

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 24, 2017**

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

Present:

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

AGENDA CHANGES: (None)

PUBLIC HEARING:

1.) Public Hearing to Solicit Community Input Regarding the Utilization of the 2018-2019 Community Development Block Grant (CDBG) Program Allocation

Ms. Magee explained that the Block Grant Program provides funds for the purpose of renovating older homes, revitalizing neighborhoods, providing human services, and rebuilding community infrastructure that benefits low to moderate income residents. Qualified projects must be located in census tracts that are occupied by low moderate individuals and families that meet HUD's standards and guidelines. In Wixom, we have two census tracts and both are located south of Pontiac Trail. Federal regulations concerning the utilization of these funds and how they are allocated require a public hearing. Those agencies that would like to request funding from the City Council may do so at the public hearing.

Mayor Hinkley read the Rules for Public Speaking at a Public Hearing. He then opened the Public Hearing at 7:03 p.m.

Ms. Maryann Dwyer, representing HAVEN, stated that they provide services to the communities in Oakland County for victims of domestic violence and sexual assault. She thanked the Council for their prior support. During fiscal year 2017-2018, they served 21 residents of Wixom. She respectfully requested funding for the 2018-2019 year.

Mr. George Robinson, representing St. Vincent De Paul from St. William Parish in Walled Lake, said for more than 130 years, St. Vincent De Paul has been privileged to provide critical support to residents of southeastern Michigan who are hurting. They provide food assistance, shelter, utility assistance and help for the homeless. They helped 34 individuals and family members living in Wixom this past year. St. Vincent De Paul assisted a person with Stage 4 cancer pay the rent to avoid eviction. Medical conditions caused a person to be off work for more than four weeks with four children so they helped pay their rent. Mr. Robinson said that they

have appreciated the help they have received from Wixom in the past and they are looking forward to continuing that.

Mr. Donovan Neal, Executive Director of Hospitality House, said that they are a food pantry that serves over 450 families a month. They deliver over 30,000 pounds of food to those in need. Year-to-date, Hospitality House has served 888 households from Wixom alone. The combined households have received over 56,000 pounds of food valued at over \$94,000. Based on the estimated 2016 numbers of households in this City of 13,758, 6% of the City's residents have taken advantage of the free food available at Hospitality House. This number is more than double the unemployment figure of 3% that exists in Oakland County this year. Novi and Wixom are often considered affluent areas with few residents in need of assistance. The food index data show that there is actually quite a bit of need that may not be being met. Those two tracks had index scores of 60 and 54 respectfully out of a potential 66. The large track from Pontiac Trail up to I-96 in the City of Wixom is listed as food-insecure. This affirms the importance of their recent move two years ago to better position themselves to cater to the many that need their services. Mr. Neal asked the Council to consider the approval of their CDBG grant request for the 2018-2019 year and he thanked the Council.

Bridget Ojamien, representing Western Oakland County Meals on Wheels, asked for consideration of Wixom's CDBG Funds. In 2017, they provided about 14,000 meals to 57 Wixom senior residents 62 and above. They provide breakfast and a hot lunch meal, as well as a frozen meal for the weekend. Their program does more than just provide a meal. It provides a safety check. For instance, today with the water crisis and so many seniors living isolated in their homes, they were able to deliver a case of water to every senior and tell them what the status was about the water. Their volunteers are the eyes and ears that help these seniors. Ms. Ojamien hoped to get the City's support to continue meals to seniors in the Wixom area.

Mayor Hinkley asked whose vehicles the volunteers use to deliver the meals. Ms. Ojamien replied that they are all personal vehicles. Mayor Hinkley said that in a community in northern Michigan, there are four or five of these vehicles that say Meals on Wheels, so he assumed they belonged to that particular organization. They are all equipped with a device to keep the meals hot. He wondered how one Meals on Wheels gets something like that but this particular organization doesn't have that type of equipment. Ms. Ojamien said that all of the meals are cooked fresh daily at a central location. From there, they are transported to the sites. The transport vehicles are equipped to keep them warm. These vehicles have the Meals on Wheels logo on the side. She indicated that they acquired them through fundraising. In our area, the routes are all manned by volunteers who use their own vehicles.

