

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, AUGUST 22, 2023**

Deputy Mayor Rzeznik called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Present:

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

AGENDA CHANGES: (None)

MINUTES:

CM-08-122-23: Moved and seconded by Councilmembers Behrmann and Gottschall to approve the Special Study Session minutes of August 8, 2023.

Vote:

Motion Carried

CM-08-123-23: Moved and seconded by Councilmembers Behrmann and Smiley to approve the Regular City Council meeting minutes of August 8, 2023.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC:

There were no public comments at this time.

CITY MANAGER'S REPORTS:

1.) Departmental Monthly Report – July 2023

Councilmember Sharpe noticed on the overtime report that there was noxious weed mowing. He wondered if we were charging back that fee to the property owners. Mr. Sikma replied yes. The property owner is charged for the equipment and the time. It averages \$100-\$150 per mowing, while some of the industrial properties can cost up to \$500 per mowing.

Councilmember Sharpe asked if the DPW work was complete for the disc golf course and we just needed contracts for the concrete and tee-off pads. Mr. Sikma said that we do have woodchips that we are putting down on the south end. We are not sure of the exact location of the concrete pads. Once we narrow that down, we

anticipate we will use our sidewalk contractor for that work. We hope to get that in this fall.

Councilmember Sharpe asked if the bids were out for the pickleball courts at Gunnar Mettala Park. Mr. Sikma replied that the bids were out now and due on August 31st. He hoped to bring that to Council soon.

Deputy Mayor Rzeznik wondered about the PFAS for Tribar. Mr. John said that we had just done a mandatory sampling where we require the companies to use our lab. The data arrived a little after this report was prepared. He noted that the June samplings were less than 1.9 for Plant 4 and less than 2.0 for Plant 5. This was consistent with the April and May readings.

CONSENT AGENDA:

CM-08-124-23: Moved and seconded by Councilmembers Smiley and Sharpe to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
 - a.) Planning Commission Minutes – July 17, 2023
 - b.) Zoning Board of Appeals Minutes – April 10, 2023
- 2.) Recommendation to Approve Opting-in to the Walgreens National Opioid Litigation Settlement, Adopt the Associated Resolution and Designate City Manager Steven Brown as the Authorized Signer for the Settlement Processes
- 3.) Recommendation to Accept a Water Main Easement Granted by Concord WP Col Wixom LLC (Woodspring Hotel), Located at 49850 Grand River, for One Dollar

Vote:

Motion Carried

UNFINISHED BUSINESS:

- 1.) **Recommendation to Accept a Permanent Road Easement Along Beck Road Granted by the Property Owner at 29201 Beck Road for the Future Beck Road Project for a Total Cost of \$21,175 to be Paid from Account #250-551-971.000**

CM-08-125-23: Moved and seconded made by Councilmembers Sharpe and Behrmann to accept a permanent road easement along Beck Road granted by the property owner at 29201 Beck Road for the future Beck Road Project for a total cost of \$21,175 to be paid from account #250-551-971.000

Mr. Sikma stated that he did a little more research on the \$4,300 that we had offered the property owner for the easement. That covered the 3 parking spaces that are currently paved. A question was raised during the negotiations as to how they would ingress and egress that property. Because of the traffic patterns on Beck Road, they need to approach Beck Road in a forward motion so they needed a turnaround area. Additionally, when we accept a portion of easement, we need to

offer them another area for parking. We are not offering the parking, but the payment of the asphalt for that parking. He said it was fair and equitable.

Councilmember Gottschall noted that the report indicated the paving was nearing the end of its life, and paying for new asphalt offset any bonus the old parking spaces may have provided. He wondered if they were saying \$4,300 was not the bonus for us taking a portion of that pad. Mr. Sikma said that was simply for the cost of replacement for the pad that we are taking. It was not a replacement in-kind. Councilmember Gottschall said that we are paying for new pavement and that was a 50-year old crumbled pavement situation. Mr. Sikma stated if it was existing, we need to replace it and we would have to replace it with new. The asphalt alone was half of that but with installation, it seemed fair. He said that it needed to follow the MDOT standards and we are trying not to draw attention when we are accepting grant opportunities in the future. Councilmember Gottschall said he was probably still a no on this. Before we approach the property owners, he thought we needed to be reevaluating what is done. This was a question after the fact. It would be very difficult to go back to the property owner and say we were going to pay them less. He thought we needed to dig into these kinds of things. For the other one on tonight's agenda, we are taking fence and signs which are actual improvements. They haven't touched that asphalt for decades. It could have been we were not going to pay them for that because they are not losing anything. It was actually an opportunity to gain because it was less for them to maintain. He hoped we could start working this to our advantage to get rid of blight. We could be telling them we would compensate for this, but you need to get your whole driveway redone because it is a form of blight.

