure constraints and logistics about building in a more complex space. Because of those complexities, there should be a little more flexibility in terms of the regulations for developing in the downtown provided that you have the guardrails in place to be sure we get what we are trying to achieve.

Councilmember Gottschall appreciated the additional information. The Council has been told before that if a developer comes in and proposes something that meets the minimum requirements for their zoning, we have to approve it. Otherwise, we will end up in court, which has happened with a few developers. That was kind of the anchor in his whole thought process. We need to make the minimum something that we would actually be comfortable with. If in our heart, we would hope it would be 700 or 800 or 1,000 square feet, depending on the zone, that should be the minimum we set now, rather than leaving it at 600 square feet hoping that a developer isn't going to propose 600 square feet and give us heartache that we left

it that way. Last time he had shared that two bedrooms would be our hope and goal. He indicated that the two bedroom units in Bristol Square and Golden Gate are 850 square feet, Stoneridge is 800 square feet, Town and Country is 908 square feet, The Village is 705 square feet, Meadowood Park is 950 square feet. The one bedroom units in Bristol Square is 730 and 600 square feet, Stoneridge is 615 square feet, Town and Country is 695 square feet, The Village is 568 square feet and Meadowood Park is 750 square feet. Even the one bedroom apartments are around the 700+ square feet. When we get into 600 square feet, we are talking potentially studio apartments and there was not a big market for that around here, especially with people working from home now. He thought we needed to see a little bit of an increase above the staff recommendation. When this first came up, the 600 was originally 700 square feet and he thought that would be a fine minimum, with the addition of 150 square feet for each outset so we get to 1,000 square feet minimum for the Low Density.

Deputy Mayor Rzeknik supported the staff's recommendation. Again, we are talking about the downtown area, not apartments. We are talking about mixed-use where the second story might be the living portion of that building. He knew of developments where full-time, single residents live in 430 square feet and they are perfectly fine. If the business is adjoined to it with mixed-use, he didn't want to see us limit our option for the Core area.

Councilmember Behrmann felt he was a hybrid between Councilmember Gottschall and Deputy Mayor Rzeknik. He thought he could support the staff recommendation for 600 square feet in the Core; however, he did feel that the number for Transitional and Low-Intensity needed to be increased slightly. He would be fine with keeping 600 square feet in the Core, but going to 800 square feet in the Transitional and 1,000 square feet in the Low-Intensity. He thought those were the areas where our concerns were with that number being too low. A couple weeks ago, the Low Intensity area didn't even have a number.

Councilmember Sharpe agreed with the staff recommendation and Deputy Mayor Rzeknik's comments. Developers haven't been beating down our door in the last ten years to put anything in downtown so why would we limit them further. He would be willing to listen to go outside the Transitional and Low-Intensity zoning, but he didn't feel the need. The research has been done. We don't have a downtown Birmingham to sell here and they are at 600 square feet. He thought we needed to get something going before we try to stop it.

Councilmember Smiley was comfortable with the staff recommendations, especially 600 square feet for the Core. He asked if rounding the other two numbers up to 800 square feet and 1,000 square feet would have much of an impact. Mr. Carlisle didn't think it would be much of a difference in those two districts. There are market realities. In the Transitional and Low-Intensity, your most dense type of housing project would be an attached townhouse of at least 800 square feet per unit. He didn't think the margins would make a huge difference. He said the same for the difference between 960 to 1,000 square feet. In the Low-Intensity area, we are talking about single-family detached and you wouldn't build a single-family

detached with less than 1,000 square feet. He was a big believer that the zoning might not necessarily help a development market, but it could certainly hinder it if we put unrealistic expectations on it. That was why he and the City Manager felt the 600 square feet for the Core area was a pretty good number to stick with.

Mayor Beagle said he would support the recommendation from staff. We asked staff to research this and they have done their work. He couldn't see going against it.

CM-03-42-23: Motion and seconded made by Councilmembers Gottschall and Smiley to amend the motion to change the Core District from 600 square feet to 700 square feet minimum.

