

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
REGULAR CITY COUNCIL MEETING MINUTES  
TUESDAY, JANUARY 28, 2020**

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

**Present:**

**Mayor:** P. Beagle  
**Deputy Mayor:** T. Rzezniak  
**Councilmembers:** P. Behrmann  
K. Gottschall  
T. Gronlund-Fox  
P. Sharpe  
R. Smiley

**AGENDA CHANGES:**

Mr. Brown requested the removal of New Business #8 – Request to Authorize the Execution of a Professional Services Agreement with Laura Cloutier to Provide Services to the Wixom Downtown Development Authority as Executive Director in the Amount of \$45,000 Annually for a Period of One Year.

**PUBLIC HEARING:**

**1.) Public Hearing Associated with the Sale of City Property, Known as 3073 and 3084 Partridge, in Accordance with Chapter 3.16 (Disposition of Real Property) of the Code of Ordinances**

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

Seth Gorback, 3034 Partridge, stated that everything he read regarding the sale of these properties at \$1000 each did not mention the name of the buyer. He assumed there was a buyer; otherwise he felt this sale would not be happening. He stated that he was willing to purchase both parcels for \$1,100 each. He noted that it was not his final offer but could start a conversation. He added that if the current buyer did not wish to pay more or engage in a public auction, he believed the land should be sold to him for \$1,100 per parcel.

Seeing no other comments, the Public Hearing was closed at 7:04 p.m.

**PRESENTATION:**

**1.) Recognition of Eagle Scouts Adam Klehm and Ryan Qualley**

Mayor Beagle read the Proclamations for Ryan Qualley and Adam Klehm. He presented them with their proclamations and the Council congratulated them both.

**MINUTES:**

**CM-01-09-20:** Moved and seconded by Councilmembers Gottschall and Gronlund-Fox to approve the Regular City Council meeting minutes of January 14, 2020.

**Vote:**

**Motion Carried**

**CORRESPONDENCE:****1.) Peter Sharpe's Letter of Resignation from the Planning Commission****CALL TO THE PUBLIC:**

Steven Foster, 1489 Pond View Drive, indicated that he was the current Council Commissioner of the Great Lakes Field Service Council. He appreciated the City Council, City Manager and Department of Public Works for their continued support of the scouting community.

**CITY MANAGER REPORTS:****1.) Departmental Reports - December 2019**

Councilmember Behrmann had a question regarding the Construction and Development Report. He wondered if the Springhill Suites Hotel was completed and if there were any screening requirements for the HVAC units on the roof. He thought it was bizarre that they were visible. Mr. Brown said that he would check into this and get back to him with an answer.

Deputy Mayor Rzesnik noticed a number of the major roadway storm drains were cleaned. He saw some orange cones around the City due to failing basins. He wondered if those happened to be County roads. Mr. Sikma said it depended on where he saw the cones as Pontiac Trail and Wixom Road were County roads. He added that there were a few cones on Beck Road and construction would start soon.

**CONSENT AGENDA:**

**CM-01-10-20:** Motion and seconded made by Deputy Mayor Rzesnik and Councilmember Gottschall to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
  - a. Parks & Recreation Commission Minutes of October 14, 2019
  - b. Senior Commission Minutes of September 10, 2019
- 2.) Request for Approval of the 2020 Calendar Year Proposed Operating Budget for the Commerce, Walled Lake and Wixom Trailway Management Council

**Vote:**

**Motion Carried**

**UNFINISHED BUSINESS:** (None)

**NEW BUSINESS:**

- 1.) **Consideration of the Mayoral Appointments of Cheryl Tacy and Mark Lada to the Planning Commission with Terms to Expire June 30, 2021 and June 30, 2020 Respectively, and the Appointment of Ray Cousineau and Fred Alexander to the Zoning Board of Appeals with Terms to Expire June 30, 2021 and June 30, 2022 Respectively**

**CM-01-11-20:** Moved and seconded by Councilmembers Smiley and Gronlund-Fox to confirm the Mayoral Appointments of Cheryl Tacy and Mark Lada to the Planning Commission with Terms to Expire June 30, 2021 and June 30, 2020 Respectively,

and the Appointment of Ray Cousineau and Fred Alexander to the Zoning Board of Appeals with Terms to Expire June 30, 2021 and June 30, 2022 Respectively

Cheryl Tacy mentioned that she served on the Planning Commission for seven years before taking some time off. She had been a resident of the area for 20 years and was happy to be back in this official compacity.