Councilmember Sharpe said he supported the motion and thought we had bigger fish to fry along Beck Road. For his education, he asked if the owner could take the \$4,300 and do whatever they wanted with that money. Mr. Sikma said that was correct.

**Roll Call Vote: AYES (4) Behrmann, Rzeznik, Sharpe, Smiley
NAYS (1) Gottschall
ABSENT (2) Beagle, Gronlund-Fox**

Motion Carried

NEW BUSINESS:

- 1.) Recommendation to Approve the Purchase, Installation, Storage and Maintenance of Holiday Lights from Christmas Décor of Wixom, MI at a Cost of \$16,200 Per Year for Three Years from the Downtown Development Authority Downtown Dazzle Account #248-729-956.013**

CM-08-126-23: Moved and seconded made by Councilmembers Behrmann and Smiley to approve the purchase, installation, storage and maintenance of holiday lights from Christmas Décor of Wixom, MI at a cost of \$16,200 per year for three years from the Downtown Development Authority Downtown Dazzle Account #248-729-956.013.

Ms. Cloutier explained that the DDA used Christmas Décor last year because the previous company couldn't do it at the last minute. She did receive one other quote from a company in Bloomfield Township but it was \$19,000 just for one year. She said Christmas Décor was in Wixom and they would service the lights if needed. They will also store the lights and buy any new lights necessary.

Councilmember Behrmann remembered the contract with the last company said we owned the lights. He asked if we ever got those back and Ms. Cloutier replied yes. She said that the last company we used tore the lights off the trees and broke a lot of the lines. Christmas Décor replaced them.

Councilmember Sharpe asked when the lights would be turned on this season. Ms. Cloutier said that she would instruct them to be turned on the night before Thanksgiving. Councilmember Sharpe said he could support that.

Deputy Mayor Rzeknik knew that we have had heavy wind storms the last couple of years and strings were blowing in the breeze. He asked if this included rehanging if necessary and Ms. Cloutier replied yes.

Vote:

Motion Carried

2.) Recommendation to Authorize the Retention of Plante & Moran, PLLC of Detroit, Michigan as the City's Auditors for a One-Year Period Covering the Regular Audit of Fiscal Year 2022-2023 at a Cost Not to Exceed \$70,800 and an Alternative CSLFRF Compliance Examination at a Cost Not to Exceed \$15,000 and Approve the Related Budget Amendment

CM-08-127-23: Moved and seconded made by Councilmembers Smiley and Sharpe to authorize the retention of Plante & Moran, PLLC of Detroit, Michigan as the City's auditors for a one-year period covering the regular audit of fiscal year 2022-2023 at a cost not to exceed \$70,800 and an alternative CSLFRF Compliance Examination at a cost not to exceed \$15,000 and approve the related budget amendment.

Ms. Stamper indicated that this was our standard annual request to retain the services of Plante & Moran for the previous fiscal year's audit. In addition, we will also have a CSLFRF examination which you would see if your federal funding exceeds \$750,000. The ARPA funding that we utilized during this past fiscal year exceeded that dollar amount. The \$15,000 was to be allocated from the Wastewater fund because that was the fund that benefited.

Vote:

Motion Carried

3.) Recommendation to Accept Hubbell, Roth & Clark's Proposals for Design Engineering Services for a Sidewalk Improvement Project along the North Side of 12 Mile Road between Napier Road and Helper Boulevard for a Total not to Exceed \$20,280; a Sidewalk Improvement Project along the North Side of Pontiac Trail between Chambers and Wixom Road for a Total not to Exceed \$28,590; and for the West End Commons Area for a Total not to Exceed \$40,110 and Approve the Associated Budget Amendments

CM-08-128-23: Moved and seconded by Councilmembers Smiley and Sharpe to accept Hubbell, Roth & Clark's proposals for design engineering services for a sidewalk improvement project along the north side of 12 Mile Road between Napier Road and Helper Boulevard for a total not to exceed \$20,280; a sidewalk improvement project along the north side of Pontiac Trail between Chambers and Wixom Road for a total not to exceed \$28,590; and for the West End Commons area for a total not to exceed \$40,110 and approve the associated budget amendments.

Mr. Sikma said these are three different projects, all part of our sidewalk pathway gap program, that we have been working on over the last several years. One of them is on 12 Mile and the other two are part of the DDA's projects. He felt these were priority projects for us.

