

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 24, 2019**

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

Present:

Mayor: R. Ziegler
Deputy Mayor: P. Beagle
Councilmembers: K. Gottschall
T. Gronlund-Fox
B. Leder
T. Rzezniak
R. Smiley

AGENDA CHANGES:

Mayor Ziegler added New Business #6 – Consideration of the Mayoral Appointment of Fred Alexander as Alternate to the Board of Review with a Term to Expire December 31, 2020.

PRESENTATIONS:

1.) Reaffirmation of Oath for One Lieutenant, Two Sergeants and One Police Officer and Their Introduction to the Mayor and City Council

Director Moore said he was honored to introduce four individuals who are proud members of the Wixom family. Alexandra Rakovitis is the newest Police Officer; Paul Machala and Louie McKaig have both been promoted to the rank of Police Sergeant; and Mark Bradley has been promoted to the rank of Police Lieutenant.

First, Director Moore introduced Police Officer Alex Rakovitis and provided her background. She reaffirmed her Oath of Office and her father pinned on her badge.

Director Moore introduced Sergeant Paul Machala and provided his background. He reaffirmed his Oath of Office and his wife pinned on his badge.

Director Moore introduced Sergeant Louie McKaig and provided his background. He reaffirmed his Oath of Office and his wife pinned on his badge.

Lastly, Director Moore introduced Lieutenant Mark Bradley and provided his background. He reaffirmed his Oath of Office and his wife pinned on his badge.

Director Moore commented that when Mayor Ziegler was a Wixom Police Officer, he had Badge #8 and Alex's badge is #37. Mayor Ziegler indicated that when he saw there was going to be an appointment and three promotions at tonight's meeting, he thought to himself that when he was a Wixom Police Officer, that was half the Department. He congratulated everyone.

At this time, the Council took a short recess.

2.) Presentation on the Proposed Site Plan for BP Gas Station at Old Wixom Road and Pontiac Trail

Mr. Brown said we have had various interactions over the years with the property owners of the BP Gas Station at Old Wixom Road and Pontiac Trail. There has been discussions regarding the property and recently there was a proposal from the property owner to make modifications to that property again. Pursuant to a previous plan that was developed with the Mayor and Council, the plan was for them to develop a proposed site plan that would be reviewed by our Planning Consultant to make sure it was complete and ready for review by the Planning Commission. That review has taken place and the plan is ready. The recommended action for the Council is to refer it to the Planning Commission for their review. After they review it, they would come back to Council with a recommendation for action of either approval or denial. If it was recommended for approval, there would be a First Amendment to the Consent Judgement that governs the property. This would also be part of the authorization if approved by Mayor and Council. He noted that the final approval would be done by the Mayor and Council.

Kelly McIntyre, from CIB Planning, explained that CIB was asked to review the application for zoning compliance and for technical completeness. They found the proposal did meet the standards and was ready for review by the Planning Commission.

She then provided a brief overview of what they were proposing. The project is in the VCA; however it is being reviewed under the B3 zoning standards due to the Consent Judgement. They are going to expand their existing 3,182 square foot convenience store by adding 4,400 square feet. They are more than doubling the size of their store. To do so, they need to split off about two-thirds of an acre of the property to the south and combine that with the property that the gas station is currently on. There are no proposed changes to the pumps. They will be adding a gas-powered generator at the northwest corner of the existing building. Adjacent to that, they will be adding a 1,000 gallon DEF (Diesel Emission Fluid) tank. Those would both be screened by brick walls that would match the façade of the building. The tank would have an underground pump that would be adjacent to the diesel pumps that are currently there. The two existing entrances will remain so there will be no changes there. They will be adding additional parking to the south and to the east of the building. The sidewalk along Old Wixom Road and Pontiac Trail exists so there will be no changes with that. They are providing additional internal sidewalks. They will also be providing additional landscaping, namely a hedge row along Old Wixom from the southern drive to the property line. They are proposing shrubs and trees. There will be an added detention area in the southeast corner. She noted that they are going to reface the existing portion of the entire building with brick. There will be a canopy and windows with a peaked roof. The mass of the building will be broken up with vertical material elements so it will not appear as such an expanse. The building will look like it is two stories and that is done through the window placement. The VCA has a minimum standard of 20 feet in height and this building will be 31 feet at the peak.