Mark Lada said he had lived in the area for twenty years and taught at Sarah Banks Middle School. He looked forward to serving the City.

Fred Alexander was a resident for over twenty years while his wife had been a resident for forty years. He mentioned that he was a local realtor and a graduate of the University of Maine. He looked forward to serving on the ZBA.

Mayor Beagle thanked them for volunteering and serving the City.

Councilmember Gottschall commented on Mr. Cousineau's appointment. He learned that the Michigan Zoning and Enabling Act said there could be a member of the Planning Commission and Zoning Board of Appeals but they could not vote on the same matter between both Boards and/or could not take part in Public Hearings on both Boards. He felt that you would be taking away an extra perspective at times when that happened. He was aware of the past practice in having a liaison between the two Boards but knew that it wasn't official. He recalled receiving material in the past indicating that it was not a fantastic idea. He hoped that later down the road they could have an extra person on the Boards instead of a liaison.

Councilmember Behrmann said he served on the ZBA with Joe Barts who served on the Planning Commission and ZBA. He believed his insight was beneficial. He did not believe it really became an issue but more of a benefit to the applicant and Board.

**Vote:**

**Motion Carried**

**2.) Recommendation to Approve the Sale of City-Owned Property, Specifically 3084 Partridge (Parcel Number 96-17-29-326-012) and 3073 Partridge (Parcel Number 96-17-29-329-003), for the Sum of \$1,000 Each in Accordance with Section 3.16.050 of the City Code, and Authorize the Mayor and City Clerk to Sign the Quit Claim Deed for Each Property on Behalf of the City**

**CM-01-12-20:** Moved and seconded by Councilmembers Gottschall and Behrmann to approve the sale of City-owned property, specifically 3084 Partridge (Parcel Number 96-17-29-326-012) and 3073 Partridge (Parcel Number 96-17-219-329-003), for the sum of \$1,000 each in accordance with Section 3.16.050 of the City Code, and authorize the Mayor and City Clerk to sign the quit claim deed for each property on behalf of the City.

Mayor Beagle explained that both parcels were owned by the City and they were limited on how much they could charge for the properties. He thought the City was only allowed to sell the parcels for what they put into them. He thought that both

parcels were wetlands and did not believe they would be suitable for building. He believed the buyer wanted to purchase the properties so they could have lake access.

Councilmember Behrmann recalled \$1,000 for 3084 Partridge but did not recall that amount for 3073 Partridge. Mr. Brown explained that 3073 Partridge was not a foreclosure; however, that was the less attractive property between the two. Councilmember Behrmann asked if there was an ability to charge more for 3073 Partridge. Mr. Brown said they could but it was not the lake front property and it was more wet than the other parcel. He added that the value on both properties were limited from the City perspective as they had the tax reversion on one parcel and the other was wetland. He mentioned that these properties had been available for a long time and they never had any interest from anybody else other than the buyer. He said that the potential buyer had a home that abuts 3073 Partridge and stated the purpose for acquiring the properties was to maintain privacy and make sure nothing else happened with the property. He added the City put a restriction on the properties indicating no structures could be built on them. He was pleased that these properties would be put back on the City's tax roll.

Councilmember Behrmann wondered how it would be addressed that there was another individual that would pay more. Mr. Brown mentioned that the potential purchaser had expressed interest in these properties for a period of years. He added that if Council wanted to explore avenues, he would follow their direction.

Councilmember Gottschall was in favor of this as it was. He was aware this had been a conversation since he had been on Council and only with this sole individual. He liked that the City added the restriction there could be no structures built on the properties. He was not in favor of going in another direction given that there was specific intent on both parties involved.

Deputy Mayor Rzeznik believed the signed document on September 9<sup>th</sup> constitutes a purchase agreement. Mr. Brown confirmed.

Councilmember Gronlund-Fox wondered if the properties had been posted for sale. Mr. Brown cannot speak to what the practice was on this in the past but the files on this went back multiple years. He had not known of any other interest besides this one individual. Councilmember Gronlund-Fox confirmed there was a purchase agreement with the potential buyer already. Mr. Brown said there was but it was tentative based upon Council approval. He mentioned that the buyer was aware of the Public Hearing and aware of the chance that it may not be approved.