Councilmember Sharpe said he was ok with the first two projects, but he questioned the West End Commons project. He didn't think we were far enough along to do design engineering. The proposal indicated this was a broad vision and we were trying to get it down to something more concrete. He asked what the \$40,000 in design engineering was for. He said he was not opposed to it, he was just trying to understand what stage this was. Mr. Benson said that part of the reason that the DDA recommended this expenditure was in anticipation of the two potential funding sources that we are in the running for. We thought it would be advantageous to begin the engineering process to get a better handle on the conditions underground. This was a little more involved than a traditional sidewalk project. Councilmember Sharpe thought this was almost like a feasibility study and he said he could support all three of these projects.

Councilmember Gottschall asked if we would still do this project if we don't get either of the grant funding. Mr. Benson commented that the DDA did budget \$200,000 to contribute toward the project. Some portion of this could be done. Alternatively, a good conversation could be how we scope back and reorganize the project. Our intention was to continue pursuing different grant funding opportunities. We would be able to tailor this to fit the pots of money. Councilmember Gottschall indicated that the estimated cost of the West End Commons improvements was \$500,000. He asked if that was for everything or just for the concrete. Mr. Darga replied that they were given a range of possible costs and \$500,000 was right in the middle. Councilmember Gottschall said that if we

don't get funding and the DDA says that they will pay \$200,000, the only other source aside from City money (which he wasn't a fan of) would be Community Development Block Grant funds because the property was on the south side of Pontiac Trail and it would qualify. He asked how many years we would have to save for that. Mr. Benson replied it would take multiple years. Councilmember Gottschall asked when we were expecting to hear back regarding the two grants. Mr. Benson thought we would hear back in September on both. Councilmember Gottschall said he would be in favor of passing all of these projects with the condition on the West End Commons that the engineering work didn't begin until we hear back positively. He understood the point of wanting to get this done for the future, but it was also a chunk of money and it could be awhile until we got there. We can wait for a positive return and then start spending.

Councilmember Smiley interpreted that we needed to take this step to be eligible for the grants. He wanted to clarify if this was an advantage. He also wanted to know if what Councilmember Gottschall was suggesting would work. Mr. Benson indicated that this would not be a deal breaker on the funding opportunities. The engineering work wouldn't be done by the time we got these awards anyway. This just gives us a head start on the work. One of the benefits of doing this engineering work, regardless of whether we get the funding, was that we still get access to the information that we could use when we are ready. A great example of such a project was the sidewalk project on the south side of Pontiac Trail that we did this year. That was actually engineered in 2018. When you get the work done, you get the surveying done, you get the topography and the core samplings. It was not just throwing money down the drain. We wouldn't get into the designing aspects until after we heard anyway. We could pump the brakes on this. He said we were not looking to spend \$40,000 in a day just because we were authorized to do so.

Councilmember Behrmann said that there was another item on our agenda where we saved \$60,000 by bidding it out. Since the sidewalks were close to \$100,000 combined, he asked why we didn't bid this one out. Mr. Sikma replied that he didn't bid them out because of his time. We would like to get 12 Mile done this year. Councilmember Behrmann asked how many hours it took to bid out the project that we are going to save \$60,000. Mr. Sikma guessed it took approximately 30 hours. Councilmember Behrmann asked, assuming we would get the same 15% savings, would 30 hours be worth saving \$15,000. Mr. Sikma said it was a matter of looking forward. Councilmember Behrmann said that if we would have gone with HRC on the next one, we would be paying an extra \$60,000.

Mr. Benson added that for the two DDA-related projects, Mr. Sikma was not responsible for requesting those bids; that was something he and Ms. Cloutier worked on. The HRC contract was bid out and they were selected as the engineer of record for the City. In the sake of efficiency, as Mr. Sikma mentioned, HRC has been involved with all of these projects.

Councilmember Behrmann said he was in support of the projects. He knew that we had discussed bidding larger projects out. He thought if one of these came in front of Council for \$20,000, he wouldn't ask a question. The fact that they were lumped all together and it was close to \$100,000 made him wonder if it would have made sense for us to spend a few extra hours to bid it out to possibly save \$15,000.

Mr. Brown stated that we have an engineer of record for handling routine business and we have had direction from Council on whether we can go out for bid on larger projects. We have done that for individual circumstances. If we start to go out for bids for every piece of engineering work that we have, it is going to be ruinous to Mr. Sikma's time and impact operations at the Department of Public Works without a doubt. This was a smaller set of projects and we did not bid out these projects because of that limitation. Staff came to the Council previously for an additional resource for Mr. Sikma because he already has too much to do. If we start bidding out every piece of engineering work, it will be worse.