With no further public comment, the Mayor closed the Public Hearing at 7:15 p.m.

PRESENTATION:

1.) Proclamation Honoring Eagle Scout Michael Walther

Mayor Hinkley introduced Eagle Scout Michael Walther. He then read a Proclamation and presented it to Eagle Scout Walther.

MINUTES:

CM-10-153-17: Moved and seconded by Councilmembers Smiley and Kennedy to approve the Regular City Council meeting minutes of October 10, 2017.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC:

There were no comments at this time.

CITY MANAGER REPORTS:**1.) Departmental Monthly Reports – September 2017**

Councilmember Gottschall asked if future Community Center reports for Rentals could include comparisons from the year before as well as year-to-date rentals. He thought that would be helpful to show growth or decline. Ms. Magee agreed to provide that information in future reports.

CONSENT AGENDA:

CM-10-154-17: Motion and seconded by made by Deputy Mayor Ziegler and Councilmember Beagle to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
 - a. Parks and Recreation Commission Meeting Minutes of August 14, 2017
- 2.) Approval of the 2018 City Council Meeting Schedule and Authorization for the City Clerk to Post this Schedule as Required by Section 5(2) of the Open Meetings Act (Public Act 267 of 1976)
- 3.) Consideration of Setting November 14, 2017 as the Date for a Public Hearing Associated with Establishment of an Industrial Development District for Landrow Development Company in Accordance with Public Act 198 of 1974, as Amended
- 4.) Consideration of Setting November 14, 2017 as the Date for a Public Hearing Associated with Establishment of an Industrial Development District and the Issuance of an Industrial Facilities Exemption Certificate for Trailer Technologies Holdings, LLC in Accordance with Public Act 198 of 1974, as Amended.

Vote:

Motion Carried

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

- 1.) **Recommendation to Authorize the Submittal of the 2018-2019 Community Development Block Grant Application with Distribution as Follows and Authorize the Mayor to Sign the Application on Behalf of the City: \$4,000 to Haven; \$4,117 to Hospitality House; \$4,000 to Common Ground; and \$28,276 for Parks & Recreation Facilities**

CM-10-155-17: Moved and seconded by Councilmembers Beagle and Kennedy to authorize the submittal of the 2018-2019 Community Development Block Grant application with distribution as follows and authorize the Mayor to sign the application on behalf of the City: \$4,000 to Haven; \$4,117 to Hospitality House; \$4,000 to Common Ground; and \$28,276 for Parks & Recreation Facilities.

Councilmember Kennedy noted that Common Ground only request \$3,500 and the recommendation was to give them \$4,000. He suggested that we take the \$4,000 from Common Ground and give it to St. Vincent De Paul. Ms. Magee stated that we cannot fund two of the same Emergency Services. Both St. Vincent De Paul and Hospitality House are in the same category. We can give all the money to Hospitality House or all the money to St. Vincent De Paul but we cannot split it up because they are in the same category. She said she tries to rotate it between the agencies within the categories each year.

Councilmember Kennedy said that it has been mentioned many times before that if someone doesn't feel it is important enough to present to Council, we would just pass by that organization. He would like to see something else done with that money. Ms. Magee said that was totally Council's decision. She just took the \$12,000 and split it three ways.

Councilmember Beagle echoed Councilmember Kennedy's comments. This isn't anything new for him. For the last four or five years, he has said that if they can't give us two minutes, we should reconsider it. He wondered if we could take the money that was meant for Common Ground and give it all to St. Vincent De Paul. Ms. Magee said yes, but not along with Hospitality House. We could also give it to Meals on Wheels which does not fall under the Emergency Services category. Councilmember Beagle thought the organizations should appear before Council to show they are interested and to explain what they do for our community. Everybody else does that.

