

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
REGULAR CITY COUNCIL MEETING MINUTES  
TUESDAY, APRIL 11, 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-04-51-23:** Moved and seconded by Councilmembers Gronlund-Fox and Behrmann to approve the Goal Setting meeting minutes of March 22, 2023.

**Vote:**

**Motion Carried**

**CM-04-52-23:** Moved and seconded by Councilmember Smiley and Deputy Mayor Rzeznik to approve the Regular City Council meeting minutes of March 28, 2023.

**Vote:**

**Motion Carried**

**CORRESPONDENCE:** (None)

**CALL TO THE PUBLIC:**

There were no comments made at this time.

**CITY MANAGER REPORTS:**

**1.) Fire Monthly Report – February 2023**

Deputy Mayor Rzeznik noticed the change in Hazardous Condition went from 1 last February to 23 this February and he wondered why. Chief Geistler explained that was due to all of the weather-related calls.

Councilmember Behrmann said that the training tower behind the Fire Station had caution tape around it and he wondered why. Chief Geistler explained that was just to keep people off the ladder on that building.

**2.) Police Monthly Report – February 2023**

Mayor Beagle indicated that Fraud, Forgery, Embezzlement jumped to 13 during February. Chief Langmeyer said that he looked at each one of those cases. Many were credit card scams and he noted that there were charges pending on three right now.

**CONSENT AGENDA:**

**CM-04-53-23:** Motion and seconded made by Councilmembers Gronlund-Fox and Smiley to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
  - a.) Senior Citizen Commission Minutes – December 12, 2022
  - b.) Planning Commission Minutes - February 22, 2023
  - c.) Library Board Minutes – February 27, 2023

**Vote:**

**Motion Carried**

**UNFINISHED BUSINESS:**

- 1.) **Recommendation to Approve the Enactment and Adoption 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-04-54-23:** Moved and seconded by Deputy Mayor Rzeznik and Councilmember Gronlund-Fox to approve the enactment and adoption 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 stated that this Ordinance was introduced at the last meeting. There were significant changes as it became a rewrite of the ordinance. At the last meeting, the Council voted to change the minimum sizes. With those changes, we can move forward with publishing the zoning map and the updated ordinance.

Councilmember Gottschall asked where we would see mixed-use going in as it related to the low-density area and the mixed unit minimum size requirement. Mr. Benson said mixed-use wasn't a possibility in the low-density district. The primary uses would be single-family or attached single-family in the low-density area. He did not anticipate any mixed-use there. There was one 13-acre parcel that could be combined but those will likely end up being single-family or attached single-family. Councilmember Gottschall asked if there was a point where we would allow mixed-use in the low-density area. Mr. Benson replied that mixed-use was permitted in the transitional area and the core area. Councilmember Gottschall mentioned that the minimum square feet were noted for the transitional area and the core area but not the low-density area. Mr. Benson stated that this was covered on page 23, #7.

**Vote:**

**Motion Carried**

**NEW BUSINESS:****1.) Submittal of the City Manager's Proposed Fiscal Year 2023-2024 Budget and Setting May 23, 2023 as the Date of the Public Hearing Regarding the Budget**

**CM-04-55-23:** Motion and seconded made by Councilmembers Smiley and Gronlund-Fox to accept the submittal of the City Manager's Proposed Fiscal Year 2023-2024 Budget and set May 23, 2023 as the date of the Public Hearing regarding the budget.

Ms. Stamper presented a slide show with the highlights of the budgets that were delivered to the Councilmembers. She started by saying that the taxable values were estimated to increase 9.45%, consisting of Residential (+ 9.23%), Commercial and Industrial (+ 15.77%), Personal (- 8.26%) and Industrial Facility Tax (-4.450%). The Industrial Manufacturing Personal Property completely phased out from the tax roll. It was estimated that the General Fund will receive \$320,000 in reimbursement from the Local Community Stabilization Fund. Our taxable value went from approximately \$895 million to almost \$980 million, or a 9.45% increase. The City millage rate was proposed at 11.8821, reflecting no change from last fiscal year. Compared to millage rates provided by Oakland County Equalization for the 31 cities in Oakland County, our proposed millage rate is the 7<sup>th</sup> lowest, with those millage rates ranging from 8.3540 to 34.5157.