Mr. Benson said that section of the Ordinance is Section 18.07.060 (C)(2)(B).

Councilmember Behrmann said he was fine keeping this area at 600 square feet so he will be voting no on this amendment.

Roll Call Vote: (2) AYES – Gottschall, Gronlund-Fox
(5) NAYS – Beagle, Behrmann, Rzeznik, Sharpe, Smiley
Motion Failed

CM-03-43-23: Motion and seconded made by Councilmembers Gottschall and Gronlund-Fox to amend the motion to change the Transitional District from 780 square feet minimum to 850 square feet minimum.

Councilmember Behrmann believed this was what was in the best interest to increase this. We did ask for more data and the only city that has the data that supports this is Birmingham. If it was good enough for Birmingham, it should be good enough for us. He was fine with this amendment.

Roll Call Vote: (3) AYES – Behrmann, Gottschall, Gronlund-Fox
(4) NAYS – Beagle, Rzeznik, Sharpe, Smiley
Motion Failed

CM-03-44-23: Motion and seconded made by Councilmembers Gottschall and Gronlund-Fox to amend the motion to change the Low-Density District from 960 square feet minimum to 1,000 square feet minimum.

Roll Call Vote: (3) AYES – Behrmann, Gottschall, Gronlund-Fox
(4) NAYS – Beagle, Rzeznik, Sharpe, Smiley
Motion Failed

Vote on Main Motion CM-03-41-23:

**Roll Call Vote: (6) AYES – Beagle, Behrmann, Gronlund-Fox, Rzeznik, Sharpe, Smiley
(1) NAYS – Gottschall**

Motion Carried

CM-03-45-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Sharpe 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 said that that one amendment will be the only thing that has changed in the draft of the Village Center Area Ordinance. The original report from the February 28th Council meeting was included in the Council Packet. The request would be to introduce this as the first reading.

Councilmember Behrmann asked if the Planning Commission looked at this again. Mr. Benson said he did not send it back to the Planning Commission. He sent them a notification of the Council tabling this. It was his understanding that the motion was not to send this back to the Planning Commission but to table it. He did not receive any notifications either in favor or against the discussion.

Vote:

Motion Carried

NEW BUSINESS:

1.) Recommendation to Award the Bid for the 2023 Pavement Marking Program to PK Contracting of Goodrich, Michigan in the Amount of \$50,000

CM-03-46-23: Motion and seconded made by Councilmembers Gronlund-Fox and Behrmann to award the bid for the 2023 Pavement Marking Program to PK Contracting of Goodrich, Michigan in the amount of \$50,000.

Mr. Sikma said he put this out to bid with a group of other communities and only PK Contracting bid on this. They have been a contractor we have used in the past. The contractor that we used last year, JV Contracting, retired. PK Contracting bid more than we expected. We put this out for bid in case we want to do all of the pavement markings, including legends, yellow and white lines throughout all of the major roads and the intersections. After considering the price, we are hoping there will be a lower cost over the next year with either competitiveness or the availability of the paints that we are using for marking. We will only do the required areas that really need striping. The pricing seemed reasonable based on the labor and the paint shortages that we have seen.

Deputy Mayor Rzeznik asked whose responsibility it was to mark the Michigan Airline Trail. Mr. Sikma said that the original markings were part of the grants for

the Trail. In the future, we will need to contract them separately. PK Contracting typically doesn't do those because of the narrow road. We do have another gentleman that does that and he has a smaller machine. He said safety would not be an issue.

Councilmember Smiley noticed the 42% increase. He said it was important to understand costs have been going up due to the price of paint products, limited supply and labor issues. There are fundamental reasons why the increase was so much with no control. He asked if Mr. Sikma thought the cost would come down next year. Mr. Sikma said that there was the possibility that there would be some competition next year. There are other folks who line the roads in Michigan. PK has been around this area for a long time and we have had a good relationship with them.