Deputy Mayor Rzeznik asked if all of the information would be added to the GIS database if this was approved. Mr. Benson said that was something we have been working on with HRC. Any new data can be added. Deputy Mayor Rzeznik asked if we would be able to go back to claim part of this against the grant if it were approved. He knew there were two separate funding sources with different rules. Mr. Benson said he would look into that.

CM-08-129-23: Moved and seconded by Councilmembers Gottschall and Behrmann to amend the recommendation to put a condition on the West End Common's proposal that any planning, design, expenses are postponed until we hear positively on the grant funding.

Mr. Benson clarified that this did not include the surveying and topography of the project. Councilmember Gottschall said his intention was to postpone the plans until we hear back. For data purposes, it made sense to do the surveying, the borings and all the other background. He just didn't want us to spend money on putting together plans until we know if we are going to do this. He confirmed that all three projects would be voted on at the same time with the condition on the West End Common's project.

Councilmember Sharpe thought there were a lot of good points made. Councilmember Behrmann's question on the cost rang a bell with him. He thought we have had a lot of discussions regarding the DPW's time and the ability to get done the vast amount of work that we have put on them. To him, we have established an engineer on record and these are low dollar items. He thought HRC was still on notice that they have to be efficient and come with quality bids. He didn't have a problem with voting on HRC but he did agree with Mr. Benson's comments regarding using the data regardless of if we get the \$500,000 or not. He didn't

think we needed an amendment. Even if we just put pavers down and spend it from the City's budget, we still need to know what was underneath there. He thought the data we would gather for \$40,000 would be worthwhile down the road, even if it doesn't happen as part of the federal grant that we are hoping to get. He said he supported the \$40,000, but he didn't really support the amendment and would be voting no on that.

Councilmember Gottschall clarified that under the amendment, they would be allowed to do the survey and the borings and all of the background work. They just wouldn't be putting together the actual plans for the park. We would still be collecting the information. The data collection is a portion of the \$40,000 and the rest is the plan.

Deputy Mayor Rzeknik asked if the Council could just direct City Administration to do a phased approach. The federal funding is announced in September and ARPA is September or October. Mr. Brown said that we could defer action on the conceptual design work and just get the preliminary work done. We could wait on the additional work of developing the details of the project until after we get some funding decisions.

Councilmember Gottschall said he liked to make sure everything is in writing. It was nice to say it would be done administratively, but he liked knowing the Council voted on it. If we look at other projects along Wixom Road, there were things that should have been done administratively (glass on the concrete buildings) that wasn't done.

Mr. Brown said to put a finer point on it, he suggested adding for the West End Commons area for a total not to exceed \$40,110 with any detailed planning for the content of the project being contingent upon receipt of a funding award.

Councilmember Gottschall said that between his wording and Mr. Brown's wording, the Council understood it.

Councilmember Sharpe said he could support that if the intent was that we could still award the beginning of the contract and the beginning of the engineer work for the key feasibility piece.

Deputy Mayor Rzeknik restated the amended motion as accept Hubbell, Roth & Clark's proposals for design engineering services for a sidewalk improvement project along the north side of 12 Mile Road between Napier Road and Helfer Boulevard for a total not to exceed \$20,280, a sidewalk improvement project along the north side of Pontiac Trail between Chambers and Wixom Road for a total not to exceed \$28,590, and for the West End Commons area for a total not to exceed

\$40,100 with any detailed plans for the projects to be contingent upon the award of funding sources and to approve the associated budget amendments.

Vote:

Motion Carried

Vote on amended main motion:

Vote:

Motion Carried

4.) Recommendation to Accept the Proposal from the Umlor Group of Wixom, Michigan for Design and Construction Engineering Services for the Loon Lake Road and Cliffs of Loon Lake Subdivision Road Improvement Project for a Cost not to Exceed \$120,000 for Design Engineering and \$190,000 for Construction Engineering

CM-08-130-23: Moved and seconded by Councilmembers Smiley and Sharpe to accept the proposal from the Umlor Group of Wixom, Michigan for design and construction engineering services for the Loon Lake Road and Cliffs of Loon Lake subdivision road improvement project for a cost not to exceed \$120,000 for design engineering and \$190,000 for construction engineering.

Mr. Sikma explained the design and construction engineering services for the Loon Lake and Cliffs of Loon Lake road improvements had been sent out for bid. He figured there would be a lot of unknowns with new engineers, but they vetted Umlor Group and felt confident they could do the work.