The proposed Fiscal Year 2023-2024 Revenue increased by \$719,213 or 5.19% compared to the estimated actual Fiscal Year 2022-2023. She summarized the percentage of revenue by categories. The State Shared Revenue was estimated to increase \$17,548 when compared to the actual estimated amount to be received in Fiscal Year 2022-2023.

The proposed Fiscal Year 2023-2024 Expenditures decreased by \$2,704,548 or 15.70% compared to the Fiscal Year 2022-02023 budget. The most significant factor for this difference was special project contributions decreasing \$3,597,000 in Fiscal Year 2023-2024. She reviewed some of the various budgets that showed significant changes during this next fiscal year.

This budget provides funding for the City's normal cost of Other Post Employment Benefit (OPEB) in the amount of \$79,435 and Pension in the amount of \$178,944, along with a Pension Amortization payment of \$91,032. The bonding process for unfunded liabilities was completed in August 2018 and bond payment activity was included in two separate departments within the General Fund. The General Fund reflects an estimated balance at the close of Fiscal Year 2023-2024 of \$5,460,458 or 37.6%. New development/construction in the DDA resulted in an increase to the captured taxes within the district, so the DDA capture continues to cover the annual DDA Debt payment. The proposed General Fund budget also reflects revenue from the DDA in the amount of \$248,175 for the cost of services provided by the City along with funding for one additional full-time DPW Equipment Operator.

The Budget Stabilization Fund reflects an estimated balance at the close of Fiscal Year 2023-2024 of \$1,317,174 or 9.07%. Permanent full-time positions increased to 62 employees from 56 employees in Fiscal Year 2022-2023. Our population and infrastructure growth have a direct impact on demand for City services.

The Solid Waste Collection and Recycling Fee will be set at \$167, an increase of \$2, and will be assessed on the summer tax bill. There will be no increase on our Water and Sewer rates for our customers.

This budget includes a Ten-Year Capital Improvement Plan (CIP) contribution in the amount of \$1,020,000 along with an additional contribution of \$300,000 to fund information systems network upgrades and dark fiber for remote sites to improve connectivity. The annual CIP expenditure varies from year to year while the annual contribution is averaged over the ten-year period. This year that results in the contribution being less than the expenditures.

The Major Road Improvements of \$1,592,900 include the completion of West Maple Road, Beck Road widening easement documents, road and drainage repairs and pavement management. Also included are contributions to Tri-Party Projects including Wixom Road maintenance, Grand River from Napier to Wixom Road and Pontiac Trail culvert replacement. Local Road Improvements of \$2,141,500 are slated for pavement management and preservation, general repairs, Loon Lake Road, Palmer, Hopkins, Courts of Highgate and Cliffs of Loon Lake. Safety Path Improvements of \$1,486,240 are for Wixom Road North of Potter to Palmer Drive, Wixom Road South of Pontiac Trail, Downtown Sidewalk Project, 12 Mile and various maintenance projects. Wastewater Improvements of \$4,671,305 include the clarifier recoat and install, solids handling, roof replacement, collection systems modifications, sewer/manhole repairs, aerators and various system upgrades. Water Improvements of \$200,050 are for meter replacement, hydrant retrofit, system control/monitoring system, general repairs and replacement as needed.

Mayor Beagle noted that we are not raising our water and wastewater rates because of our healthy cash reserve. In years past, we never did that and we got ourselves into trouble. He asked if we shouldn't worry about that this year. Ms. Stamper replied no, not at all. We did the complete rate study and it was suggested that our tax reserves are healthy. We don't want to keep too high of cash reserves in the utility systems because it was not the right thing to do. We will see where we go next year, but we are in good shape with our utilities.

In regard to the Litigation and Appeals, Deputy Mayor Rzeznik asked if all bargaining contracts were set to expire the same year. Mr. Brown replied that all but the Fire Contract would be expiring.