Ms. Magee stated that she does send a notice out in August identifying the timeline for CDBG requests. She sent another notice in September reminding them of the deadline and she sent another one yesterday as a reminder of the public hearing.

At this time, Vicky Kennedy announced that she was present from Common Ground. She arrived late because of the weather and she didn't know how to get to City Hall. The Council then allowed her to speak.

Vicky Kennedy, representing Common Ground, stated that this was her first meeting. She has only been with Common Ground for four months now and she did not realize that she would have to make a presentation this evening. Common Ground is the most valuable organization and is critical to Wixom. She sent the numbers with the grant as to how many Wixom residents they served. Common Ground is a crisis center. They help people who think they cannot make it through the day. They have a crisis line that works 24 hours a day/7 days a week. She said they save lives every single day. They just got a grant for human trafficking so they will be opening that program soon. They just opened a substance abuse unit to bridge the gap for when people want help. They don't have to go home; they can stay right there on the facility and Common Ground finds the next step for

them. The facility is in the Oakland County complex. She indicated that 90 cents of every dollar goes directly to services for everyone that comes through their program.

Ms. Magee mentioned that last year Common Ground serviced 60 people from Wixom for a total of \$108,000. We have only funded them once before and that was two years ago. They have eight different programs at Common Ground including psychiatrists, disabled adults, crisis management, etc.

Councilmember Kennedy asked if this wasn't the same thing that the Oakland County Mental Health Authority does. Ms. Kennedy said that they work with them. It is not a duplication of services. She knew the Authority was moving out of the Oakland County complex.

Councilmember Beagle apologized to Ms. Kennedy if the Council came off confrontational. It was important for the Council to make sure they give the proper funding to the right places. With all the CDBG restrictions, the Council felt that if the organization can't give two minutes of their time, there are other organizations here that presented and they will walk out with nothing.

Councilmember Smiley commented that he didn't want the organizations to suffer because someone got a flat tire. He was glad she was here. Common Ground is a good organization.

Mayor Hinkley thought the Council agreed to get on a rotation and they left it up to Ms. Magee to maintain the rotation so we could be fair each and every year. We would love to give all the organizations money but we are limited. The easiest method for us to do was to rely on Ms. Magee to help with the rotation. He thought this was what we should stick with.

Councilmember Gottschall said that based on what Common Ground offered, it sounded like there was potentially a little bit of overlap with HAVEN. He asked how groups were categorized and if they could apply to be put into another category. Ms. Magee replied that the Block Grant and HUD folks qualify the organizations. She added that HAVEN was more for battered and abused victims of violence while Common Ground was more for psychological crisis intervention.

Deputy Mayor Ziegler agreed with the Mayor regarding what has been going on. We've done this year after year and the federal government is always changing the rules. Thank goodness we have someone who reviews all of these for us because we could never keep track of these rules. One reason why we don't split the money evenly is because these rules come into play that prohibits us from doing it. He supported the proposal as presented.

Vote:

Motion Carried

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

CM-10-156-17: Moved and seconded by Deputy Mayor Ziegler and Council-member Smiley to approve the following 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:

**RESOLUTION 2017-49
CITY OF WIXOM
COUNTY OF OAKLAND, STATE OF MICHIGAN**

**RESOLUTION OF SUPPORT FOR A GRANT APPLICATION
BY THE COMMERCE, WALLED LAKE, AND WIXOM TRAILWAY COUNCIL
TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION,
TRANSPORTATION ALTERNATIVES PROGRAM
FOR FUNDING OF THE DEVELOPMENT OF
THE MICHIGAN AIR LINE TRAIL**