Ms. McIntyre said they found the proposal to be in compliance with the standard regulations. She believed it was ready to move forward to be reviewed by the Planning Commission if that was what the Council so chooses.

MINUTES:

CM-09-152-19: Moved and seconded by Councilmember Smiley and Deputy Mayor Beagle to approve the Regular City Council meeting minutes of September 10, 2019.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC: (None)

CITY MANAGER REPORTS:

1.) Departmental Monthly Report - August 2019

There were no comments or questions on this report.

CONSENT AGENDA:

CM-09-153-19: Motion and seconded made by Councilmember Rzeznik and Deputy Mayor Beagle to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
 - a. Senior Commission Minutes of March 12, 2019

Vote:

Motion Carried

UNFINISHED BUSINESS:

1.) Recommendation to Enact an Ordinance to Amend the Code of Ordinances for the City of Wixom, Chapter 9.12, Offenses Against Public Peace and Decency, Section 9.12.140, Fireworks, to Reflect Changes to the Michigan Fireworks Safety Act

CM-09-154-19: Moved and seconded by Councilmembers Smiley and Rzeznik to enact an ordinance to amend the Code of Ordinances for the City of Wixom, Chapter 9.12, Offenses Against Public Peace and Decency, Section 9.12.140, Fireworks, to reflect changes to the Michigan Fireworks Safety Act.

Councilmember Smiley thanked Councilmember Gottschall for catching the line that they crossed out by accident.

Vote:

Motion Carried

NEW BUSINESS:

1.) Recommendation to Refer a Proposed Site Plan Regarding the BP Gas Station at the Corner of Old Wixom Road and Pontiac Trail to the Planning Commission

CM-09-155-19: Moved and seconded by Councilmembers Gottschall and Gronlund-Fox to refer a proposed site plan regarding the BP Gas Station at the corner of Old Wixom Road and Pontiac Trail to the Planning Commission for review and possible referral back to the Mayor and Council for future action.

Mr. Brown introduced Marvin Poota and Kevin Schonscheck.

Councilmember Gronlund-Fox understood that the building would double in size. She asked if most of the building would be the retail store. Mr. Poota replied that they wanted to add more space for the convenience store.

Councilmember Rzeznik asked if the DEF tanks would be above ground. Mr. Poota replied that it would be one tank above ground. Councilmember Rzeznik said it was mentioned that this was reviewed under the B3 zoning ordinance due to the Consent Judgement. He asked if the facades, architecture and landscaping would be reviewed under the VCA from a design standpoint. Ms. McIntyre said that the façade would definitely be reviewed under the VCA. Some of the setback standards are going to be reviewed under the B3 because the existing building was built under the B3 standards.

Vote:

Motion Carried

2.) Recommendation to Authorize Additional Video Recording of All Regularly Scheduled City Council Meetings and Other Meetings on an As Needed Basis by MERGE LIVE of Walled Lake, MI at a Cost of \$200 per Meeting for a Total Cost Not to Exceed \$6,000 for Fiscal Year 2019/2020

CM-09-156-19: Moved and seconded by Councilmembers Smiley and Gottschall to authorize additional video recordings of all regularly scheduled City Council meetings and other meetings on an as needed basis by MERGE LIVE of Walled Lake, MI at a cost of \$200 per meeting for a total cost not to exceed \$6,000 for Fiscal Year 2019/2020.

Mayor Ziegler asked what the "other meetings on an as needed basis" meant. Mr. Brown replied that he was originally going to include the 24 regular Council meetings on there, which was a \$4,800 expense. There have been times where we have considered doing a special meeting of Council. He was proposing to add six additional meetings if there was a need. He didn't anticipate using many of those.

Councilmember Leder noted that we were paying the Walled Lake Schools to do this previously. Mr. Brown didn't recall a payment. He said that there was funding provided through cable sources. He said he would call this an added expense. At the time, we were only getting a limited number of Council meetings recorded and there was a desire to expand those numbers. That was not possible with the schools because of the summer vacation. Councilmember Leder asked if we were still providing the funding to the AV Department and Mr. Brown replied yes.

Councilmember Rzeznik asked if we kept any statistics on the number of hits these meetings receive. Mr. Brown replied that we haven't been actively monitoring that too closely but we will do a report so the Council will have an idea.

