

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 20, 2024**

Councilmember Gottschall called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Present:

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

AGENDA CHANGES: (None)

MINUTES:

CM-02-26-24: Moved and seconded by Councilmembers Gronlund-Fox and Sharpe to approve the Special City Council meeting minutes of February 13, 2024.

Vote:

Motion Carried

The minutes of the Regular City Council meeting of February 13, 2024 will be on the agenda for approval at the March 12, 2024 meeting.

CORRESPONDENCE:

- 1.) Walled Lake Consolidated School District School Improvement Bond Proposition

CALL TO THE PUBLIC:

There were no comments made at this time.

CITY MANAGER REPORTS:

1.) Departmental Reports – January 2024

Councilmember Sharpe had a question regarding the HRC report. They said they were in the process of preparing plans and specifications for the generator installation. He went back to the minutes of October 24, 2023 when the Council approved the \$35,700 plan and he had some concerns at the time. The approval indicated the plans and specifications would be 100% done in the month of January 2024 and would be out for bid in February 2024. That was what the Council approved and it didn't appear that was the status of the contract. He asked where we were on the plans and specifications for the generator. If we were behind, he wondered what HRC's plans were to get back on track. Mr. Sikma said that we have not received the generator yet. There were added questions regarding the interconnection between the current generator and the switchgears that we currently have, as well as the addition of the area to the new switchgear. They should have that completed within the next week or so in time for the arrival of the

generator. There was also a question on the added use of natural gas that wasn't discussed with the generator folks and they are still working on those details. We should have it out to bid soon. Councilmember Sharpe commented that the HRC updates are boilerplates every month. He would like to see a little more detail. If they are behind, he wanted them to say they were behind. There was no detail on the status of all of these projects. He knew that the DPW was taxed with tons of projects that the Council kept piling on. It would be good to know if we were making progress or not. He mentioned that he sent an email to Mr. Sikma and Mr. Brown on Monday so they would be prepared for this meeting. Mr. Sikma said that he currently has 242 emails that he hasn't been able to get to.

Councilmember Gronlund-Fox asked what the acceptable levels were for PFAS. Mr. Sikma replied that our limit at the effluent discharge is 11 parts per trillion leaving the Treatment Plant. He said that could be added to the table in future reports. He assured her that they were all currently in the allowable range. They will make note of that in the future, as well as any PFAS violations that occur.

CONSENT AGENDA: (None)

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

1.) Presentation from City Clerk Candidate, Crystal Opalko

Ms. Opalko gave a short presentation on why she wanted to be the next City Clerk. She explained the City Clerk duties, how the Clerk's Office works, her experiences and highlights of her career, her priorities for the Clerk's Office in the future and why she believed she was the right candidate for the next City Clerk.

Councilmember Gronlund-Fox asked her to talk more about the opportunities she saw to improve the physical and electronic records of the City. Ms. Opalko thought digital records were the way of the future and should be easily accessible for every Department. Her goal was to have one central location on the public drive where staff could bring up a contract, find the minutes of when it was approved with the Council motion. She has started this project but it is a huge undertaking.

Councilmember Sharpe said that she did a wonderful presentation and she had a very solid background. We have heard of the pressure that was on clerks across the Country now from so many sources. That pressure has its toll. There are more days of early voting and more requirements of staff. He asked if she was ready for that pressure. In his mind, it was a little different to be the Deputy Clerk versus the Clerk. He wondered if she was ready to be under that magnifying glass. Ms. Opalko said that she was. When the ACLU contacts us, they contact both the Clerk and the Deputy Clerk. She said that she has to answer to everything she puts her name to and she has to account for her own integrity at every election. She felt she was already in the thick of things. To her, the only difference was that she would sit in a different chair. Yes, she was ready.

Councilmember Smiley thought that her presentation was excellent.

CM-02-27-24: Motion and seconded made by Councilmembers Smiley and Behrmann to authorize the City Manager to work with the Wage and Salary Committee to negotiate an offer of employment with Crystal Opalko for the City Clerk's position.

Councilmember Sharpe wondered if this would come back to Council for final approval of the salary and the offer. Councilmember Gottschall said that anything that was worked out would come back to Council for approval.

Mr. Benson confirmed that since this was a direct City Council appointment, all of the terms would be brought back to Council. The primary reason for this particular recommended motion was if it was Council's desire to move ahead with Ms. Opalko as the next Clerk, we could begin to recruit a Deputy Clerk.

Councilmember Gottschall indicated that the City Manager and the Wage and Salary Committee would negotiate an offer of employment but would not execute an offer.

