

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
REGULAR CITY COUNCIL MEETING MINUTES  
TUESDAY, OCTOBER 10, 2017**

Deputy Mayor Ziegler called the meeting to order at 7:00 p.m. at which time the Pledge of Allegiance was recited.

**Present:**

**Mayor:** K. Hinkley (Excused)  
**Deputy Mayor:** R. Ziegler  
**Councilmembers:** P. Beagle  
K. Gottschall  
N. Kennedy  
T. Rzezniak  
R. Smiley

**AGENDA CHANGES:**

Mr. Brown asked that New Business #1 (Recommendation to Approve the Attached Resolution Expressing Support for the Grant Application by the Commerce, Walled Lake, and Wixom Trailway Management Council to the Michigan Department of Transportation and the Southeast Michigan Council of Governments Transportation Alternatives Program for Funding of the Development of the Michigan Air Line Trail) be removed from this Agenda due to information received late this afternoon that would change the dollar amount. He hoped to bring this back to Council at the October 24<sup>th</sup> meeting.

**PRESENTATIONS:**

**1.) Proclamation for the Turkish American Cultural Association of Michigan (TACAM) – Adopt a Park Program**

Deputy Mayor Ziegler read this Proclamation and presented it to Mr. Serhat Eren.

**2.) Proclamation for the Turkish American Cultural Association of Michigan (TACAM) – Turkish Republic Day**

Deputy Mayor Ziegler read this Proclamation and presented it to Mr. Eren.

Mr. Eren said he has been living in the area since 2000. He is a Purdue graduate and he is an engineer. He has been part of the Turkish community since the day he arrived here. They have put a lot of effort into being a part of the community and the reason he wanted to pursue the Adopt a Park Program. He hoped they would be able to attend more of these types of events and activities. They would also love to have the Council attend the Ball they have coming up.

Mr. Eren introduced Nilufer Bilgin (President), Gokhan Ozalp (Vice-President), Volkan Salmanli (Board Member) and Tayfun Bilgin (Board Member). He said they were all happy to be here and they appreciated the Proclamations.

President Bilgin said she was currently working at Wayne State University Medical School. She thanked the Council for appreciating the Turkish Republic Day and for giving them the opportunity to serve in the community. She said they would try their best to keep the park as clean as possible.

**3.) Affirmation by Mark Westenberg of his Oath-Of-Office as Police Officer and his Introduction to City Council**

Chief Moore introduced Wixom's newest Police Officer, Mark Westenberg. He provided a brief background on Officer Westenberg.

The City Clerk administered the Oath-of-Office to Officer Westenberg.

Officer Westenberg thanked the Council for this opportunity. He mentioned that his parents were enjoying Florida right now so they weren't able to attend this meeting. He introduced life-long friends of his family who were able to attend.

The Council recessed at 7:13 p.m. and reconvened the meeting at 7:30 p.m.

**4.) Third Quarter 2017 Status Report from the City's IT Contractor, BPI Information Systems**

Mr. Blackburn provided a short presentation regarding coverage from July through September 2017. He reviewed some of the projects that they focused on during this time, including the replacement of all of the Ethernet cabling and the phone systems throughout the building. He also talked about the service tickets that they completed during this quarter.

Councilmember Rzeznik wondered how the telephone upgrade went and if the employees were happy with the new system. Mr. Blackburn wasn't sure he would use the word "happy." With any large project, we run into unforeseen issues and things don't always go as smoothly as we would want them to. He gave credit to the team who worked on this project. Everyone banded together when there were issues and got them resolved. They also put contingency plans into place so that if we run into these issues in the future, we will recognize them very quickly and can mitigate them. Councilmember Rzeznik asked if the data ports and the telephones were all marked at both ends now for future troubleshooting. Mr. Blackburn replied yes. They are all marked in case we want to move a computer or telephone, as well as for troubleshooting. They are all documented and labeled.

Councilmember Kennedy said that he was told Mr. Blackburn was sending out phishing emails to see the vulnerability of the City Council and employees. Mr. Blackburn commented that was a project he would be reporting on during the fourth quarter because they just started that. Based on Council's feedback, one of the things they wanted to institute was training staff to be able to recognize security issues. They sought out security awareness training and testing. Staff has access to a portal to participate in a training process. To test them, they send out spam that will entice them to click on it. Councilmember Kennedy asked what kind of training he would be giving the City Council. He received it and didn't know anything about it. Mr. Blackburn said he would have to check into that. The user group they set up for the training was all staff members. He thought the Council may be a separate group. The email test went to a different group that included the Council. He was not aware the test went to the City Council.