Councilmember Leder stated that he has never liked this. He has seen people getting upset about certain budgetary expenses that he felt were far more valuable than this one. He said he was not going to be on Council next year, but he felt this was a lot of sizzle and no steak.

Roll Call Vote: (6) AYES – Beagle, Gottschall, Gronlund-Fox, Rzeznik, Smiley, Ziegler

(1) NAY – Leder

Motion Carried

3.) Recommendation to Award the Design Engineering Work for the 2020 Safety Path Program to Hubbell, Roth & Clark, Inc. in the Amount of \$55,580

CM-09-157-19: Moved and seconded by Deputy Mayor Beagle and Councilmember Gronlund-Fox to award the design engineering work for the 2020 Safety Path Program to Hubbell, Roth & Clark, Inc. in the amount of \$55,580.

Mr. Sikma said that we are looking at expanding our role for safety paths by taking care of some of the gaps we are seeing. This time, we are looking to enhance the sidewalks at Charms Road and Wixom Road, a small piece in the downtown area, and a gap just south of Pontiac Trail. He felt this would enhance the safety paths for the City and would gear people toward the Airline Trail. This was just for engineering and the design work was being completed now.

Councilmember Gronlund-Fox asked if there would be no more gaps on Wixom Road when this was complete. Mr. Sikma replied that there are still a couple of gaps on Wixom Road yet. There is a spot that is crossing the CSX rail and it has been difficult to have them participate with us on that. Councilmember Gronlund-Fox asked where the other areas were on Wixom Road that would still have a gap. Mr. Sikma said that there were some near the highway and a small portion on the north end near Loon Lake. The west side of Wixom Road was covered but the other side has a fairly large ditch that would need some serious engineering to make that work. Councilmember Gronlund-Fox asked if that would be a boardwalk. Mr. Sikma said that if we travel down Wixom Road, it would end up as a boardwalk. Right now we have it going into the subdivision and catching up on Loon Lake Road. We are trying to get the least expensive ones done first while we still have the funding.

Councilmember Rzeznik asked if the rights-of-way were secured with the one lot on North Wixom across from CVS. Mr. Sikma said that we are still working on that. Councilmember Rzeznik commented that the stretch on the north side of Pontiac Trail by the PNC Bank is dangerously narrow. Mr. Sikma indicated that he was working on other alternatives for that area that were primarily linked to the Airline Trail.

Councilmember Smiley clarified that he was prioritizing what gets done next based on cost. Mr. Sikma replied it was cost but also our estimate on being able to complete that work. We look at the priority piece as well. Councilmember Smiley asked how long the special millage would go and Mr. Sikma thought it was until 2024. Councilmember Smiley asked if he thought we would be done with the safety paths by 2024. Mr. Sikma said that he was not sure. We had a gap analysis done a year or so ago and those were all identified. We are trying to get the major thoroughfares done first and connected to the Airline Trail as we do that. From there, we will connect the other pieces.

Vote:

Motion Carried

4.) Recommendation to Award the 2019 West Road Improvement Program to Great Lakes Contracting Solutions, LLC of Waterford, Michigan, for an Amount Not to Exceed \$615,834.70

CM-09-158-19: Moved and seconded by Councilmember Rzeznik and Deputy Mayor Beagle to award the 2019 West Road Improvement Program to Great Lakes Contracting Solutions, LLC of Waterford, Michigan, for an amount not to exceed \$615,834.70.

Mr. Sikma said this was an addition to our Major Road Program this past budget year. This project will be taking a portion of each of the panels, removing them and reinserting repairs. There is also some curb and gutter work. We put this out to bid in late summer and the bids came back within our budget.

Councilmember Gottschall said that there were comments made about us moving over to asphalt on Beck Road because the concrete hasn't been working out. He assumed we were doing concrete here. He wondered why the change. Mr. Sikma said it was because of the expense and the amount of repairs that we are looking at for it. We did similar work on Beck Road about 10 or 12 years ago. That was a stopgap for trying to preserve as much of the road as possible. Unfortunately, that was what we are looking at for this piece too. We have learned a few things since then and this was the recommendation from our engineering and concrete folks. In terms of expense with concrete versus asphalt, they are very close in price. Because we are not ready to do the entire road and we don't have that programmed for a number of years, we just want to make the repairs now. Councilmember Gottschall asked how far out the road project was. Mr. Sikma replied that West Road was part of our Road Asset Management Plan, but it is at least eight to ten years out. Councilmember Gottschall asked if the work that would be done now would give us an option to do a mill and overlay. Mr. Sikma replied yes. We can restructure the base now and it will serve much better. Right now we are doing pothole repairs. We are hoping to extend the life for eight to ten years.

