

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
REGULAR CITY COUNCIL MEETING MINUTES  
TUESDAY, JULY 10, 2018**

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

**Present:**

**Mayor:** R. Ziegler  
**Deputy Mayor:** P. Beagle  
**Councilmembers:** K. Gottschall  
N. Kennedy  
B. Leder  
T. Rzeznik  
R. Smiley

**AGENDA CHANGES:**

Mr. Brown mentioned the Joint Meeting of City Council and the Planning Commission scheduled for Monday, July 16<sup>th</sup>, at 7:00 p.m. The purpose of the meeting is to discuss the proposed Master Plan. The public is welcome.

Mayor Ziegler introduced Ken Milburn from Merge Live. He will be video recording the meetings. Mr. Milburn thanked the Council for this opportunity. He stated that they do several communities in the area and he was glad to add Wixom to their portfolio.

**PRESENTATIONS:**

**1.) Reaffirmation of Oath of Office for Police Officer Andrew Tabor**

Director Moore introduced the Department's newest Police Officer, Andrew Tabor. Officer Tabor is a 2016 graduate from Ferris State University where he achieved a Bachelor of Science degree in Criminal Justice. In September 2017, he joined the ranks of the Wixom Police Department as a public safety aide. He has demonstrated a solid work ethic and a strong sense of loyalty to the people who live, work, and spend time in Wixom and it was Director Moore's privilege to promote him to the rank of Police Officer. Officer Tabor has been assigned Badge #31 and to put that into a little perspective, Mayor Ziegler was once Badge #8 on this Department.

Officer Tabor's father, Bill Tabor, had the honor of pinning his badge on him. Also in attendance with Officer Tabor were his mother and his grandparents.

He reaffirmed his Oath of Office.

At this time, there was a brief break for coffee and cake in honor of Officer Tabor.

**MINUTES:**

**CM-07-106-18:** Moved and seconded by Councilmembers Smiley and Kennedy to approve the Regular City Council meeting minutes of June 26, 2018.

**Vote:**

**Motion Carried**

**CORRESPONDENCE:**

- 1.) **Notice of Hearing before the Michigan Public Service Commission for Customers of DTE Electric Company – Case No. U-20029**

**CALL TO THE PUBLIC:**

There were no comments at this time.

**CITY MANAGER REPORTS:**

- 1.) **Fire Report - May 2018**

There were no comments or questions on this report.

- 2.) **Police Report – May 2018**

Councilmember Rzeznik knew that the TSI Initiative will be in full force part of June and into July. He asked if the June Report would reflect those under the Traffic Offenses or Other Traffic Complaints. Director Moore said he would do whatever the Council wishes. He would be happy to create a separate category, or it would be under the regular Traffic. The Council agreed that they would like to see a separate category.

Deputy Mayor Beagle wondered about the Group B Crimes – Peeping Tom/Sex Offense Other. There were two incidents in May 2018 and none in the past. Director Moore explained that there was one individual he believed was responsible for two separate incidents. He was identified and they were in the process of seeking a complaint warrant for him.

Councilmember Gottschall didn't recall seeing that listed on reports in the past. Director Moore indicated that if they put every Group B crime on the report and put zeros there, it would be a very lengthy report. When a particular crime occurs, it gets added to this report.

**CONSENT AGENDA:**

**CM-07-107-18:** Motion and seconded by made by Councilmembers Rzeznik and Kennedy to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
  - a. Library Board Minutes of May 21, 2018
  - b. Downtown Development Authority Minutes of May 22, 2018
- 2.) Recommendation to Accept a Water Main Easement in the Total Amount of \$1.00 Granted by Walled Lake Consolidated School District, a Michigan General Powers School District, and Authorize Mayor Richard Ziegler and the City Clerk to Sign the Water Main Easement Agreement
- 3.) Request for Authorization of City Manager Steven Brown to Sign the "Better Utilizing Investments to Leverage Development" (BUILD) Transportation Planning Grant Application for the Widening of Beck Road from Three to Five Lanes