Mr. Blackburn reviewed the Risk Assessment Worksheet. He noted that during each quarter, the risk assessment had improved. There was currently only one high risk

item left on this chart and that was the backup system, which will be discussed a little later this evening.

**MINUTES:**

**CM-10-145-17:** Moved and seconded by Councilmembers Rzeznik and Kennedy to approve the Regular City Council meeting minutes of September 26, 2017.

**Vote:**

**Motion Carried**

**CORRESPONDENCE:**

**1.) Letter from Larry Barlow to the Mayor and Council Regarding the Quiet Zone**

Deputy Mayor Ziegler commented that Mr. Barlow's letter was very complimentary. His letter thanks the current City Manager, the two previous City Managers and the Mayor for working to get this project completed. Deputy Mayor Ziegler thanked him for his letter.

**CALL TO THE PUBLIC:**

There were no comments at this time.

**CITY MANAGER REPORTS:**

**1.) Fire Report – August 2017**

There were no comments or questions regarding this report.

**2.) Police Report – August 2017**

Councilmember Beagle saw there were 11 controlled substance violations in August, which was over a third of what we've had for the whole year. Chief Moore said that the staffing from August 2016 to August 2017 has increased. We have more officers working the night shift.

Councilmember Rzeznik noted under Part 3 Crimes, the Other Part 3 Offenses has almost doubled from last year. He asked Chief Moore to explain what the Other Part 3 Offenses was. Chief Moore replied that he has wanted to change this report since he became the Police Chief. Part 3 Crimes is kind of misleading. Many of these are not actually crimes at all. Part 3 Offense or Crime could be any call for service that the officers go on. That could include a neighbor issue or noise complaint. If it hasn't been classified as a misdemeanor, civil infraction or felony and is a service call, it is a Part 3 Offense. He felt the reason for the spike would be more people in August called for those service-related complaints.

Deputy Mayor Ziegler asked if he would change the report so it would reflect actual services as opposed to crimes. Chief Moore said that he would like to. Everything in Part 1 Crimes and Part 2 Crimes is a crime. Most of the ones in Part 3 Crimes are not crimes at all.

**CONSENT AGENDA:**

**CM-10-146-17:** Motion and seconded by made by Councilmembers Beagle and Smiley to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
  - a. Senior Commission Meeting Minutes – July 11, 2017
  - b. Tax Abatement Review Board Minutes – August 10, 2017
  - c. Wixom Library Board Minutes of August 28, 2017
  - d. Planning Commission Meeting Minutes – August 28, 2017
- 2.) Consideration of a Request to Set a Public Hearing for October 24, 2017 to Solicit Input Regarding the Utilization of 2018-2019 Community Development Block Grant Program Allocation in the amount of \$40,393

**Vote:**

**Motion Carried**

**UNFINISHED BUSINESS:**

- 1.) **Consideration of the Enactment of an Amendatory Ordinance to the City of Wixom Code of Ordinances, Title 9, "Public Peace and Welfare," Chapter 9.28, "Alcoholic Liquor Control Regulations," Section 9.28.040, "Purchase by Minors Prohibited," in Order to Conform to Changes in State Law, and to Provide Penalties for Violations Thereof**

**CM-10-147-17:** Motion and seconded by made by Councilmembers Rzeznik and Beagle to approve the Enactment of an Amendatory Ordinance to the City of Wixom Code of Ordinances to amend Title 9, "Public Peace and Welfare," Chapter 9.28, "Alcoholic Liquor Control Regulations," Section 9.28.040, "Purchase by Minors Prohibited," in order to Conform to Changes in State Law, and to Provide Penalties for Violations Thereof.

Councilmember Rzeznik clarified that this would bring us in line with State law and Mr. Brown replied that was correct.

**Vote:**

**Motion Carried**

**NEW BUSINESS:**

- 1.) **Recommendation to Approve the Attached Resolution Expressing Support for the Grant Application by the Commerce, Walled Lake, and Wixom Trailway Management Council to the Michigan Department of Transportation and the Southeast Michigan Council of Governments Transportation Alternatives Program for Funding of the Development of the Michigan Air Line Trail**

(This item was removed from the agenda.)