Deputy Mayor Beagle said that the first item under the bid tabulation sheet was "mobilization." He wondered what that was. Mr. Sikma answered that was for getting the equipment on site and getting the right pieces there. They are trying to get the concrete as close as possible.

Vote:

Motion Carried

5.) Recommendation to Award the Design and Construction Engineering Work for the Beck Road Improvement Program to Hubbell, Roth & Clark, Inc. for the Total Amount of \$149,670

CM-09-159-19: Moved and seconded by Councilmembers Smiley and Rzeznik to award the design and construction engineering work for the Beck Road Improvement Program to Hubbell, Roth & Clark, Inc. for the total amount of \$149,670.

Mr. Sikma stated that this project was to do a mill and overlay with some gutter improvements along Beck Road north of Pontiac Trail. We intend to go all the way down to Potter Road. This is just the design and construction engineering. We do have estimated costs because of the different items that are there and that is included as a placeholder. They will look at the drainage issues that we have seen and we will get those fixed as well.

Councilmember Rzeznik asked if the two-inch overlay was typical. Mr. Sikma replied yes. We would mill down curb to curb. It would be re-crowned as well.

Deputy Mayor Beagle asked if both sides of Beck Road were in Wixom and Mr. Sikma replied yes. He asked where the cutoff was because he knew one corner was in Commerce and one corner was in Novi at that intersection. Mr. Sikma said it comes in right at that corner but we have always maintained the road at that intersection. Deputy Mayor Beagle wanted to make sure our taxpayers weren't paying to fix Commerce Township roads. Mr. Sikma confirmed these were all our easements.

Vote:

Motion Carried

6.) Consideration of the Mayoral Appointment of Fred Alexander as Alternate to the Board of Review with a Term to Expire December 31, 2020

CM-09-160-19: Moved and seconded by Deputy Mayor Beagle and Councilmember Gottschall to confirm the Mayor's appointment of Fred Alexander as Alternate to the Board of Review with a term to expire December 31, 2020.

Vote:

Motion Carried

CALL TO THE PUBLIC:

One student from Lakeland High School was present to fulfill a requirement for his Government class.

CITY MANAGER COMMENTS:

Mr. Brown said that there were several employee anniversaries in October and he congratulated them. He highlighted the Michigan Airline Trail Phase I construction, which included that during the construction, the Trail is closed. He hoped people were following that. If they are not following that, he recommended very highly that they do Wednesday night into Thursday. The final two-inch top layer of asphalt

was to be applied and there is a certain coating that is applied to the Trail before that top layer of asphalt. It is messy and you don't want it on your shoes or your bike. That is scheduled to happen on Wednesday night or Thursday morning. He noted that the crossing devices will be installed earlier than we expected. He indicated that the Trail should be completed within a few weeks. There will likely be some kind of ribbon cutting in late October. Lastly, he noted events coming up, like Monster Mash on October 17th and Trick or Treating on October 31st.

COUNCIL COMMENTS:

Deputy Mayor Beagle congratulated the four members of the Police Department for either being newly hired or promoted. He thanked Fred Alexander for volunteering on the Board of Review. He congratulated the seven employees who were celebrating their work anniversaries with the City. We appreciate their hard work and dedication. He was glad to see the play structure was open. It is quite a structure and it was a fun project. He thanked everyone who helped out with that.

Councilmember Gottschall welcomed and thanked Officer Rakovitis for joining the Wixom Police Department. He congratulated and thanked Sergeants Machala and McKaig and Lieutenant Bradley. He thanked Fred Alexander for volunteering to be an alternate on the Board of Review. Something that has been on his mind was that with all of the engineering costs we've had lately, he wondered what it would cost to bid that out. He asked if there would be savings enough from other engineering firms to more than cover that cost. Lately it has been a couple hundred thousand dollars a night that we are sending to HRC for engineering. He would be curious to start getting other bids.