Councilmember Gottschall thought the biggest factor in the cost was probably the lack of competition. He suggested he spend some time figuring out who does this in the area and invite them to bid next time. To him this was unacceptable. Since it has been years and years of just those two companies and now that their competition went out of business, that factored into us getting such a large increase. Mr. Sikma said a lot of communities weren't able to get the striping that they needed because they could not find the material that was needed.

Vote:

Motion Carried

2.) Recommendation to Approve the Proposal for Services from Carlisle/Wortman Associates, Inc. for the 2024-2029 Parks and Recreation Master Plan Update in an Amount Not to Exceed \$19,310, Authorize the Mayor to Sign the Proposal on Behalf of the City and Approve the Associated Budget Amendment

CM-03-47-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Sharpe to approve the Proposal for Services from Carlisle/Wortman Associates, Inc. for the 2024-2029 Parks and Recreation Master Plan Update in an amount not to exceed \$19,310, authorize the Mayor to sign the proposal on behalf of the City and approve the associated budget amendment.

Ms. Magee stated that in order to be eligible to receive Michigan Department of Natural Resources grants, our Parks and Recreation Master Plan must be updated every five years. This will involve a lot of updated information, like demographics, new facilities and a lot of public input with surveys. This is a process and it does take time.

Councilmember Gottschall asked what DNR grants we typically go after and what have we gotten in the last five years. Ms. Magee said that during the last five years we concentrated on the Trailway. Both Gunnar Mettala and Gilbert Willis Parks were built on trust fund grants in 1980 and 1990. She said that we also received a grant for the Habitat project. Councilmember Gottschall confirmed that we never redid

the boardwalk at the Habitat. He asked if we could apply for a grant to redo it. Ms. Magee replied yes. It seemed odd to Councilmember Gottschall that we would have to spend \$20,000 to maybe get some money. He would like to see us be aggressive on going after the grants in the future to justify the cost.

Vote:

Motion Carried

3.) Recommendation to Waive the Competitive Bid Process and Authorize the Purchase of Two X-Series Advanced Monitor/Defibrillators from Zoll Medical Corporation of Chelmsford, MA as the Sole Source Provider for an Amount Not to Exceed \$61,319.08 from the Replacement AED's and Cardiac Monitors Account #411-336-973.351

CM-03-48-23: Motion and seconded made by Councilmembers Smiley and Gronlund-Fox to waive the competitive bid process and authorize the purchase of two X-Series Advanced Monitor/Defibrillators from Zoll Medical Corporation of Chelmsford, MA as the sole source provider for an amount not to exceed \$61,319.08 from the Replacement AED's and Cardiac Monitors Account #411-336-973.351.

Mayor Beagle explained that staff was asking to waive the bid process because they are the sole vendors of the X-Series. They have agreed to sell these units to us for \$15,000 under the list price when purchasing an AutoPulse unit so it is a good deal for us. They are ten years old. Lieutenant Breitmeyer stated that they were originally purchased in 2012 and they are at their end of life.

Councilmember Gronlund-Fox asked if these were for the vehicles or for around City Hall and other buildings. Lieutenant Breitmeyer said that they were for the ambulance.

Deputy Mayor Rzeznik confirmed that there was no secondary market for these. Lieutenant Breitmeyer thought we would trade one in and keep one for a reserve/training unit. The internals have to be certified once they reach their life end.