Councilmember Gronlund-Fox asked if there was a recommended percentage for our Budget Stabilization Fund. Ms. Stamper explained that the Budget Stabilization was technically treated as the General Fund. We are able to keep it in a separate account, but when the audit is done and the financial statements are issued, that is combined with the General Fund. From a financial standpoint, it is viewed as

General Operating Funds. She indicated that into the 40% range was considered high, but acceptable. Communities should have at least 15-20% as the low end of total expenditures.

Councilmember Sharpe said that we had talked previously about favorable interest rates and he asked if that was included in Operating Revenue. Ms. Stamper said that would fall under the Miscellaneous Income. He said he kept bringing up the \$3 million from last year, but this year, it looks balanced. He knew we would get into the details next week, but it looked good.

Councilmember Smiley asked what was the highest Budget Stabilization Fund we have had. Ms. Stamper couldn't recall but volunteered to bring that number back next week during the Budget Study Session.

Councilmember Behrmann asked when the next contract was up with GLWA, since we were not increasing water and sewer rate increases. Mr. Sikma said that there were still four more years left on that contract. Councilmember Behrmann confirmed that our charges with them would not be changing. Mr. Sikma explained that their rates cannot go up any more than 4% each year. When we do the rate study, that was actually put into that study. It shows the increase and that was looked at to make sure we are able to makes these decisions.

**Vote:**

**Motion Carried**

**2.) Recommendation to Adopt a Resolution of Support for Michigan House Bill 5054 and to Request the Legislature of the State of Michigan to Provide Pension Relief Grants for Communities with Funding Ratios Above 60% in the 2023 State Budget**

**CM-04-56-23:** Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Smiley to adopt the following resolution of support for Michigan House Bill 5054 and to request the legislature of the State of Michigan to provide pension relief grants for communities with funding ratios above 60% in the 2023 State Budget:

**RESOLUTION NO. 2023-06**

**REQUEST THAT LEGISLATURE/GOVERNOR INCLUDE FUNDING IN THE 2023 BUDGET FOR COMMUNITIES FOLLOWING PENSION BEST PRACTICES ESTABLISHED BY THE STATE**

**WHEREAS**, the City of Wixom has taken financially difficult steps to stabilize its post-employment benefit programs and get its pension costs and liabilities under control, including the issuance of Bonds in the amount of \$15,430,000 to address pension obligations, and Bonds in the amount of \$6,445,000 to address retiree healthcare; and

**WHEREAS**, these steps followed best practices established by the State of Michigan which helped keep the City of Wixom operationally viable in the face of enormous financial pressure and which resulted in better funding of pension and Other Post-Employment Benefits (OPEB) liabilities; and

**WHEREAS**, HB 5054 of 2022 would have divided \$250 million between Wixom and other communities like it that made the tough decisions and followed those best practices; and

**WHEREAS**, the City of Wixom, and others like it are ineligible for \$750 million in pension relief allocated by the State in 2022 despite experiencing the same pension-related financial stresses as those who will receive that relief; and

**WHEREAS**, these stresses have been amplified by market losses in 2022 and a volatile market in 2023; and

**WHEREAS**, this \$250 million would have immeasurable impact on our ability to address our pension liabilities, maintain employment levels, and provide the services our taxpayers depend upon; and

**WHEREAS**, both the \$750 million allocated and the \$250 million requested here had broad, bipartisan support in the House a year ago; and

**WHEREAS**, HB 5054 created an equitable balance between those with pensions the House considered substantially underfunded and those who had followed best practices to achieve a higher funding ratio; and

**WHEREAS**, unallocated revenues are available to the State in 2023 to again make this pension assistance equitable by helping those communities struggling with pension costs, but ineligible for the \$750 million;

**NOW THEREFORE, IT IS RESOLVED THAT**, the City Council of the City of Wixom asks the State of Michigan Legislature and Governor's Office to revisit HB 5054; and

**BE IT FURTHER RESOLVED**, that the Legislature and Governor give bipartisan support to the inclusion of the \$250 million in the 2023 State budget to be divided between communities including the City of Wixom that followed best practices and achieved higher pension and OPEB funding ratios.