- 2.) **Request for Approval of a Resolution Taking Exception to the Shifting of Responsibility for Act 51 Performance Audits under Public Act 298 of 2012 from the Michigan Department of Transportation to the City of Wixom**

**CM-10-148-17:** Moved and seconded by Councilmembers Kennedy and Smiley to approve the following Resolution taking exception to the shifting of responsibility for Act 51 Performance Audits from the Michigan Department of Transportation to local road agencies such as the City of Wixom:

**RESOLUTION 2017-47  
CITY OF WIXOM  
COUNTY OF OAKLAND, STATE OF MICHIGAN**

**RESOLUTION TAKING EXCEPTION WITH THE MICHIGAN DEPARTMENT OF  
TRANSPORTATION’S SHIFTING OF RESPONSIBILITY FOR ACT 51 PERFORMANCE AUDITS  
UNDER PUBLIC ACT 298 OF 2012 TO THE CITY OF WIXOM**

**WHEREAS,** PA 298 of 2012 added performance audits as a measure for the Michigan Department of Transportation (MDOT) to use to review the spending of Act 51 funding by local road agencies; and

**WHEREAS,** both the language of the Act and the associated analysis of the Act make it clear the intent was for MDOT to be responsible for said audits; and

**WHEREAS,** these audits were to be utilized by MDOT on an as-needed basis, with the Act even including language allowing the Speaker or Majority Leader to request an audit for a specific community; and

**WHEREAS,** MDOT has now shifted the responsibility for these audits to local road agencies and is requiring these audits to be performed across the board; and

**WHEREAS,** this unilateral move by MDOT has created and imposed an unfunded mandate on Wixom and other local road agencies which will divert already inadequate funding from actual road maintenance and improvement work;

**NOW, THEREFORE, BE IT RESOLVED,** the City Council of the City of Wixom takes exception to the practice of the Michigan Department of Transportation (MDOT) shifting responsibility for Act 51 Performance Audits under Public Act 298 of 2012 to the City of Wixom, encourages MDOT to implement the legislation as it was written and/or asks that the State Legislature clarify the law or its interpretation by MDOT;

**AND BE IT FURTHER RESOLVED,** copies of this resolution shall be provided to neighboring communities, the Michigan Municipal League, State Representative Klint Kesto, State Senator Mike Kowall, MDOT and Governor Snyder.

Councilmember Rzeznik was curious as to if State Representative Cole had received any responses from the Attorney General or anybody else. Mr. Brown said he was supposed to be informed by the MML representative when something happened but he has not received any notification of responses yet.

Deputy Mayor Ziegler said that sometimes he sees communities send a copy of their protest letter to other communities to encourage them to do likewise. He suggested that this Resolution be sent throughout all of Oakland County. Mr. Brown thought that would be a good idea and he would be happy to take care of that. Deputy Mayor Ziegler thought that the more they get from other communities, the more likelihood they may correct the situation.

**Vote:**

**Motion Carried**

**3.) Request to Approve a Resolution of Commitment to Participate in the Michigan Economic Development Corporation’s Redevelopment Ready Communities Program**

**CM-10-149-17:** Moved and seconded by Councilmembers Beagle and Kennedy to approve the following resolution of commitment to participate in the Michigan Economic Development Corporation's Redevelopment Ready Communities Program:

**CITY OF WIXOM  
RESOLUTION NO. 2017-48**

**CITY ADOPTED RESOLUTION TO  
COMMIT TO PARTICIPATE IN THE  
MICHIGAN ECONOMIC DEVELOPMENT CORPORATION'S  
REDEVELOPMENT READY COMMUNITIES PROGRAM**

- WHEREAS,** the City of Wixom is a community that actively seeks opportunities to fully develop its potential and improve its quality of life for current residents and future generations; and
- WHEREAS,** the Michigan Economic Development Corporation (MEDC) has developed and implemented the Redevelopment Ready Communities program which performs a third-party review of existing community development plans against its established best practices; and
- WHEREAS,** the City seeks to formally engage the MEDC for Redevelopment Ready Community examination, and gain recommendations and designation as a Redevelopment Ready Community; and
- WHEREAS,** the City of Wixom recognizes the economic and social value of this program, and the importance of closely aligning our community's plan for development; and
- WHEREAS,** the City will not incur costs for participation and will only expend funds towards community development that is in alignment with the objectives of the adopted Master Plan and goals of City Council.

**NOW, THEREFORE, BE IT RESOLVED,** the City of Wixom hereby commits to the Redevelopment Ready Communities Best Practice review and will consider recommendations made by the MEDC team; with the goal of gaining certification.