Councilmember Sharpe drove out to look at the lots and noticed the house directly next to 3084 Partridge was for sale. He did not believe the City was being very transparent on the sale. Additionally, if one of the properties was worth more than \$1,000 then maybe they should go out for bids on that property. He recognized that selling the properties would get money back onto the tax rolls. He was not sure what made it not buildable other than the Quit Claim Deed's restriction. Mr. Brown said there were some wetland entanglements that needed to be addressed if there was any development to happen. He added that the City Administration did not have any concerns regarding this sale.

Mayor Beagle said that 3084 Partridge was acquired by the City on a tax foreclosure for \$1,000 so they could not get any more than that for the property.

Councilmember Gottschall mentioned the house that was for sale next to the properties had been on the market for over a year and was not owned by the person wanting to acquire the properties from the City.

**Vote:**

**Motion Carried**

**3.) Recommendation to Award a Bid to Vin-Con Inc. of Plymouth, MI, for the Building Demolition, Removal and Site Restoration of the Munshaw House located at 48755 Pontiac Trail in the Amount of \$12,285 and Authorize the Mayor to Sign the Agreement on Behalf of the City**

**CM-01-13-20:** Moved and seconded by Councilmembers Gottschall and Behrmann to award a bid to Vin-Con Inc. of Plymouth, MI, for the building demolition, removal and site restoration of the Munshaw House located at 48755 Pontiac Trail in the amount of \$12,285 and authorize the Mayor to sign the agreement on behalf of the City

Councilmember Gottschall said that because of his line of work he had run into this from time to time. With the bids ranging from \$12,000-\$39,000 he felt skeptical of what needed to be done given that there was probably lead-based paint and asbestos. He asked if there were exact specifications of how they would handle the demo/cleanup. Ms. Magee explained the environmental study conducted in 2013 for asbestos removal of this property had resulted in quotes around \$2,100. She mentioned that they incorporated the asbestos removal in the demolition bid specifications and provided the asbestos report with the bids.

Councilmember Behrmann asked when the company would be moving forward. Ms. Magee guessed within 2-3 weeks because they needed to obtain permits.

**Vote:**

**Motion Carried**

**4.) Recommendation to Issue City Council Resolutions Requesting the Issuance of Special Liquor Licenses to the City of Wixom for the Wixom Community Center Located at 49015 Pontiac Trail for the dates of February 28, 2020 and December 4, 2020 and Sibley Square Park Located at 48900 Pontiac Trail for the dates of June 25, 2020 and July 23, 2020**

**CM-01-14-20:** Moved and seconded by Councilmembers Gronlund-Fox and Smiley to issue City Council resolutions requesting the issuance of special liquor license to the City of Wixom for the Wixom Community Center located at 49015 Pontiac Trail for the dates of February 28, 2020 and December 4, 2020 and Sibley Square Park located at 48900 Pontiac Trail for the dates of June 25, 2020 and July 23, 2020.

**Vote:**

**Motion Carried**

**5.) Request for Authorization to Waive the Bid Process and Purchase a Canon imagePROGRAF TM-305 from Applied Imaging of Novi, Michigan, at the Michigan Inter-governmental Trade Network Pricing of \$3,695 Plus the Remaining Lease Buyout on the Current Machine of \$636.01 and Authorization of the Mayor to Sign the Contract on Behalf of the City**

**CM-01-15-20:** Moved and seconded by Councilmembers Smiley and Sharpe to provide authorization to waive the bid process and authorize the purchase of a Canon imagePROGRAF TM-305 from Applied Imaging of Novi, Michigan at the Michigan Inter-governmental Trade Network pricing of \$3,695 plus the remaining lease buyout on the current machine of \$636.01 and authorization of the Mayor to sign the contract on behalf of the City.

Deputy Mayor Rzeknik recalled the past practice of leasing was preferred because of technology and maintenance but noted they asked for authorization to purchase. Mr. Brown explained that the prior administration was keen on leasing while this administration was keen on buying. He felt they had the wherewithal to buy based on financing cost. This decision was to be consistent with other Departments and their decision to purchase outright because the funds were available. Deputy Mayor Rzeknik inquired about the life left on the machine. Mr. Brown said they were in year four of a five-year lease with the current machine. Recently they had a print head fail, which was an expensive fix. Based on past knowledge, once you had one print head fail, they all tended to follow suit. He knew if that were to happen, the repair costs could equal the price of a new unit. He indicated that they would monitor the life on this machine then make the determination if purchasing was the better option.