Councilmember Gottschall asked if the engineering was for replacement of the roads. Mr. Sikma said they wouldn't know what they exactly needed until they took a closer look. Councilmember Gottschall wondered if they contacted Oakland County about their portion of Loon Lake Road. Mr. Sikma said they learned that if Oakland County was to get involved than it would become their project and wouldn't be addressed for another two years. He mentioned that Oakland County agreed to perform maintenance on Loon Lake from Benstein into the city limits simultaneously with our work next year.

Councilmember Smiley asked what the difference was between the Roadway Assessment Management Plan and PASER ratings. Mr. Sikma said the Roadway Assessment Management Plan was the program they needed for the State in order to collect ACT51 funding and the PASER rating was the rating system for the individual roads themselves.

Vote:

Motion Carried

5.) Recommendation to Accept a Permanent Road Easement Along Beck Road Granted by Property Owners at 28847 Beck Road for the Future Beck Road Project for a Total Cost of \$34,305 from LDFA Construction/ROW Account #250-551-971.000

CM-08-131-23: Moved and seconded made by Councilmembers Smiley and Behrmann to accept a permanent road easement along Beck Road granted by property owners at 28847 Beck Road for the future Beck Road Project for a total cost of \$34,305 from LDFA Construction/ROW account #250-551-971.000.

Vote:

Motion Carried

CALL TO THE PUBLIC: (None)

CITY MANAGER'S COMMENTS:

Mr. Brown said the City Manager's Update included work anniversaries ranging from 3-17 years. He thanked the employees for their dedicated work over the years. He spoke about recently hiring a full time DPW Equipment Operator, a full time secretary for the Fire Department, Paid on Call Firefighters, Police Service Aides and Cadets. Additionally, they've advertised for a part time Office Floater and temporary full time DPW Operator. Given the recent transition of the City Manager's Secretary to the Finance Department, they would review the City Manager's Secretarial position to determine how they wanted to proceed. He said that he recently attended a regional meeting with Congresswoman Haley Stevens that had the reoccurring theme of hiring difficulties amid public service. It appeared many communities were having a hard time filling police, fire and public service positions. He felt blessed because Wixom has not had that same experience and credited the support of the elected officials and management team.

Mr. Benson said the City was partnering with the Lakes Area Chamber of Commerce for the Job Fair on September 20, 2023; there would be in-person and hybrid interview opportunities. He mentioned that People Driven Technologies had their ground breaking on August 17, 2023 and a ribbon cutting for Yuken America was scheduled for August 28, 2023.

Deputy Mayor Rzeznik also attended the regional meeting with Mr. Brown and after talking with the area Mayors and City Manager's, he learned that the number one problem was the abundance of hiring difficulties. He gave kudos to management within Wixom as they were not in that same situation.

COUNCIL COMMENTS:

Councilmember Gottschall thought it may be a good idea to come up with an intern program because a high school or college student may be able to help elevate project work that the staff spends a lot of time on. He suggested they pay close attention to the Air Line Trail at Wixom Road with school starting next week. He imagined it would take some getting used to with the HAWK light, trains, school busses and traffic.

Councilmember Smiley asked Chief Langmeyer about the recent bank robbery that occurred in Wixom. Chief Langmeyer couldn't elaborate on the details as it was under investigation but he praised the outstanding work of Sergeant Caldwell,

Lieutenant Bradley, Officer Cheesbro, Officer Westenberg, Officer Tabor and Sergeant King.

Councilmember Behrmann asked if they would paint the replacement concrete to match the rest of the concrete on the Air Line Trail. Mr. Sikma said they would but that certain color was on back order. Councilmember Behrmann asked someone to look into the fencing as it didn't appear finished at the Longhorn Steakhouse.

Councilmember Sharpe thought the hiring report by City Manager Brown was great news and indicative of the quality team he had. It sounded like we've collectively made this place an environment where people wanted to work.

Deputy Mayor Rzeznik said there were two large bushes off the Air Line Trail near the Renton Loop before it turned onto Wixom Road that eluded the vision of what was coming down the safety path on southbound Wixom Road. He asked they cut the bushes back 10-15 feet to avoid any hazards. He thought the summer concerts were great and thanked the Parks and Recreation and the sponsors. He believed extending the concert series was great because it meant that many people came to Wixom because concerts in other communities already ended.

ADJOURNMENT:

The meeting was adjourned at 8:16 p.m.

Respectfully Submitted,

Catherine Buck
City Clerk

Approved 9-12-2023