Mr. Brown explained that this story started to break on the City Manager's Listserv and it was getting heavy discussion. House Bill 5054 had two sets of monies that were going to be involved - \$750 million for pension funds that were perceived to be underfunded at 60% or less and an added funding source of \$250 million that would be provided to help cover the cost for communities that were funded at 60+%. The funding source for the \$250 million, or 60+% communities, ended up on the floor when the Bill was dropped. Instead it was going to be included in the State budget. They included the \$750 million but they did not include the \$250 million. Wixom was one of the communities with a 60+% funding amount on our pension obligations, as well as our OPEB obligations. That was because we took some difficult steps and decided to make sacrifices in other areas to bond for our pension obligations and OPEB obligations. He indicated that many felt that was not fair nor appropriate to drop that \$250 million so they came up with an approach to lobby for that to be put into the State's budget. He was asking the City Council to adopt a resolution in support of the State adding that \$250 million back into the State budget allowing for communities that made other sacrifices to put themselves in a better financial position to have that \$250 million funding be allocated among the communities. We will be providing letters to State Senators, State Representatives and the Governor's Office to communicate why we are doing this.

Deputy Mayor Rzeznik remembered the days in 2008 and 2009 when we had these discussions with Joe Heffernan during the audit. The best thing to do at that time was to bond. He remembered hearing stories of all the communities who were 0% funded at that time. He strongly supported this. It was a shame it got overlooked. He said he would even go to Lansing.

Councilmember Smiley also supported this resolution and was glad Mr. Brown was on top of this. He wondered how much weight we would have. Mr. Benson thought there were approximately 40 communities involved in this. Councilmember Smiley said he would be meeting with our Representative next week and would mention this to her.

Councilmember Gottschall thought Wixom would benefit the most under the additional uses of this where we can make principal payments on the bonds that we did issue to help cover this or use it to meet matching fund requirements for infrastructure investments. He asked if that would help us best. We are already significantly invested and funded. We won't need that much more to hit the 100% mark. It looked like there was a 5% cap for municipalities on the total. Mr. Benson said that now they are using a different process to move this money forward. He couldn't guarantee what we would be eligible to use it for, but Councilmember Gottschall had mentioned most of the things that we would look at. He indicated that the City can be over 100% funded. At a minimum, the option would be to put that money toward it to get over 100%.

Mr. Brown stated that the additional contributions may be deferred. The language in the bill could be a little bit of a guidance for us but we can't say what the ultimate guidance would be when it comes from the State.

Councilmember Gottschall said that he thought it was important if we are advocating that Bill be voted on again that all those still be in there. He thought the City would benefit by using the funds in another manner in some cases. He knew getting above 100% funded was nice, but when he did the math, \$15 million would be our portion. He didn't think we would need to pour that much into the benefits when we have the roads and other things that need attention.

Councilmember Gronlund-Fox wondered, if the Bill was successful, if the intent was to put some of that money toward our regular pension. We have the bond payment and the normal cost. Mr. Brown said it would be subject to the State's guidance. Mr. Benson added that the downside of doing the pension bond was that there were interest payments associated with that. He thought that would be one of the key areas we would look to offset since that was the cost to the City of dealing with our situation. We would push to make that allowable.

**Vote:**

**Motion Carried**

**3.) Recommendation to Approve Amendments to Two Intergovernmental Lockup Services Agreements for One Year Each with the Village of Wolverine Lake and the City of Walled Lake and Authorize Mayor Patrick Beagle to Sign the Amendments**

**CM-04-57-23:** Motion and seconded made by Councilmembers Gottschall and Gronlund-Fox to approve amendments to two Intergovernmental Lockup Services Agreements for one year each with the Village of Wolverine Lake and the City of Walled Lake and authorize Mayor Patrick Beagle to sign the amendments.

Chief Langmeyer indicated that this was an amendment with the Village of Wolverine Lake and the City of Walled Lake for lockup services for one year. This year's fee reflects an increase of 4% over last year's fee. Both communities were in agreement with this rate.

Mayor Beagle asked if there was a reason for a one-year agreement. Chief Langmeyer said that the only reason this was a one-year agreement was because of contract negotiations coming up. He was hopeful that he could come to the Council with a three-year agreement next year.