Vote:

Motion Carried

4.) Recommendation to Approve Opting-In to the National Opioid Litigation Settlements, Adopt the Associated Resolution and Designate City Manager Steven Brown as the Authorized Signer for the City for the Associated Processes

CM-03-49-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Behrmann to approve opting-in to the National Opioid Litigation Settlements, adopt the following Resolution and designate City Manager Steven Brown as the authorized signer for the City for the associated processes:

**RESOLUTION APPROVING OPTING-IN TO THE NATIONAL OPIOID LITIGATION
SETTLEMENTS WITH CVS, WALMART, TEVA AND ALLERGAN**

WHEREAS, after several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, have been reached against two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan. These settlements are in addition to the settlements previously approved in 2021 with distributors, McKesson, Cardinal Health and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. The settlements require the companies to pay up to \$16.5 billion dollars over 13 years. The settlement payments are primarily earmarked for participating states and state subdivisions to remediate and abate the impacts of the opioid crisis and also include the payment of attorney fees for subdivisions that hired counsel to sue these companies on their behalf (“Litigating Subdivisions”); and

WHEREAS, the settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. Michigan has chosen to participate in each of these settlements and has negotiated a settlement agreement with the Litigating Subdivisions that will provide a higher payment to local subdivisions than what was proposed in the national settlements; and

WHEREAS, the City has received notice that it is eligible to participate in the settlements. The Michigan Attorney General’s Office has estimated that Wixom will receive approximately \$10,715.06 over 13 years from the Teva settlement, \$6,383.52 over 7 years from the Allergan settlement, \$14,173.54 over 10 years from the CVS settlement and \$8,026.26 over 1 to 6 years from the Walmart settlement. The total estimated amount from the four settlements is \$39,298.38. The actual amounts received may vary; and

WHEREAS, any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements. However, if a majority of governments that sued the companies do not accept the settlements, the proposed deals will fail, and litigation will continue; and

WHEREAS, the four proposed settlements require the participating subdivisions to agree to the settlement terms. The settlements require: i) an agreement to the terms of the settlements; ii) a release of claims; iii) an agreement that monies received can only be spent on opioid remediation and; iv) a consent to the jurisdiction of the Court where the Settlement Judgment is filed.

NOW THEREFORE, IT IS RESOLVED:

1. The City of Wixom elects to participate in the proposed settlements with two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan.

2. The City of Wixom agrees to the terms of the settlements, a Release of Claims against the companies named in the litigation, the funds received from the settlements to be spent on opioid remediation, as defined in the settlements, and consents to the jurisdiction of the Court where the Settlement Judgments are filed.

3. The City of Wixom authorizes the City Manager to opt-in to the settlements, consent to the terms of the settlements and take such further action as is necessary to receive the settlement funds.

4. The election, agreement, and authorization in this Resolution are subject to completion of all other necessary actions by the Court and the other parties required to finalize the settlements as described herein.

Mr. Benson said in December of 2021, Council adopted a resolution to join the nationwide settlement opportunities for opioid litigation against various manufacturers and distributors who have been involved in the national opioid crisis. This disallows the City's opportunity to sue those individual companies on our own and join the larger pool and have our defined payments through that. The amount of funds that the City will receive are not significant; the total payments range from \$14,000 over ten years or \$6,000 over seven years. The City will put those funds toward how those drugs have affected us. Most of those uses are related to public safety in terms of education or responding to the offense related to that. He recommended approval of the resolution.

Councilmember Gottschall hoped that with the next round of settlements we can work on making Hope Not Handcuffs a little more well known. He suggested hanging a large sign in the lobby of the Police Station. That was where the money was coming from, especially now with fentanyl going through the communities. There have been many fentanyl busts that have made the news in Michigan. He thought if we could do our best to make this a little more publicized with this money and any future funds, it would be helpful. We still have people who have addictions and underlying mental health issues in the City. Our former Police Chief Moore did a great job of getting this started but he thought we had a bit to do.

Councilmember Gronlund-Fox agreed with Councilmember Gottschall. She said she hasn't seen any type of proposal or anything come before Council regarding any of the monies that we have gotten in the past as far as what that was earmarked for. Ms. Stamper stated that we did receive a payment from the first settlement of approximately \$14,000. Those have to be set up in a separate fund. We are working to determine the usages for that money. That will be set aside for specific purposes. These funds will be added to this money. Councilmember Gronlund-Fox said she would like to see community education, maybe something in the schools, and whatever else is deemed by the professionals.