- WHEREAS,** the City of Wixom is a member of the Commerce, Walled Lake, and Wixom Trailway Management Council (CW2 Council); and
- WHEREAS,** the CW2 Council owns approximately 5.6 miles of abandoned rail corridor as an unimproved trail within its constituent communities; and
- WHEREAS,** the CW2 Council and its members desire to connect their communities with an improved trailway and support non-motorized modes of transportation and healthy lifestyles; and
- WHEREAS,** one of the goals of the Michigan Air Line Trail Master Plan 2015-2020 includes the completion and improvement of the Michigan Air Line Trail from Haggerty Road to Wixom Road; and
- WHEREAS,** this project is identified in the CW2 Council budget and will enhance the trail by developing the former railroad corridor with a firm and stable surface in order to provide recreational opportunities for the City of Wixom, complete the cross-state Great Lake-to-Lake Trail-Route 1, and improve access to the neighborhoods, local businesses, schools and downtown connections associated with the trail; and
- WHEREAS,** the Oakland County Trails Master Plan-Gap Analysis was developed to supplement the Michigan Air Line Trail Master Plan. A number of public visioning sessions have been held dating back to 2006 and the input received supports improvements and enhancements of the Trail and its amenities; and
- WHEREAS,** should funding become available, construction is planned to begin in 2018; and
- WHEREAS,** the CW2 Council has been presented with a design and engineering study and has prepared a grant application for \$3.4 million, based on a total project cost of \$5.033 million, to fund desired and proposed improvements; and
- WHEREAS,** the MDOT TAP grant application submittal deadline is October 30, 2017,

NOW, THEREFORE, BE IT RESOLVED, that the Wixom City Council does hereby support the 3.4 million grant application by the Commerce, Walled Lake, and Wixom Trailway Council to the Michigan Department of Transportation, Transportation Alternatives Program for the development of the Michigan Air Line Trail;

AND BE IT FURTHER RESOLVED, that the City of Wixom Council also supports the total minimum local match required of \$1.4 million reflected in the grant application, the allocation of the local match on the basis of anticipated trail miles constructed under this project, and the resulting local match dollar amounts of \$686,000 for Commerce Township, \$420,000 for Walled Lake and \$294,000 for Wixom;

AND BE IT FURTHER RESOLVED, that Mayor Hinkley or his designee is authorized to execute the application on behalf of the City of Wixom.

Mr. Brown explained that we obtained the property through other funding sources with the split with these three communities. We have established a Trailway Council that meets on a regular basis to discuss how to go about proceeding on this project in developing this trail. We have had the recent development with the benefactor who wanted to see the trail get developed sooner rather than later. He came forward with a substantial gesture of support to cover the engineering and design costs that we are experiencing as we put together a Transportation Alternatives Program grant. Representatives at Stantec and Oakland County worked to put together this grant. During the course of that, there have been different costs that have come up that hadn't been anticipated at the beginning, like signalization of major crossings on the trail. Some of those costs are going to be substantial. They were moving toward an asphalt surface throughout the three communities and the signalization issues will be addressed. He noted that they were going to be looking for support of this Grant application with this resolution. As part of that, there is a split of the local match that is also covered in the last paragraph of the resolution. Mr. Brown stated this is a \$5 million program with a \$3.4 million grant. Of that \$5 million, they are looking for participation from the communities as a local match split on the basis of mileage. Wixom's portion is estimated at \$294,000, which is also covered in the resolution. The resolution expresses our support of the activities of the Trailway Council and the grant application with the understanding there will be a dollar match required of the City of Wixom.

Kristen Wiltfang, from Oakland County Economic Development and Community Affairs, thanked the Council for reviewing this resolution of support.

Mayor Hinkley asked if someone wanted to donate to the Trailway, who would they contact. Ms. Wiltfang said that they could go to the website for the trail (miairlinetrail.com) and there is a donation tab on the top which provides all the contact information. Mayor Hinkley said that we are coming into the donation time of year between now and December 31st, where businesses and individuals have money they want to donate. He asked if it was possible for us to put something on our website to accommodate this. Mr. Brown said that we have a link on our website to the Trailway website, but we can put something more explicitly about donating there.