**Vote:**

**Motion Carried**

**6.) Recommendation to Waive the Bid Process and Award the Electrical Repair Work of the Four Decorative Street Lights along Pontiac Trail to J. Ranck Electric, Inc. of Mount Pleasant, Michigan in the Amount of \$25,329, Approve the Sole Source Bid for the Four Replacement Decorative Street Lights to Carrier & Gable, Inc. of Farmington Hills, Michigan in the Amount of \$31,693 and Approve the Associated Budget Amendment**

**CM-01-16-20:** Moved and seconded by Councilmembers Smiley and Gronlund-Fox to waive the bid process and award the electrical repair work on the four decorative street lights along Pontiac Trail to J. Ranck Electric, Inc. of Mount Pleasant, Michigan in the amount of \$25,329, approve the sole source bid for the four replacement decorative street lights to Carrier & Gable, Inc. of Farmington Hills, Michigan in the amount of \$31,693 and approve the associated budget amendment.

Mr. Brown said they were recommending waiving the bid process and proceeding with this on a quote basis because it would be subject to an insurance process claim and they would be reimbursed anyway. He added that originally, they were striving to replace the decorative street lights as a direct insurance claim but once they checked into the timing, they found it would be up to a six-month period where

they would be without the lights. Administration thought it best to use the existing units they had in storage and use the insurance process to replace those units. Also, they did not want to wait as they hoped to get the lights installed to improve the safety in the area.

Mayor Beagle explained the street lights being discussed were replacing the damaged lights where a motor vehicle took out the street lights in the Downtown area this past August. He indicated that he was happy to see this moving forward as he believed it was a safety concern.

Deputy Mayor Rzeznik was in support of this as he had walked that area and found it to be dark. He wondered if the responsible party's insurance would reimburse MMRMA. Mr. Brown believed that they would. Deputy Mayor Rzeznik asked how many light poles would be left once they took from their inventory. Mr. Sikma said they would have one remaining.

Councilmember Behrmann asked about the light post that had the top removed. Mr. Sikma said that they had an extra top and it would be fixed.

Councilmember Smiley asked what the six-month period was for. Mr. Brown said it was not for the production of the light poles. Mr. Brown gave praise to whoever made the decision to purchase extra poles to keep on hand for situations like this.

Councilmember Sharpe questioned if they really needed to have five poles in storage at \$8,000 each. He wondered if they were really waiving the bid process because it appeared that the electrical work had bids. Mr. Sikma explained that the typical bid process was to go out for bids by placing ads in the Spinal Column, MITN and on the City's website. Instead of the standard process, they selected three different electrical contractors to obtain pricing. He indicated that the contractor they chose was the original contractor that installed the poles resulting in a better price because they knew the scope of the work. He added that because they did not take it through the standard bid process; they requested it to be waived by City Council.

**Vote:**

**Motion Carried**

## **7.) Recommendation to Approve the Resolution Revising the Construction Permit Fee Schedule**

**CM-01-17-20:** Moved and seconded by Deputy Mayor Rzeznik and Councilmember Gottschall to approve the following resolution revising the Construction Permit Fee Schedule:

### **RESOLUTION TO REVISE THE CONSTRUCTION PERMIT FEE SCHEDULE**

**WHEREAS,** Sections 15.04.026 and 15.04.050 of Chapter 15.04, State Construction Code Enforcement, of the City of Wixom Code of Ordinances grant authority to the Wixom City Council to, from time to time, review, establish or amend fees charged by the City for administration of the State Construction Code; and,

**WHEREAS,** City Administration has determined that the Construction Permit Fee Schedule listing these fees should be revised to add fees for inspection of data/telecommunication low voltage outlets which the state now requires the City to inspect,

**NOW, THEREFORE, BE IT RESOLVED,** that the Wixom City Council does hereby revise the Construction Permit Fee Schedule accordingly and with an effective date of January 2020.