**Vote:**

**Motion Carried**

**4.) Recommendation to Approve an Amendment to the Intergovernmental Police Records Management Services Agreement for One Year with the Village of Wolverine Lake and Authorize Mayor Patrick Beagle to Sign the Amendment**

**CM-04-58-23:** Motion and seconded made by Councilmembers Gottschall and Behrmann to approve an amendment to the Intergovernmental Police Records Management Services Agreement for one year with the Village of Wolverine Lake and authorize Mayor Patrick Beagle to sign the amendment.

Chief Langmeyer said we provide records management services to the Village of Wolverine Lake. This fee reflects an increase of 3% based on our costs and they have agreed to this increase.

Councilmember Sharpe assumed the reason we did this for them was because they don't have the staff to do this. Apparently, we don't either because we are going to add staff to cover these types of things. He asked if we shouldn't tell them to do their own and we wouldn't have to add staff to our Department. Chief Langmeyer replied that the services we were providing were very specialized. The staff is still working on our records and the small amount of time we spend with Wolverine Lake is a great partnership. It keeps us working closely together. He wouldn't say that we would just tell them no and not have to hire a part-time person. These people are very specialized in what they do. Councilmember Sharpe understood. They are small departments, too, so to have a staff member for them would be very



expensive. It is great to be independent, but at some point, we need to be careful how much of our resources we are donating. This was something to think about.

**Vote:**

**Motion Carried**

**5.) Recommendation to Approve the Annual Downtown Flower Contract with Landscape Design & Associates, LLC of Brighton, Michigan in the Amount of \$46,289 from Downtown Flowers Account #248-729-956.016**

**CM-04-59-23:** Motion and seconded made by Councilmember Gronlund-Fox and Deputy Mayor Rzeznik to approve the annual downtown flower contract with Landscape Design & Associates, LLC of Brighton, Michigan in the amount of \$46,289 from Downtown Flowers Account #248-729-956.016 and authorize the Mayor to sign the contract.

Ms. Cloutier said this will be their third year working with Landscape Design and Associates. She said we are not adding any flower baskets; we will have the same number of baskets as we had last year. The price has increased due to labor costs and fuel. The majority of the cost was for the maintenance.

Councilmember Behrmann asked the color of this year's flowers. Ms. Cloutier said that they would be red, pink and white.

Councilmember Sharpe asked what we paid last year for the baskets. Ms. Cloutier replied that it was approximately \$39,000. Councilmember Sharpe figured that was a 17.9% increase. He said he supported this year's colors.

Ms. Cloutier noted that this was the only company that would provide the service of coming out every day to fertilize and water the baskets and they do a very good job.

Councilmember Gottschall said that we do have an additional DDA employee for the DPW in the next budget. He asked if that was something that person could help to do occasionally so the company was not coming out every day. Ms. Cloutier didn't think the DPW had the equipment. This company has a special truck with a barrel in the back filled with water.

Mr. Benson added that it was the tools we would need to do it and it was a two-man operation. We would have to look at two employees' hourly rate. He noted that we do have a full roster of activities that will be associated with that funding mechanism. It will not be a single employee who will be dedicated to the DDA, but that person's worth of time.

Councilmember Gottschall said he wasn't sure what that person's workload would be if that was approved. The hope would be that we could try to do more things in-

house to cut down on costs. We always talk about inflation being up. If we can do it ourselves, there is no inflation because our contracts are with our employees.

Mayor Beagle stated that this company was checking the brackets, deadheading the flowers, fertilizing and watering.

**Vote:**

**Motion Carried**

**6.) Recommendation to Consider Adoption of a Resolution to Place a Charter Amendment on the November 7, 2023 General Election Ballot to Amend the City Charter by Replacing Gender-Specific Terms with Gender-Neutral Terms**

**CM-04-60-23:** Motion and seconded made by Councilmembers Behrmann and Gottschall to adopt a resolution to place a Charter Amendment on the November 7, 2023 General Election Ballot to amend the City Charter by replacing gender-specific terms with gender-neutral terms.