Vote:

Motion Carried

3.) Recommendation to Enter into a Winter Maintenance Agreement with Robertson Brothers Anthem Development Phases 2 and 3 for Goodrich, Fletcher, Madison, Curtis, Theodore, and Center Roads by Adopting the Authorizing Resolution and Authorizing the Mayor and City Clerk to Sign the Agreement on Behalf of the City

CM-10-157-17: Moved and seconded by Councilmembers Smiley and Beagle to approve to enter into an agreement with Robertson Brothers Anthem Development Phases 2 and 3 for Goodrich, Fletcher, Madison, Curtis, Theodore, and Center Roads by adopting the following Authorizing Resolution and authorizing the Mayor and City Clerk to sign the Agreement on behalf of the City.

**CITY OF WIXOM
RESOLUTION 2017-50
2017-2018 WINTER MAINTENANCE AGREEMENT**

WHEREAS, the City of Wixom has agreed to assume snow and ice control for the Anthem Development Phases II and III and has realized an increase in the level of service and community satisfaction; and,

WHEREAS, Goodrich, Fletcher, Madison, Curtis, Theodore, and Center Roads are located in the Anthem Development; and

WHEREAS, Robertson Brothers has assigned snow and ice control responsibilities to the City for these roads (1.03 Miles).

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Wixom hereby approve the 2017-2018 Anthem Development Winter Maintenance Agreement with Robertson Brothers and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City of Wixom.

Mr. Sikma said that Robertson Brothers asked the City to accept their roads in Phase 2 and Phase 3; however, the City was not quite ready to accept the roads as they were still in the development phase. He noted that they were still inclined to offer the City services for clearing the roads during the winter months but on a trial basis.

Councilmember Beagle referred to Section I of the agreement that stated the City shall be in accordance with Anthem Development's ice guidelines. Mr. Sikma said that they would follow the City's ice guidelines. He apologized as that was a typo within the agreement and said it would be changed.

Councilmember Gottschall asked how they got to assess the \$3,800 fee. Mr. Sikma said they used the standard set by Oakland County for two-lane roads.

Mayor Hinkley asked how Robertson Brothers, Anthem Development Phases and City staff would notify the new residents of these developments of the snow emergency ordinance. He thought without proper notification, residents would not know to move their cars and cause problems for the plow trucks. Mr. Sikma said they would follow the same guidelines that were already in place when notifying the residents. Mayor Hinkley did not think the current plan of notification worked. He

suggested a door hanger telling them to move their car during a snow emergency or they can expect to have it towed.

Vote:

Motion Carried

4.) Recommendation to Adopt a Resolution Declaring a Change in the City of Wixom's Charter for the Nominating Petition Deadline and Forward a Copy of this Resolution to the Michigan Municipal League

CM-10-158-17: Moved and seconded by Deputy Mayor Ziegler and Council-member Beagle to adopt the Resolution declaring a change in the City of Wixom's Charter for the nominating petition deadline and forward a copy of this resolution to the Michigan Municipal League:

**CITY OF WIXOM
COUNTY OF OAKLAND
STATE OF MICHIGAN**

**RESOLUTION 2017-51 DECLARING A CHANGE IN THE
CHARTER OF THE CITY OF WIXOM
REFLECTING THE CHANGE OF DATE FOR FILING NOMINATING PETITIONS**

WHEREAS, due to State of Michigan legislative changes, the City of Wixom must update its City Charter to reflect these changes; and

WHEREAS, the State amended the Election law in 2012 (PA 276) to require that nominating petitions be filed 15 weeks prior to an election; and

WHEREAS, according to the Home Rule City Act, MCL 117.3(b)(3): "Notwithstanding any charter provision, the city may provide by resolution for any election provision that is consistent with the Michigan Election Law, 1954 PA 116, MCL 168.1 to 168.992, as amended."