**Vote:**

**Motion Carried**

**UNFINISHED BUSINESS:** (None)**NEW BUSINESS:**

- 1.) Recommendation to Award the 2018 Industrial Road Construction Maintenance Program to Florence Cement Company of Shelby Township, Michigan, in an Amount not to Exceed \$1,375,306 and to Award the Construction Engineering to the City Engineering Firm of Hubbell, Roth & Clark, Inc. in the Amount of \$101,790, along with Approval of the Associated**

**CM-07-108-18:** Moved and seconded by Councilmember Smiley and Deputy Mayor Beagle to award the 2018 Industrial Road Construction Maintenance Program to Florence Cement Company of Shelby Township, Michigan, in an amount not to exceed \$1,375,306 and to award the construction engineering to the City engineering firm of Hubbell, Roth & Clark, Inc. in the amount of \$101,790, along with approval of the associated budget amendment.

Mr. Sikma stated that there are a number of industrial roads in Wixom that have lower than desirable PASER ratings. We will be reconstructing some and milling and filling other areas, as well as some concrete work. It was all put on one industrial bid. We had the design engineering earlier, but we did not have coverage for the inspections. That is included in this report.

Councilmember Rzeznik noticed that one of the bidders also bid on the next agenda item. He questioned if any of the applicants had an interest on doing a package deal by bidding of both. Mr. Sikma replied yes. There are different names with different contractors. There is more concrete than asphalt on this particular job, so it does make sense for a cement company to get this one. The parking lots are more asphalt and reconstruction. It does get complicated when you mix both jobs.

Councilmember Gottschall asked if this would be mainly hot mix asphalt for the industrial roads and that we wouldn't be doing the concrete again. Mr. Sikma indicated that we would be resurfacing the concrete and asphalt there with asphalt on Avante, Lorie Lane and Anna Court. Magellan, Cartier and Century Drive will be the cement. Councilmember Gottschall asked if the concrete would be a complete tear out. Mr. Sikma replied that there was a portion that would be a complete tear out on Avante, but not all of it. Councilmember Gottschall stated that with his theme of where the money would be coming from for these projects (Budget Stabilization Fund), he didn't think it was the best decision to spend that fund down so quickly for non-emergency projects. Overall, he was not in support of this.

Councilmember Kennedy thought we had LDFA funds set aside to take care of some of these streets. Mr. Sikma said that we did have some LDFA money. We will be utilizing the remaining for the West Road project and the Beck Road project. We are still finalizing Beck Road so we want to make sure we have those funds available. They will end up at the same location, so we will spend all of the LDFA money. Councilmember Kennedy asked if the total of the LDFA monies was about \$3 million. Mr. Sikma said there was \$3 million and we spent most of that on Wixom West Tech, Beck Road and the portion of West Road. He thought we would have about \$250,000 left after West Road. If that is the case, we will do a budget amendment to move that money into this program. Councilmember Kennedy

thought we got a \$2 million grant that Hubbell, Roth & Clark worked on. Mr. Sikma said that we got almost \$900,000 for that from FAC money and the project is running about \$1.3 million. Last year, we spent a lot of the LDFA money on West Road, Frank Street, Anthony, Wixom West Tech, and Tech Drive.

Mayor Ziegler said we have been waiting to get these done for quite a while. He was glad we had them bid out and that we are taking action on them now.

**Roll Call Vote: (6) AYES - Beagle, Kennedy, Leder, Rzeznik, Smiley, Ziegler  
(1) NAY - Gottschall**

**Motion Carried**

**2.) Recommendation to Award the 2018 Parking Lot Improvement Program to Best Asphalt, Inc. of Romulus, Michigan, for an Amount not to Exceed \$865,302.28 and to Award the Construction Engineering to the City Engineering Firm, Hubbell, Roth & Clark, Inc. for an Amount not to Exceed \$84,740**

**CM-07-109-18:** Moved and seconded by Deputy Mayor Beagle and Councilmember Rzeznik to award the 2018 Parking Lot Improvement Program to Best Asphalt, Inc. of Romulus, Michigan, for an amount not to exceed \$865,302.28 and to award the construction engineering to the City engineering firm, Hubbell, Roth & Clark, Inc. for an amount not to exceed \$84,740.