Mr. Brown explained that at the direction of the City Council, the Attorney drafted ballot language to amend the current Charter by replacing gender specific terms with gender neutral terms throughout the entire Charter. He said that Attorney Debra Walling of Rosati, Schultz, Joppich and Amtsbuechler's Office was present to discuss this further.

Ms. Walling said her goal was to draft a ballot question with under 100 words but be concise and have it pass muster with both the Attorney General's Office and the Governor's Office. Council wanted the gender changes made throughout the Charter instead of using a single statement, so she asked they consider the effects. She indicated that the law required them to publish each scenario. For example, they would have to publish if one amendment passed but the three others did not or two passed and two did not, etc. For this reason, the Attorney General's Office strongly recommended the Council consider doing either the gender specific amendment or the other three at one time but not all four at one time because they would have to publish all the variations which was described as exponential. It was her understanding if they didn't provide all the scenarios, the ballot question may be denied by the Attorney General's Office or at the Governor's Office.

Councilmember Gottschall did not understand what they meant by providing all the exponential scenarios as it was a yes or no vote. He assumed that every person voting understood pass or fail.

Ms. Walling said the ballot questions would be four simple ballot questions; however, they would need to publish the full City Charter with all the various changes. Councilmember Gottschall asked where it had to be published. Ms. Walling believed it could be published online.

Councilmember Gottschall understood it would be a lot of pages but figured publishing online would become more of a cut and paste job and not an enormous

workload. He indicated they would publish what the Charter would look like if each proposal only was passed. He agreed it was cumbersome to publish each scenario; however, it wasn't cumbersome to make them available to everybody to read.

Mr. Brown did not understand the exponential aspect of it either. He did not understand where they had to explain if the first and fourth proposal passed, why they would have to publish a version that looked like that. He did not think that was logical or made any sense. He thought it made more sense to publish what the Charter would look like if each proposal passed.

Councilmember Behrmann understood the idea of inputting all the variations on the website and if that's what they wanted, they would make that happen. He would rather they take care of it all now.

Councilmember Smiley recognized that the Attorney General's Office would be okay if they were moved forward with the Charter amendments considering they were going to publish the sixteen or so variations.

Councilmember Sharpe asked if the term "manpower" should be addressed as it fell within the Charter. Mr. Brown believed that manpower was used in a different context and didn't believe it was an issue as far as this was concerned.

**Vote:**

**Motion Carried**

**7.) Recommendation to Consider Adoption of a Resolution to Place a Charter Amendment on the November 7, 2023 General Election Ballot to Amend Chapter 4.11.E. to Change the Term of Office for Appointees to Council Positions to the Unexpired Term of the Position**

**CM-04-61-23:** Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Sharpe to adopt a resolution to place a Charter Amendment on the November 7, 2023 General Election Ballot to amend Chapter 4.11.E. to change the term of office for appointees to Council positions to the unexpired term of the position.

Mr. Brown said the issue and the reason for this amendment was the Charter was worded in a way that created a gap between the Council appointees' term of office and the start of the newly elected Councilmember's term. The goal was to eliminate the gap by stating the Council appointees' term of office was the balance of the unexpired term.

Ms. Walling said the Attorney General's informal opinion was to shorten the official question to include "Shall this amendment be adopted?" instead of restating the question. If this was approved, she would make that change before it was submitted to the Attorney General.

**Vote:**

**Motion Carried**

**8.) Recommendation to Consider Adoption of a Resolution to Place a Charter Amendment on the November 7, 2023 General Election Ballot to Amend Chapter 4.11.E. to Require a Formal City Council Process for Appointments to City Council Positions**

**CM-04-62-23:** Motion and seconded made by Councilmembers Sharpe and Gronlund-Fox to adopt a resolution to place a Charter Amendment on the November 7, 2023 General Election Ballot to amend Chapter 4.11.E. to require a formal City Council process for appointments to City Council positions.

Mr. Brown said this section referred to Section 4.11.E. of the Charter. It was his understanding there was a desire for more specificity as to how the Council will fill a Council vacancy and the goal was to require a specific process to fill the vacancy.

Ms. Walling said the Attorney General’s informal opinion was to shorten the official question to include “Shall this amendment be adopted?” instead of restating the question. If this was approved, she would make that change before it was submitted to the Attorney General.