Ms. Barker explained that this was a program that the State purchased because they saw how it was working for some of the suburbs of Detroit. They have created this program to work for the Michigan communities, especially helping those with Main Street downtown programs. There are monies involved with this. It is competitive but it is at least something that makes us eager to participate. She said that Mr. Avantini was the better expert on this as he actually teaches part of this program around the State. She noted that she did complete the required two-day class. They now need to know that our City Council and officials are prepared to act on this and walk on this path.

Councilmember Rzeznik commented that he was very much in support of these types of initiatives from the State and the County. He felt that we also needed buy-in from our State departments, those regulatory agencies that can hinder businesses and redeveloping and helping of our ailing downtowns. Those would be agencies such as MDEQ, MML and the State Agricultural Department. They can be some of the biggest roadblocks to businesses starting up. At the County, those departments include the Department of Human Services and the Health Department. He has also asked members at the County to make a commitment that their members participate in these programs, including our One Stop Ready Program, so we are committed to it and so are they.

Councilmember Kennedy clarified that the City would not incur any cost. This was monies for development for the City. Ms. Barker said that was correct. It would be application through grants.

**Vote:**

**Motion Carried**

**4.) Request for Authorization to Purchase a Data Backup System from CDW•G of Vernon Hills, Illinois at a Price of \$11,275 Based on the Results of a Tucson, Arizona Government Bid as Part of the National Intergovernmental Purchasing Alliance**

**CM-10-150-17:** Moved and seconded by Councilmembers Smiley and Kennedy to authorize the purchase of a data backup system from CDW•G of Vernon Hills, Illinois at a price of \$11,275 based on the results of a Tucson, Arizona government bid as part of the National Intergovernmental Purchasing Alliance.

Councilmember Smiley said that a resident asked him why the City did not use a cloud storage backup provider. Mr. Blackburn said the backup requirements indicated they needed to have a storage device that would be backed up locally. It was because of the size of the data sets they were backing up that needed to be restored in a short amount of time. Councilmember Smiley noted that the Department of Public Works and Fire Department could use cloud-type storage because the data they had was not as large. Mr. Blackburn agreed. Councilmember Smiley said that due to the National Intergovernmental Purchasing Alliance they got a cheaper price. Mr. Blackburn said that was correct.

**Vote:**

**Motion Carried**

**5.) Request for Authorization to Purchase Ten (10) Replacement Computers from Hewlett Packard Through the NASPO ValuePoint PSP Agreement for the Sum of \$9,444.60**

**CM-10-151-17:** Moved and seconded by Councilmembers Rzeznik and Beagle to authorize the purchase of ten (10) replacement computers from Hewlett Packard through the NASPO ValuePoint PSP Agreement for the Sum of \$9,444.60.

Councilmember Rzeznik commented that when there was a competitive bid like this that was budgeted, he would like to see the report summary or recommendation indicate that it was a budgeted item under the capital account number in the amount of \$xxx along with a description of how much the particular item would take away from the budget. For example, there was \$48,100 that was put in this account for the 2017/2018 budget. With the backup equipment and computer purchase, it left a balance of \$27,000. He asked Mr. Blackburn what else was needed to be done with the remaining balance. Mr. Blackburn said that Phase 2 of the backup system would need to be completed and an additional allotment of computers.

**Vote:**

**Motion Carried**

**6.) Recommendation to Approve the Purchase of a Single-Axle Dump Truck Chassis from Wolverine Freightliner Westside, Inc. of Ypsilanti, Michigan in the Amount of \$89,899 and the Purchase of a Swap-Loader and Related Snow-Fighting Equipment from Truck & Trailer Specialties, Inc. of Dutton, Michigan in the Amount of \$81,814**

**CM-10-152-17:** Moved and seconded by Councilmembers Rzeznik and Smiley to approve the purchase of a single-axle truck chassis from Wolverine Freightliner Westside, Inc. of Ypsilanti, Michigan in the amount of \$89,899 and the purchase of a swap-loader and related snow-fighting equipment from Truck & Trailer Specialties, Inc. of Dutton, Michigan in the amount of \$81,814.

Mr. Sikma noted that this was a budgeted item. He explained that the amount came in at \$14,000 less than what they originally expected. Originally they thought they would need a dual axle. That was reconsidered after they thought about the truck's use for the Department as they planned to use it for moving solids from the wastewater treatment plant, salting and snow plowing.