Mr. Sikma stated that this improvement will be for the parking lot at City Hall and the Community Center. He wanted to get this in sooner than the other two parking lots. We had the engineering completed on this and we can have the entire parking lot completed before the election in November. We will be working around our August 7<sup>th</sup> Primary Election to make sure there won't be any interferences. We will start on the west end and work our way around.

Councilmember Gottschall asked if we would be starting the project at all before the election. Mr. Sikma said we will do the project in two phases. The first phase will be straight up the west driveway and toward the west. There will be room for ingress and egress during that time. When that is complete, they will start on the other side, which will be after August 7<sup>th</sup>. If they are not finished with the first phase, they will not be working on Election Day. All voters will be able to come in without a problem. Councilmember Gottschall said that the parking is full before and after work on Election Day. He didn't want to cut away any spaces. He also asked if we had talked to any of the bidders regarding the Fire parking lot and the other City parking lot to see if they could extend pricing. Mr. Sikma answered yes. He had hoped that the folks already working on Highgate would be competitive, but they were not. Councilmember Gottschall wondered if pricing would have been more favorable if we would've gone out for all three projects at the same time. Mr. Sikma said he didn't think we would save that much on this particular project. He said we are not finished with the planning of the Fire Department parking lot yet and he wanted to make sure we got this one completed before the end of the year.

With the construction method that was being used, Councilmember Rzeznik wondered what the life expectancy was of the new parking lot. Karen Stickel, from

Hubbell, Roth & Clark, confirmed that it would be about 20 years with some maintenance. The catch basins will be concrete aproned and there will also be better drainage.

Councilmember Smiley confirmed that we will have fairly minimal disruptions during the August 7<sup>th</sup> Primary Election with the main parking lot being open for voters. He also wanted to confirm that the work would be completed before the November 6<sup>th</sup> General Election. Mr. Sikma said that was correct.

Deputy Mayor Beagle asked why we were installing a security fence for the Police vehicles. We have never done that before. Mr. Sikma said the security fence was for employee parking. With the changes we are seeing in the general populous, there was some concern about going in and out of work. The fencing would have a security feature so folks can't see in. Deputy Mayor Beagle asked how many spaces that would take away from our parking. Mr. Sikma thought it would only take the space of the Police cruisers there and the employees that work there. There will be room for 36 vehicles within the fenced area.

Councilmember Kennedy asked if the security fence would impede other departments dropping off prisoners. Mr. Sikma replied no. The garage doors will not be fenced off. Councilmember Kennedy asked what was involved in construction and engineering for a parking lot. Ms. Stickel said it was primarily layout so the survey and the gradings get the appropriate grades for the lot, the curbs, and the basins. We will have a full time inspector on site the entire time to make sure this goes according to plan and to answer any questions from the contractors. Councilmember Kennedy asked if we normally had someone sitting out there full time when we had construction projects. Ms. Stickel said that we do. Councilmember Kennedy asked how long it would take to do the parking lot. Ms. Stickel said that we have an eight week construction schedule for this. We are making some minor adjustments to improve drainage to keep the water off the parking lot and extend the life of the parking lot. Councilmember Kennedy asked if we would be bidding out the Fire parking lot soon. Mr. Sikma said we are looking at bidding that one with the Wainstock parking lot. Councilmember Kennedy suggested that when this goes out to bid, the City should look at a different engineering firm to do the work to see if we are able to get a better deal. Together, these two projects are \$185,000 for engineering.

Councilmember Gottschall said he was trying to imagine where we were fencing off for 36 spaces and what materials would be used. Mr. Sikma explained that the fencing is designed to be eight feet with a black vinyl through the chain link. It will go straight back from the corner of the building toward the turn, going over and back down along the generator side. People will still be able to loop around the building. On the outside of the fence, there will be parking on both sides going along that particular area. There are four different car lengths with two drives in between them. After the fencing, there will be one drive on the outside with two parking end-to-end on the outside. Councilmember Gottschall said that aside from his other objection of where the funding was coming from, he thought it would take away from parking for City events, like elections. He didn't know what the plan was to recuperate those spaces during elections. He also wasn't sold on the idea of

fencing everything off with those materials because he didn't think it would look that great.