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Wixom, to be in compliance with Michigan Election Law, shall amend Chapter 3, Section 3.8 Nominations in the City Charter to reflect a due date for filing nominating petitions 15 weeks prior to the odd year primary election.
2. An annotation shall be added to the charter stating "The charter language pertaining to filing nominating petitions for regular city elections is superseded by Michigan Election Law MCL 168.644e as amended under PA 276 of 2012. The candidate nomination petition filing deadline is 4:00 p.m. the 15th Tuesday prior to the odd year primary election."

Ms. Buck said she was contacted by the Michigan Municipal League (MML) regarding the City's nominating petition due date not being in line with State law. During a random audit by the MML they found that the Wixom City Charter stated that nominating petitions were due seven weeks before the election; however, the State law was amended in 2012 changing the due date to fifteen weeks before the election. Because the State law supersedes the City Charter, the fifteen week deadline had been followed since 2012. The Home Rule City Act allows the City to pass a Resolution to fix this without having to go to the public vote for a Charter amendment. Once the Resolution is adopted, the MML will annotate the Charter to

reflect the status of State law. The MML has also requested that we send a copy of the adopted Resolution.

Vote:**Motion Carried****CALL TO THE PUBLIC:**

There were three students from Lakeland High School in attendance for their government class.

CITY MANAGER COMMENTS:

Mr. Brown said the Michigan Airline Trail would have an Open House at the Walled Lake Fire Station on Wednesday, October 25th from 4:30 p.m. – 7:30 p.m. He thought that this would be a great opportunity to look at the design concept and offer any feedback.

COUNCIL COMMENTS:

Councilmember Smiley thanked Mr. Brown for his efforts in getting the word out on the water advisory. He thanked Mr. Delaney from Suez for his efforts as well.

Councilmember Gottschall had no comments.

Councilmember Beagle thanked City Manager Brown for his efforts of informing the public of the water main break. He also congratulated Jason Maxwell, Sharon Butsavich, Caroline Shave and Craig Scherbarth for celebrating their work anniversaries. He thanked them for their service to the City.

Councilmember Kennedy asked Matt Delaney to explain for the record what happened when people flush prescription pills down the toilet. Mr. Delaney stated that those items did not break down and usually ended up with the solids or discharging into the streams, which could end up in a violation and/or compromise of the solid capability of getting the product out to the farmers. Councilmember Kennedy said that was a reminder as to why it was important to take advantage of the Prescription Drug Take Back Event that was being held on Saturday, October 28th from 10 a.m. – 2 p.m. at the Police Department. He reminded everyone to be careful on Tuesday as it was Halloween and lots of children would be out.

Deputy Mayor Ziegler had no comments.

Mayor Hinkley thought it was important for the residents to know that the City of Wixom has a water tower that holds 1.5 million gallons of water. He said that Wixom gets their water from Port Huron. When the City of Wixom went with the Detroit Water Sewer Department (DWSD), they kept two well houses running so they could use them in case of an emergency. It has paid off as they had used them during the blackout. He noted that during the blackout other communities did not have any water but Wixom did. He thanked this Council and Councils before for thinking of emergency situations and keeping the well houses and water tower up and running. He thanked the City Manager, Suez and Mr. Sikma for their work on this matter.

Mr. Brown wanted to thank the following people for their efforts with the water main break: Mr. Sikma, Matt Delaney, Chief Jeff Roberts, the Police Department and Wendy Brink from the City Manager's Office. He said they made every effort to keep people informed. He thanked the Mayor and Council of past and present for continuing to spend money on the wells because it allowed the City to be in a much better position than some of our surrounding communities.

ADJOURNMENT:

The meeting was adjourned at 8:17 p.m.

Catherine Buck
City Clerk

Approved 11-14-2017