Councilmember Gottschall liked the wording the way it was as it would leave it open for the future City Councils to adopt the process for themselves, provided writing within the Charter that implemented some type of application process.

Mayor Beagle did not support this as he did not believe there was an issue with the way things had been done in regards to this matter.

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

Mr. Brown indicated that a three-fifths vote was required when it pertained to a Charter Amendment, so five of seven would have to vote affirmatively for it to pass.

**Vote:**

**Motion Failed**

**9.) Recommendation to Consider Adoption of a Resolution to Place a Charter Amendment on the November 7, 2023 General Election Ballot to Amend Chapter 6.11.B. to Allow City Officers to Be Paid on a Fee Basis**

**CM-04-63-23:** Motion and seconded made by Deputy Mayor Rzeznik and Councilmember Gronlund-Fox to adopt a resolution to place a Charter Amendment on the November 7, 2023 General Election Ballot to amend Chapter 6.11.B. to allow City Officers to be paid on a fee basis.

Mr. Brown said the City Charter prohibited paying officers on a fee basis; however, the City utilized non-full-time employees, i.e. planner and attorney, that must be

paid on a fee basis. The goal of this amendment was to allow payment of City officers on a fee basis consistent with the current practice.

Ms. Walling said the only question during the preliminary conversation with the Attorney General's Office regarding this ballot question pertained to the text within Section 6.11.B. of the Charter. They wondered if "part-time" should be inserted.

Councilmember Gottschall thought it should be amended to read any officer duties or positions being fulfilled by outside vendors could be paid on a fee basis. That way those in-house could not be paid on a fee basis. Perhaps it would be improved if it was clarified that way.

Ms. Walling suggested the language read, "officers that are not employees may be paid on a fee basis".

Councilmember Behrmann was confused as to what they wanted changed because this change was at the recommendation of the City Attorney. He was fine with whatever language the Attorney thought would make them follow their current practice.

Councilmember Gottschall confirmed that the wording could be changed to say, "no officer shall be paid on a fee basis unless the duties are provided through contractual service".

**Vote:**

**Motion Carried**

**CALL TO THE PUBLIC:**

Scott Peterson, 1425 Wren Street, was pleased to hear the Council was not going to increase the water and sewer rates because of excess money in the budget. Overall, he thought the Wixom residents would be happy to hear that. It seemed to him that there was more time spent on the gender-neutral terms in the Charter than the whole rest of the meeting. He asked if this was something the Council decided they wanted to look at for a specific reason. He asked if it was recommended that our Charter would cause a problem legally because we didn't have it gender-neutral. He thought that unless there was a problem with it legally, it seemed like a whole lot of complication to go through if it didn't have to be done and there was already a statement that if it was male-gender it was neutral. To him, it seemed like that was already covered. Councilmember Smiley said he was on the Charter Amendment Committee and he would be happy to explain it to Mr. Peterson after the meeting.

**CITY MANAGER COMMENTS:**

Mr. Brown said the Grand Opening of Phase 2 of the Michigan Air Line Trail would be held on Saturday, April 22<sup>nd</sup> at 11:00 a.m. and he invited all to attend. Phase 2 in Wixom runs from Wixom Road to Old Plank Road. Also, he said that a naming contest was taking place for the path which runs around the City Hall/Police Department and the Community Center/Library. The winner will receive a \$50 gift card for use in Downtown Wixom.

Mr. Benson had no further comments.

**COUNCIL COMMENTS:**

Mayor Beagle introduced Kayla Behrmann, daughter of Councilmember Peter Behrmann, who was here celebrating her 10<sup>th</sup> birthday. Kayla said that she learned a lot about her City.

**Councilmember Behrmann** appreciated the Council allowing his daughter to attend this meeting. He thought he might have created a problem, as his children all want to attend a Council meeting for their birthdays and he has five children. He thanked the staff for the great job they did with the Easter Egg Hunt. His children enjoyed it and there was a great turnout. He also thanked the DPW Department for taking care of his complaint a few meetings ago about Maple and Wixom Road. That corner looks a lot nicer.