**Roll Call Vote: (5) AYES - Beagle, Leder, Rzeznik, Smiley, Ziegler  
(2) NAY – Gottschall, Kennedy**

**Motion Carried**

**3.) Recommendation to Accept Lindhout Associates Architects AIA PC of Brighton, Michigan, Proposal for Bid Developments and Construction Administration Services for the Re-Roofing of the City Hall and Community Center Roofs for an Amount not to Exceed \$10,000**

**CM-07-110-18:** Moved and seconded by Councilmember Kennedy and Deputy Mayor Beagle to accept Lindhout Associates Architects AIA PC of Brighton, Michigan, proposal for bid developments and construction administration services for the re-roofing of the City Hall and Community Center roofs for an amount not to exceed \$10,000.

Mr. Sikma said he talked to two of the roofing contractors that we typically use for the repairs we have been doing over the last several years at City Hall and the Community Center. They both recommended that we get an architect because of the various cuts of our roofs. Lindhout have been our architects for several years. They did the architectural work at the Community Center and the Gibson House.

Councilmember Rzeznik wondered about the inability for additional insulation that was noted in the report. Mr. Sikma explained that they have to have two times the weight of a foot of snow on the roof. Along with the insulation, they are not recommending it because they do not think we will get the value that we would need through the next 20 years of the roof. The value of the energy savings would be too small for the expense we would see of adding the insulation.

**Vote:**

**Motion Carried**

**4.) Recommendation to Convene a Closed Session of the City Council, in accordance with the Michigan Open Meetings Act, after "Council Comments" for the purpose of Discussing Labor Negotiations**

**CM-07-111-18:** Moved and seconded by Councilmembers Smiley and Kennedy to convene a closed session, in accordance with the Michigan Open Meetings Act, after "Council Comments" for the purpose of discussing labor negotiations.

**Roll Call Vote: (7) AYES – Beagle, Gottschall, Kennedy, Leder, Rzeznik, Smiley, Ziegler  
(0) NAYS**

**Motion Carried**

**CALL TO THE PUBLIC:**

Sue Kenney, 3269 Theodore East and owner of two businesses (a day care and a hair salon) on Wainstock, said she was here for the house next to the day care. The address is 49361 Wainstock. This house has been empty for five years. It is

causing major problems with being empty. She presented each of the Councilmembers with photographs. When the woman died five years ago, she called Animal Control who took out several cats that had been dead for many months. They left several in the house because they said cats can live alone as long as the owners that inherited this house would feed them and keep heat in the house. Now they are putting food and water in the garage. Ms. Kennedy said that the smell was horrendous. There are raccoons, groundhogs and other animals living on this property. The owner has neglected this property so much over the years that you can't even see a picnic table in the backyard because the grass is so high. Two years ago, they had a problem on that side of the building where they found two ticks on an employee and her son. They were sent to the State for testing of Lyme disease but they were not infected. She said that the raccoons are really taking over. They have caught four and this morning there were two more running on the ramp. This house is in such disarray. The Police told her that there was a homeless person living in the garage and she heard from someone else that he had broken the door to the house and was living in the house too. There was an inspection done on the house recently because someone tried to buy it. The foundation is crumbling and the potential buyer was willing to put a lot of money into it to put a business there. The homeowners say it has sentimental value and they won't come down on the price to fix the foundation. Ms. Kenney said she was asking the Council for help. She asked what she could do next.

Mayor Ziegler thought she should work with the Administration. Speaking for all of the Council, he said they would like her problem to be addressed, but the Administration is who would take care of it. Mr. Brown said we would have an evaluation done on the house through our Building Department, our SAFEbuilt contractors, to see what the situation is from the exterior. Ms. Kenney said she has been working with Debe Barker for the last few years and she has taken pictures of the animals through the windows. She has had Police Officers tell her to go to the Council to get something done.