Vote:

Motion Carried

5.) Recommendation to Adopt the Resolution of Support for the West End Commons Area Project in the Wixom Downtown Development Authority and Congressionally Directed Spending Funding Request for the Project

CM-03-50-23: Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Smiley to adopt the following resolution of support for the West End Commons Area Project in the Wixom Downtown Development Authority and congressionally directed spending funding request for the project:

RESOLUTION SUPPORTING THE WEST END COMMONS AREA AND THE CONGRESSIONALLY DIRECTED SPENDING REQUEST FOR FUNDING

WHEREAS, the City of Wixom owns unimproved, vacant property at the west end of Downtown Wixom, bordered by Pontiac Trail to the north, the Klebba Public Parking lot to the east, Wainstock Street to the south and Old Wixom Road to the West; and

WHEREAS, the property has proven difficult to develop for the City over time; and

WHEREAS, the City and the Wixom Downtown Development Authority (DDA) have collaboratively partnered to develop exciting plans to create the West End Commons Area on the vacant property, said plans including renderings showing amenities and improvements including a pergola, a giant chess board, a bocce ball court, attractive seating areas and landscaping; and

WHEREAS, these improvements will create a welcoming and accessible public space for residents of Wixom, visitors and customers of Downtown Wixom to repeatedly visit and enjoy; and

WHEREAS, the West End Commons Area will serve as an attraction for Downtown Wixom, attracting people to Downtown Wixom businesses from the adjacent Michigan Air Line Trail, a recreational, non-motorized pathway, and from the surrounding community thereby enhancing economic development, the DDA, the DDA's Social District and Downtown Wixom as well as the quality of life for the community; and

WHEREAS, the City of Wixom submitted the West End Commons Area Project for Congressionally Directed Spending Funding through the Office of Congresswoman Haley Stevens for the amount of \$738,400 and the Project has been selected as a finalist for funding by Congresswoman Stevens;

NOW THEREFORE, IT IS RESOLVED THAT:

5. The City of Wixom fully supports the West End Commons Area Project and the Congressionally Directed Spending Funding Request submitted to Congresswoman Haley Stevens.

6. The City of Wixom stands ready to proceed with the Project immediately upon notification of funding award.

7. The City of Wixom stands ready to ensure the local match of \$184,600 for the Project is met.

8. The City of Wixom authorizes City Manager Steven Brown to represent the City as the Project proceeds.

Mr. Benson stated this is a City-owned piece of property along Old Wixom Road and Pontiac Trail that used to be a portion of the original Wixom Road. It is undevelopable because of the presence of an 18-inch sewer main. The DDA has taken more of an interest in what to do with that piece of property given that private development is unlikely there. They have allocated funds and have been working with Carlisle Wortman and Associates to have some renderings done and some preliminary budget estimates for what could happen. Ultimately, it would be the City's decision of what happens there. In the meantime, the federal government, the House of Representatives and the Senate have revived congressionally directed spending which are opportunities for different organizations, municipalities, states, etc. to submit projects and request funding for them. Three weeks ago, Congresswoman Haley Stevens' office sent out a notice

that they were accepting submissions and City management submitted a variety of projects, including Beck Road, a project for Gunnar Metalla, as well as the West End Common Area. Congresswoman Stevens' office seemed to really like this project as it met a lot of their priorities so they indicated this project has moved to the next step in the review process. The request was to gather those pieces of community support to demonstrate there was support for a project like this. There was also support for funding to be allocated to this. He noted that the congressionally directed spending opportunity would be an 80-20% contribution to the project. This is estimated to be a \$923,000, project; the federal government would contribute nearly \$740,000 and the City/DDA would be responsible for the remaining \$183,000. It is a seemingly positive opportunity for a difficult site. The DDA approved a similar resolution in support of this project this morning. If the Council was in support of this project, he requested the approval a non-binding resolution of support. This does not commit us to any funding. He added that congressional directed spending is a political process. Making it this far is not a guarantee of success. He thought we had a 50-50% chance of this being successful. He emphasized that this was not a commitment and the Council still had the final decision.