Building Official Pike explained that as of January 1, 2020 the State of Michigan added low voltage to the requirements of the electrical inspections. By doing that, the fire stop issue would be addressed during these inspections. He described how contractors poked holes in the walls to run their data cables but did nothing else resulting in an issue when there was a fire. He supposed that was the driving force in changing the requirements. He mentioned that the City would be charging the same fees that the State of Michigan charged for these inspections.

Councilmember Gottschall wondered if the low voltage requirement would apply to existing construction modifications. Mr. Pike said yes. Councilmember Gottschall thought it would be beneficial to put together communication or a notice to homeowners notifying them of the change. Mr. Pike agreed.

Mr. Brown asked the Building Official to answer the question that arose earlier in the meeting regarding the Spring Hill Suites Hotel. Mr. Pike asked if Councilmember Behrmann noticed the roof top units from a higher elevation such as an overpass. Councilmember Behrmann said that he noticed them while driving down the road. Mr. Pike agreed that they should be screened and said it would be looked into.

**Vote:**

**Motion Carried**

**8.) Request to Authorize the Execution of a Professional Services Agreement with Laura Cloutier to Provide Services to the Wixom Downtown Development Authority as Executive Director in the amount of \$45,000 Annually for a Period of One Year**

(This item was removed from the agenda.)

**CALL TO THE PUBLIC:**

Russ Meredith, 378 Fletcher, thanked the City Council, Administration and Department of Public Works for boarding the windows at the Munshaw House. He believed that it was a safety hazard.

Michael Smith, 1692 Norton Creek, indicated that he was with the Wixom Firefighter's Union and was there to thank the City Council for their support. He felt they owed it to the community to make sure it was protected by 24-hour staffing. He believed the early budget conversations they had regarding the Fire Department was the first step into making that happen.

**CITY MANAGER COMMENTS:**

Mr. Brown congratulated those employees that were celebrating work anniversaries this month. Two of those employees were present and called out Anna as she celebrated one year and Ron Moore for celebrating twenty-five years. He added

that the Clerk's office would be mailing out ballots soon for the Presidential Primary Election. He reminded everyone that it was a closed primary meaning you must select one ballot style either democratic, republican or proposal only. The ballot proposal item was the renewal of the DIA millage.

**COUNCIL COMMENTS:**

**Councilmember Smiley** thanked the appointees for contributing their time and talent to the City. He congratulated the Eagle Scouts.

**Councilmember Sharpe** welcomed Cheryl Tacy and Mark Lada to the Planning Commission which he just resigned from. He felt it was a great service that really got you involved in the City. He thanked Fred Alexander and Ray Cousineau for their volunteerism. He congratulated the Eagle Scouts for their high achievement for he made it to Webelos so he could appreciate their determination and commitment.

**Councilmember Gronlund-Fox** felt the Eagle Scouts should be proud of themselves because they worked so hard to get that achievement. She thanked the appointees for stepping up to serve the City. She congratulated the employees that were celebrating their work anniversaries.

**Councilmember Gottschall** echoed the comments of the dais regarding the appointees and the Eagle Scouts. He suggested sending a letter to the neighbors of the Munshaw House to notify them of the demolition.

**Councilmember Behrmann** congratulated Adam and Ryan on becoming Eagle Scouts. He was also an Eagle Scout so he was aware of the work that was put into that achievement. He thought that it was a good accomplishment and they should be proud. He thanked the Department of Public Works for boarding up the Munshaw House. He explained how last Friday he went to bed and left the garage door open. The next day when he woke up it was closed. He said that he received a note from Police Officer Hess saying that he noticed the garage door was open while driving through the neighborhood and closed it. He thought it was nice to have a Police Department that took the extra step and thought the City should be proud of that.

**Deputy Mayor Rzeznik** said that he was a couple merit badges shy of achieving Eagle Scout. He wanted Adam and Ryan to know the honor that would stick with them for life. For example, as a hiring manager, when he noticed an Eagle Scout on a resume, he gave them higher marks. He thanked the appointees for stepping up and serving the City.

**Mayor Beagle** echoed everyone's comments and thanked those appointees for accepting the recommendation to serve. He believed the City would be lost without the volunteers. He congratulated the employees for their work anniversaries and Adam and Ryan on becoming Eagle Scouts. He thanked them for choosing Wixom to do their community service project.

**ADJOURNMENT:**

The meeting was adjourned at 8:00 p.m.

Catherine Buck  
City Clerk

Approved:  
February 11, 2020