Councilmember Leder thought this met the elements of a public nuisance. He asked if someone owned this property. Ms. Kenney said that the daughter inherited it. No one has lived there for five years. Councilmember Leder said if it was declared a public nuisance, the owner would be responsible to manage all of the issues within six months to a year. Otherwise, the City could take possession.

Mayor Ziegler said that we had a situation recently at the north end of the City that we ended up having to condemn. Mr. Brown said any of the processes are not instantaneous relief. It will be a longer term process. Ms. Kenney said that she has waited five years already. Mr. Brown thought the best case scenario would be for the current owners to bring the property to a state that would not be problematic and not lead to that step because it would be more quickly resolved. The other route takes a long period of time.

Mayor Ziegler thanked her for bringing this to the City's attention and indicated that the Administration would be taking care of this for her.

Chuck Pelto, 1960 Roxbury Run, wanted to address the Traffic Safety Initiative. His home backs up to Loon Lake Road. Over the course of the years, he has seen the

traffic pattern and activities change. Loon Lake Road, Charms Road, Maple Road are becoming more east/west thoroughfares. These roads are a handy way to get from the Walled Lake or M-5 area, up to Commerce and Milford. Last spring, the Mayor and the Chief attended a homeowners' association meeting where they had put together some concerns. There are a number of crosswalks that are marked, approximately 27 school bus stops and approximately 200 kids picked up. The biggest concern at that point in time was the disregard for the school crossings at Loon Lake Elementary. Recent events resulting in a death caused the Chief to initiate the TSI, which he fully supported. He also understood that the City ran on budgets. There are resources that the City has to use and he appreciated that. Right now the Traffic Safety Initiative is three times a week for a three hour period and that is being covered on overtime. Resources within the Police Department to do it on a regular basis are not there. He also recognized that we have high density areas to the south that account for a high number of the Police calls. But there is also the northern section of the City that is largely residential. He said if you look at the statistics of the radar, you will see the average was 32 mph. That took into consideration the people slowing down to drop off their children at Loon Lake Elementary. Ahead of that and beyond that, they are not going 25 mph. Speaking for himself and his neighbors, he said that the Council is stewards of the resources for the City. The resources are what the Chief needs. There are nine hours a week for traffic enforcement in the north end of the City where a child was killed because of a speeder. He asked the Council to take that into consideration. It was great that we just brought in a new Police Officer. But he wanted them to take a look at how they will utilize those resources and how they will authorize the Chief to utilize those resources to do something to bring the speed down. If anybody has a doubt as to what the traffic patterns are or what the speed is, he invited them to sit on his deck to watch the traffic on Loon Lake Road. He said the City needs to do something now.

#### **CITY MANAGER COMMENTS:**

Mr. Brown said there was an audit of the grant that was utilized to purchase the Air Line Trail property that was accepted in 2016. His office received notice from the Michigan Department of Transportation that there were no issues with that grant. He congratulated the staff who was involved in the administration of that grant. Wixom continues to take the lead on the Air Line development because somebody has to be in charge of accepting money and disbursing funds. He announced the Hot Blues and BBQ event is a week from Thursday, July 19<sup>th</sup>, from 6-10 p.m. at Sibley Park. He welcomed Wings Etc. and Wilson Marine to the City of Wixom. We are pleased to have new corporate citizens in our community. He said his office continues to solicit for residents that have been impacted by power outages from DTE to get in touch with City Administration. Residents can contact us at [citymanager@wixomgov.org](mailto:citymanager@wixomgov.org) or by calling (248) 624-0894. We are looking to do a communication with DTE to bring added attention to this issue present in our community. Lastly, he mentioned the Joint Council and Planning Commission meeting that will be held on Monday, July 16<sup>th</sup>, at 7:00 p.m. The purpose of that meeting is to discuss the proposed Master Plan update.

#### **COUNCIL COMMENTS:**

**Councilmember Smiley** congratulated Officer Andrew Tabor and welcomed him to the Police force.

**Councilmember Gottschall** congratulated Officer Tabor and thanked him for his commitment to the City and its residents. In regard to the DTE issues, he wasn't sure what the response has been like. He knew we have been doing the sign out front and the Friday E-Blast. We buy lawn signs for various events and he didn't think it would be too expensive to get a few of them and place them at the front of the subdivisions that have been experiencing problems.