**Councilmember Gottschall** said to answer the resident's question, since it isn't a secret, the Council put a few members on a Charter Amendment Committee to review the entire Charter and come up with things that needed general updating and things that had fallen out of practice. As the fee basis discussion went, right now we pay certain positions on a fee basis, like our City Attorney, because they are no longer in-house. The Charter states that we can't pay them on a fee basis, so that didn't match up. One of the things that became clear was he and him was used for every single thing, even when it referred to the Mayor. It didn't say the Mayor; it says "he shall sign". When we talk about homeowners and how we address them, it says, "he shall do this". This was written in 1987 and now women can run for Mayor or own their own homes. This was a change to make everything more current with the present in how we view things. It wasn't necessarily a legal issue where we were going to get sued. It just seemed outdated when you read it. The majority felt we should address this. It became more complicated tonight, but when we got started, it wasn't that complicated. Councilmember Gottschall said that his official name for the trail shall be Fountain Walk to confuse people. We will have a lot of people looking for Novi and that will be great for DDA businesses. He said he was driving down Potter Road to an appointment today and it was a rumble strip. We see that Loon Lake Road was proposed for the next fiscal year in the budget. He didn't think Potter Road had another three or four years left in certain sections. One thing that has come up is the road funding and we just voted on a few things for the November ballot. He would hope we could really have a discussion and potentially vote on a ballot question to adjust our current road millage. We cannot waste any more time. When we look at our roads, we can't keep up with funding. Then we have projects like Maple Road coming in nearly 50% more than we budgeted. That eats into next year's projects. We have to get ahead of this. Letting the opportunity of the November election slide by again really hurts the City. We talked in our Goal Setting Session about rebranding the City. He said that curb appeal sells the most. When people pull into Wixom, we don't need a bright sign when the roads announce it for us right now. He thought it would really behoove Council and Administration to have a full discussion and vote before the deadline for ballot questions. His final comment was his disappointment with the

one failed amendment tonight. He knew some people changed their vote, which everyone was able to do. In previous discussions regarding ballot proposals, it has been thrown out that we should let the voters decide. That wasn't applied tonight and he had an issue with that. He would hope that members who voted no would motion to reconsider at a later time. He thought it was disappointing that there were Councilmembers that want to continue the current process of Council not getting information depending on who was running the show. He said this was not a comment regarding the current Mayor at all, but the Councilmembers are not given a list of qualified applicants. Councilmembers did not know who was interested in the position and can't discuss them. He genuinely believed that every single person who was qualified and interested should be considered. Tonight's no votes robbed everyone of that. That was a big disappointment to him, especially when he voted in good faith yes to put questions in front of voters before, whether he liked them or not, and it was not taken both ways.

**Councilmember Gronlund-Fox** had no comments.

**Councilmember Sharpe** wanted to second several of Councilmember Gottschall's comments, especially regarding the surprise of defeat of one of the amendments. It was certainly different than what was discussed a few weeks ago. He didn't really understand the change of heart of some Councilmembers.

**Councilmember Smiley** wondered who would be judging the naming of the Civic Center loop. He wished Kayla Behrmann a happy birthday and thanked her for joining the Council tonight. We have our homework and he couldn't wait to dig into the budget to get ready for next Tuesday.

**Deputy Mayor Rzeznik** said that in regard to the defeat of the one ballot change proposal, the current Charter does say by the majority of the remaining members of Council, so he thought that we had significant coverage for those sorts of situations. We still have the coverage for the gender neutrality and it sounded like that caused a lot of confusion at the State. He was glad the Attorney brought back those comments from Mr. Elworth. He said he noticed a lot of people using the Civic Center loop. A lot of people were walking their dogs and he wondered if we put dog waste bag stations anywhere along the loop. It might not be a bad idea. Warm weather is on us now, so be very cognizant of the crosswalks and cyclists.

**Mayor Beagle** thanked the Parks and Recreation staff for another great Easter Egg Hunt. It sold out quickly and everyone had a great time. He said he was looking forward to hitting the budget.

**ADJOURNMENT:**

The meeting was adjourned at 9:16 p.m.

Catherine Buck  
City Clerk

Approved 4-25-2023
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