Vote:

Motion Carried

- 2.) **Recommendation to Approve a Three-Year Contract for Annual Downtown Flower Installation and Maintenance with Landscape Design & Associates, LLC of Brighton, Michigan in the Amounts of \$14,469 for Fiscal Year 2023/2024, \$55,292 in Fiscal Year 2024/2025, \$57,275 for Fiscal Year 2025/2026, and \$41,562 for Fiscal Year 2026/2027 from Downtown Flowers Account #248-729-956.016**

CM-02-28-24: Motion and seconded made by Councilmembers Smiley and Gronlund-Fox to approve a three-year contract for annual downtown flower installation and maintenance with Landscape Design & Associates, LLC of Brighton, Michigan in the amounts of \$14,469 for Fiscal Year 2023/2024, \$55,292 in Fiscal Year 2024/2025, \$57,275 for Fiscal Year 2025/2026, and \$41,562 for Fiscal Year 2026/2027 from Downtown Flowers Account #248-729-956.016.

Mr. Benson explained that this topic was brought to both the DDA and the Council on the same day hoping to order the flowers as quickly as possible. The earlier we order the flowers, the better choices we get. At the DDA meeting this morning, there were some questions about the amount of money called for in this contract and the term over the three years. There were questions as to whether the service delivery could be done differently (i.e., City staff, different vendors, etc.). The DDA Board ultimately moved forward with a recommendation to approve the first year of this contract. He stated that in past years, we have had some concerns about the cost that comes with procuring, installing and maintaining the downtown flower baskets over the summer. It was put out to bid and we only received one proposal. There were 19 different firms that actively looked at the opportunity to bid and Landscape Design & Associates was the only one who submitted a bid. One of the questions was the value that we get from the service. They provided an estimated hourly cost and this contract bills the City on a monthly basis for the general terms of service; we do not pay hourly for a service from this provider. They are responsible for providing all of the equipment, all of the labor and insurance. They

will water and fertilizer them, as well as cut off any dead flowers. He noted that staff has been satisfied with the service over the years. He said that at a minimum, they do recommend approving the recommendation for at least the first year.

Councilmember Behrmann said he was more inclined to agree with one-year than the three-year contract. He was still not comfortable with the number. He thought this was close to \$800 a flower now. The flowers look nice, but he was not sure they looked \$800 nice. He understood other vendors didn't bid. He noted that his firm was signed up for the bid network and he could click on any bid he wanted. That did not mean he was seriously looking at it. He asked if there were any other vendors that inquired about it. He also asked if this was the only vendor that bid on this last year. Ms. Cloutier replied that we did not bid this out last year. This vendor was found by Ms. Magee in 2021. She researched this for many years and this was the only vendor that would do an all-inclusive service. For the past three years, we just used them. The DDA Board and some members of City Council suggested that this be bid out this year. Councilmember Behrmann asked if we reached out to other municipalities that have flowers to see who they use. Ms. Cloutier said that she reached out to a dozen DDA Directors and many use their DPW for the maintenance. She didn't get any responses when she asked those who do use landscape companies and installation. Mr. Benson added that Brighton and Milford use Landscape Design & Associates. Councilmember Behrmann wanted to see if there was a way we could do this more economically. He didn't want to wait until February or March of next year to be talking about this again. He'd like it figured out sooner rather than later. We started at \$27,000, then \$28,000, then \$40,000 and now into the \$50,000 range in less than four years. He thought there were a lot of other things that our residents would benefit from more than flowers.

Mr. Benson did not disagree that the price had increased tremendously over the years. We only had 60 baskets the first year and now we have 78 baskets. In 2022, we only had four months of watering because there was a disease on some of the flowers. Last year we had the full six-month fee, which was still a significant increase. Over time, the program has grown with a wider region than just the downtown district. That accounts for some of the cost increases.

Councilmember Smiley agreed it was a lot of money for flowers. They do look nice and he does want the flowers. He asked if it was the DDA's idea to do this for one year only and Ms. Cloutier replied yes. If we agree to a year, it will buy us time to see what else we can do. Ms. Cloutier explained that the discussion at the DDA meeting was to approve a year and look at other service options. She said that she and Mr. Benson were fully engaged in researching this right away. Councilmember Smiley asked if they had met with Mr. Sikma about this. Ms. Cloutier said yes, but as was just discussed, Mr. Sikma has a laundry list of projects for DPW. The DDA is funding a full-time DPW employee right now and she wasn't sure if her Board would be agreeable to another DPW employee. We would have to purchase all the equipment. Councilmember Smiley said this could all be figured out during the next year if a one-year contract was approved. He was more comfortable with that and the reasoning behind that.