**Councilmember Rzeznik** welcomed Officer Tabor aboard. He thought the TSI has been fairly effective in the morning rush hour. He has been setting his cruise on Charms Road and Potter Road on the way in in the mornings. He has noticed that people are not extending their gap at a fast rate like they were prior to the Initiative. He thought the awareness was there. He estimated that people were driving approximately 29-34 mph, which is a big difference from a few weeks earlier. He thanked Mr. Pelto for his remarks. We need to look seriously at this, especially as we expand the housing in the VCA area and up to Maple Road.

**Councilmember Kennedy** welcomed Officer Tabor. He'll be a nice addition to our Police Department. He hoped everyone would have good time at the Red Hot and Blues.

**Councilmember Leder** welcomed Office Tabor. He thanked the residents for coming out and providing feedback on certain issues that may or may not have escaped the Council. As far as the Traffic Safety Initiative, he has noticed the change as well.

**Deputy Mayor Beagle** welcomed Officer Tabor. He was looking forward to seeing everyone at the Hot Blues and BBQ next Thursday. He welcomed Wilson Marine and Wings Etc. He was glad they are there.

**Mayor Ziegler** welcomed Officer Tabor. He understood that the City had a new arrival from one of our Wixom family members. Ms. Radditz had a baby daughter and he congratulated her and her husband. He said he stopped by to meet the new Senior Coordinator the other day and he was happy to have her. He encouraged everyone to stop by and introduce themselves to her. In regards to the Joint Meeting with the Planning Commission, he thought the way this has come about has been interesting because the idea that people didn't know this was going on, similarly to what Councilmember Kennedy said when he said he didn't know that they withdrew the boundaries of the VCA. Reflecting back on some of the things that were happening earlier this year and late last year, he recalled that we did have a couple of meetings that took place with the Planner where he had different charts and graphs. One of them was the proposed new Master Plan with the changes. The problem he had was that there wasn't a side-by-side comparison. He hoped we would have a side-by-side comparison so we can all see what the changes are being proposed, as well as some rationale for making the changes. The feedback he gets from people is that they don't want to see these changes. We can talk about this at the meeting on Monday. Also, he empathized with the people and the problems we have with traffic. We just had two retirements in the Police Department. One has been replaced but we are still one down. He hoped we would

get to full strength as quickly as possible and spend a little more time doing the traffic enforcement types of programs that we have going.

The Council recessed at 8:14 p.m. They entered the Closed Session at 8:23 p.m. and rose from the Closed Session at 8:38 p.m.

The meeting was reconvened at 8:41 p.m.

**CM-07-112-18:** Moved and seconded by Councilmember Gottschall and Rzeznik to ratify the Tentative Agreement dated June 19, 2018 between the City of Wixom and the Police Officers Labor Council – Patrol Officers, authorize the Mayor and City Clerk to sign the Collective Bargaining Agreement (July 1, 2018 – June 30, 2021) on behalf of the City, and authorize the Mayor to sign the MERS documents to modify the Defined Contribution and Health Care Savings Plan documents to reflect the adopted changes.

**Vote:**

**Motion Carried**

**CM-07-113-18:** Moved and seconded by Deputy Mayor Beagle and Councilmember Kennedy to ratify the Tentative Agreement dated July 9, 2018 between the City of Wixom and the Government Employees Labor Council – Clerical and Library Employees, authorize the Mayor and City Clerk to sign the Collective Bargaining Agreement (July 1, 2018 – June 30, 2021) on behalf of the City, and authorize the Mayor to sign the MERS documents to modify the Defined Contribution and Health Care Savings Plan documents to reflect the adopted changes.

**Vote:**

**Motion Carried**

**ADJOURNMENT:**

The meeting was adjourned at 8:43 p.m.

Catherine Buck  
City Clerk

Approved 7-24-2018
-----------------------