Deputy Mayor Rzeznik said that in talking with our lobbyist last week, he understood that the House of Representatives had a much lower threshold than the Senate. This fits very nicely in the threshold for the House of Representatives congressionally directed spending. Mr. Benson said that was correct. The more expensive projects, primarily related to Beck Road, have gone through our Senator's Office because of the higher threshold.

Councilmember Gronlund-Fox confirmed that the DDA has committed to the local match. Mr. Benson said that was correct. He indicated that the DDA made a motion to allocate \$200,000 in their budget for next fiscal year to cover that payment.

Vote:

Motion Carried

CALL TO THE PUBLIC:

Russ Meredith, 378 Fletcher and current Chair of the DDA Board, thanked the Council for their support of the West End Commons area. The Board thought that would create a very welcoming and attractive area for people coming into Wixom, as well as for our residents to enjoy an evening out. He also thanked them for their thoughtful and informative discussion on amending the size of residences in the Village Center Area.

CITY MANAGER COMMENTS:

Mr. Benson said from the City Manager's Update, there was a shout-out to Officer Spring, the Wixom Police Department and Chief Langmeyer who received an outstanding thank you email from a citizen who had an interaction with our Police Department. It is always appreciated when folks in the community take the time to express when they have a positive interaction with the Wixom Police Department.

The second thing he mentioned was that April was a busy month for hiring people as there were a number of work anniversaries. Ms. Magee was hired on April 8th 25 years ago. City Manager Brown and Assistant City Manager Benson were both hired in April. The last thing he said was that we have had ongoing discussions with City Council about responding to the electricity issues with DTE. We have created a new online survey tool to gather responses from members of the Wixom community to better compile data. We have received over 100 responses and we are in the process of setting up a meeting with DTE representatives.

Mayor Beagle said that Officer Spring was one of the officers that started with our Cadet Program. It was awesome to see something like this to confirm we are making the right choice with this Program.

COUNCIL COMMENTS:

Councilmember Sharpe had no comments.

Councilmember Smiley wished those celebrating their work anniversary a happy one, including Mr. Benson and Ms. Magee. He offered his condolences to Officer Andy Tabor on the passing of his mother and to SAFEbuilt's Daryl Hunt on the passing of his father. He wished everyone a happy Easter and Passover.

Councilmember Behrmann echoed the comments regarding our employees and their longevity. Clearly, we are doing something right if Ms. Magee is going to stick out 25 years with us. He appreciated every single one of our employees who have been with us for the longevity.

Councilmember Gronlund-Fox thanked all those employees celebrating their work anniversaries and congratulated them. Great job on the excellent customer service to Chief Langmeyer and Officer Spring.

Councilmember Gottschall shared his condolences with Officer Tabor and Daryl Hunt on their recent losses. Looking at the West End Commons plans, he never played bocce ball and he was not sure about the upkeep of the bocce ball playing surface. In Farmington, their downtown park has cornhole boards set up. That might be an easier go of things than bocce ball. A while ago, he suggested to the City Manager that we set something like that up at Sibley Park before a concert.

Deputy Mayor Rzeznik offered his condolences to Officer Andy Tabor and Daryl Hunt. He attended State Representative Ann Bollin's coffee this week. A lot of the discussion revolved around DTE, the grid and our energy issues here in the City of Wixom. We also discussed the railroad and having some ability to find out what was rolling down our tracks or if something dangerous was going to be coming through our City. She did assure us that they are having some working committee discussions so it has been raised to the State level. He thought we had gotten somebody's attention.

Mayor Beagle passed on his condolences to the family of Daryl Hunt and the family of Andy Tabor for their losses. He congratulated all of the employees who were celebrating work anniversaries.

ADJOURNMENT:

The meeting was adjourned at 8:15 p.m.

Catherine Buck
City Clerk

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| Approved 4-11-2023 |
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