Councilmember Gronlund-Fox supported the one-year contract.

Councilmember Sharpe reminded the Council that they did budget \$50,000 for this. The time to discuss the money for this was during budget time. If we only do it for one year, he wondered what we would budget three weeks from now when we do next fiscal year's budget. Ms. Cloutier thought they would probably budget \$55,000 for next year. Councilmember Sharpe said that he liked the flowers and he supported the flowers. It was expensive, so maybe we could cut back on the number of baskets we order. He pointed out that if we do this ourselves, people will complain about the flowers and Mr. Sikma will have even more emails. Based on staffing and the number of DPW projects, he couldn't support the DPW doing the flowers. He would support a one-year contract while something else was researched. He also thought we should include \$55,000 in next year's budget.

Councilmember Gottschall didn't think that the flowers needed to be watered seven days a week. There might be room to come down on their bid if we have them watered fewer days. Ms. Cloutier said she would research that with the landscape company. Hanging baskets tend to dry out quickly because they are getting wind from all around versus being in the ground holding more moisture. Councilmember Gottschall thought that if we could have them watered three or four times a week instead of seven, hopefully the bid would come down. There was one bidder. Being a public body and our budget being publicly accessible, they could look at our budget to determine what they would bid. He agreed that we have budget study sessions soon. He didn't know if a one-year contract would get us to where we needed to be since that wasn't a year of research. It was really just two months. We would have to know if we were buying equipment. He wasn't sure if we wanted a one-year contract or a two-year contract, or if we wanted to give authority to administration to work it out. We could spend \$50,000 helping businesses and promoting people coming to downtown Wixom.

CM-02-28-24: Amended Motion and seconded made by Councilmembers Smiley and Sharpe to approve a one-year contract for annual downtown flower installation and maintenance with Landscape Design & Associates, LLC of Brighton, Michigan in the amounts of \$14,469 for Fiscal Year 2023/2024, \$38,580 in Fiscal Year 2024/2025 from Downtown Flowers Account #248-729-956.016.

Councilmember Gottschall confirmed that we were approving this upcoming spring with a small portion in the next fiscal year's budget. Mr. Benson said that was correct. This would cover the entire summer of 2024.

Vote:

Motion Carried

3.) Recommendation of a Resolution to Authorize the City Manager to Vote to Accept the Endo International PLC Opioid-Related Reorganization Plan and Release the Claims Against the Company and to Further Authorize the City Manager to Accept Future Settlements and Bankruptcy Plans Related to Other Entities After Legal Review

CM-02-29-24: Motion and seconded made by Councilmembers Behrmann and Smiley to authorize the City Manager to vote to accept the Endo International PLC Opioid-Related Reorganization Plan and release the claims against the company and

to further authorize the City Manager to accept future settlements and bankruptcy plans related to other entities after legal review.

Councilmember Gronlund Fox wanted to be sure that the City Attorney reviewed this and that it was their recommendation that we approve this. She understood the thought that it was better to get something than nothing. Mr. Benson confirmed that the City Attorney had reviewed this. They also recommended the further authorization for the City Manager to accept future settlements and bankruptcy plans. This probably won't be the last bankruptcy related to the opioid settlements.

Councilmember Behrmann said he was fine with the City Manager accepting these in the future, but he would like the Council notified by a memorandum if we accept more and how much they are so we are kept in the loop.

Vote:

Motion Carried

CALL TO THE PUBLIC:

There were no comments made at this time.

CITY MANAGER COMMENTS:

Mr. Benson stated that there were five employees celebrating work anniversaries during the month of March and he thanked them all for their service. He also stated that Mr. Brown was on vacation this week.

COUNCIL COMMENTS:

Councilmember Sharpe hoped the flowers would be red and white. Ms. Cloutier said that they would be pink and yellow.

Councilmember Gronlund-Fox congratulated and thanked those celebrating work anniversaries. She also thanked Ms. Opalko for her presentation.

Councilmember Smiley commented that next Tuesday was the Presidential Primary Election and he wished the Clerk and Deputy Clerk good luck on the first of four elections in 2024. The Wixom Gala tickets are available through the end of this week. He hoped to see many people there.

Councilmember Behrmann thanked Ms. Opalko for her presentation. He mentioned that the previous tenant left a lot of trash behind the properties on Wixom Road that we recently acquired. It was very noticeable from the Country Corners' parking lot and he hoped it would be cleaned up.

Councilmember Gottschall had no comments.

ADJOURNMENT:

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

Catherine Buck
City Clerk

Approved 3-12-2024