Councilmember Kennedy said that he did not have problem with purchasing a new truck but asked Mr. Sikma about the swap-out trailer because he thought they already had something similar. Mr. Sikma said the item they were replacing was not a swap truck. He added that the truck was twelve years old and the lowest powered truck within the fleet. Councilmember Kennedy asked if the truck they hoped to purchase would have more power. Mr. Sikma said yes. Councilmember Kennedy said he was in favor of this.

Councilmember Rzeznik thought this truck was supposed to have a wing-plow. Mr. Sikma said that was the original plan. They found they could put two smaller boxes down in place of the large box that they intended. The length of the dual axle was a little long to plow some of the streets and cul-de-sacs. A single axle was less weight so they pulled the wing-plow off and that gave them an extra 1,000 pounds to one side. He noted the truck had the valves so if they wanted to add on a wing-plow in the future they could. Mr. Sikma added that they had two wing-plow trucks. They hoped to have flexibility with this truck. The next truck they purchase would have a wing plow. They hoped to alternate the truck styles for future purchasing. They were trying to get trucks that were versatile throughout the fleet.

Councilmember Smiley confirmed that this truck would not arrive until June 2018. Mr. Sikma said that was correct.

Councilmember Beagle asked how much savings we would recognize by purchasing this truck for hauling sludge. Mr. Sikma could not pinpoint the amount without looking it up but felt confident that there would be a savings. Councilmember Beagle asked if this truck would be larger than the wing-plow trucks. Mr. Sikma said it looked like the other trucks they currently had but stouter.

Councilmember Kennedy thought the sludge was being sold to farmers. Mr. Sikma said no, but it was being offered as a liquid. What they found was there was a limited area that they could haul to, especially during this time of year when it was wet. The sludge had started to bottle neck at the plant. That was one of the reasons

they went to the solid de-watering system. They felt they would have more control over their solids. One of the other intentions was to intermingle with the composting facility in the future. Councilmember Kennedy said the truck would only take the sludge from the wastewater plant to Spurt. Mr. Sikma confirmed. Councilmember Kennedy asked if the sludge would ever be sold. Mr. Sikma said yes but they were still waiting to see how it would be negotiated.

**Vote:**

**Motion Carried**

**CALL TO THE PUBLIC:**

Two students from Lakeland High School were in the audience as a requirement of their Government class. They answered questions from the Deputy Mayor and City Council.

**CITY MANAGER COMMENTS:**

Mr. Brown mentioned that the Fire Department would be hosting their Open House on October 14<sup>th</sup> from 10 a.m. until 2 p.m. and Suez will have a pig roast available at the Fire Open House.

**COUNCIL COMMENTS:**

**Councilmember Kennedy** said that he would not be able to attend the Fire Open House or the Panther Hunt as he would be assisting in the selection processes for the Service Academy.

**Councilmember Beagle** welcomed Officer Westenberg to the Wixom Police Department.

**Councilmember Gottschall** congratulated Mark Westenberg and welcomed him to the Police Department.

**Councilmember Smiley** thanked the Turkish American Cultural Association of Michigan for adopting a Wixom Park. He congratulated Jodi Gallo on her move to the Department of Public Works. He said congratulations to Officer Westenberg. He noted that the Wixom Police Department turns 60 years old this Saturday. He noticed signs popping up for the election and wished all the candidates good luck.

**Councilmember Rzeznik** welcomed Officer Westenberg to the Wixom family. He said that he would be out of town this weekend and wouldn't be able to attend the festivities. He asked to be excused from the October 24<sup>th</sup> meeting because he would be in China for business.

**Deputy Mayor Ziegler** thought the 60<sup>th</sup> anniversary of the Wixom Police Department was pretty impressive. He explained that he was an officer for Wixom from 1974 – 1982. Before that he was an officer in Detroit. He told the story that he had already applied at the Wixom Police Department, and before he heard anything, he read an article in the newspaper that concerned him a little. He explained that the article indicated the Wixom Police patrol car was involved in an accident so they had to borrow a patrol car from Milford. He thought to himself, "What am I getting into?" He said that it proved to be a very good decision to be part of the Department. He commented that the Wixom Police Department was

thought of fondly by other communities. He knew that because he was told that many times. He then wished a Happy Anniversary to the Wixom Police Department.

**ADJOURNMENT:**

The meeting was adjourned at 8:20 p.m.

Catherine Buck  
City Clerk