Councilmember Gronlund-Fox stated that in addition to the congratulations to those celebrating anniversaries and the new police officer and the promotions, she wanted to bring up the recent issues with DTE and the power outages. She did some research and it looks like it was just a year ago (October 2018) when we had issues and the media got involved. DTE came in and fixed some things, but now it seems to be happening again. Last Friday the power went out a few times. There were some surges and it ruined some appliances. She asked if there was any way we could put some pressure on them to find out what was going on. Mr. Brown said that the last time we had action from DTE Energy that addressed specific problems, the City was heavily involved by coordinating information coming in from residents. He thought we had an impact on making those improvements happen. We will have to do the same thing again if this situation continues. He knew there had been several power outages across the area and we will have to keep our eye on it to see if it continues to repeat or if it was isolated compared to other communities. He indicated we have a government relations person as our first point of contact. We managed to get a good response last year and he said he would do the same this year to make sure things are getting addressed. He will make an effort to inform the representative of those issues.

Councilmember Leder congratulated all the police officers. He thought it was cool to see all the people who came out to support the police officers. He has noticed an increase in traffic presence in the mornings. There have been a lot of vehicles pulled over for things that they used to be getting away with. He didn't know if we've had a recent update, but he would be interested in seeing if the new traffic

officer was progressing and what that was turning into from a citation standpoint. Mr. Brown commented that at a recent HOA meeting, that question was raised. Director Moore had estimated roughly 40% were citations and 60% were warnings. He was looking for that to shift to a higher number of citations. Councilmember Leder said he has seen someone pulled over on Maple and Wixom and on Pontiac Trail. It is a presence and he thought it was working.

Councilmember Rzeznik welcomed Officer Alexandra Rakovitis and congratulated Sergeant Machala, Sergeant McKaig and Lieutenant Bradley. With this sticky goo being applied to the Trailway, it might be worthwhile for a citywide email blast to remind people to stay off of it. He asked if Mr. Levine had a reception when he came through Wixom. Mr. Brown stated that the inaugural ride did take place and the riders came through Wixom on September 17th as expected, but Mr. Levine was not in the set of riders that came through. We will get in touch with him to make sure we extend our appreciation to him. We had a nice plaque for him for participating in the funding of the project and he was sure that John Hensler would make sure he got that. There were 50 riders that came through on that inaugural ride that day. We received lots of compliments from the riders for the nice job on the Trail.

Councilmember Smiley wondered if there was any danger of damaging that coating on the Trail if people are biking on it. Mr. Brown replied yes. The purpose of the coating was to increase the adherence of the existing layer of asphalt to the new layer of asphalt. It would have a negative impact on the quality of the Trail. Councilmember Smiley said that in regard to the DTE issue, it always seemed that there was more time that goes by than we think when it is happening. The most recent outage happened on a perfectly beautiful day. The week before, we had a severe storm. He watched a branch blow out a transformer and start on fire across the street from his house. He thought DTE was out pretty quick to fix that. He congratulated the three officers promoted and the one officer hired. That was his favorite part of being on Council. He thought the park build was a marvelous thing to have done. He was there for a spell and it was hard work. He thanked the DPW Department, especially Mr. Sikma. A lot of hands made for light work.

Mayor Ziegler had a vacation planned for last week and he missed the whole park build. He thought it would have been fun to be there and to be a part of it. He appreciated all the volunteers and staff that put it together. He reminded everybody there is a presentation of the Gibson Family Marker at the Gibson House on Thursday at 11 am by the Historical Society. In regards to the DTE issue, he suggested a news blast be sent on that as well. He suggested that Sheryl start her list up again. He wanted to talk about the idea Councilmember Gottschall brought up regarding bidding out the engineering. He didn't think this was a decision for the Council. He thought it was beyond what the Council should be doing. He thought that was a management thing. Administration is responsible for getting the best deal. If they decide to bid out, that is what they should do. There was a reason we do things the way we do them and the reason is because we've gone out one time and chosen somebody and stuck with them. We stuck with them because we found that we can trust them. We believe what they are doing. If the manager decides he wants to go out to get a better deal for an attorney, that is his prerogative. Mayor Ziegler did not think that was something the Council should be involved in. He

didn't want that to be the official position of the Council. He would be surprised if the next engineering proposal came out with bids without having further discussions. He thought maybe we could talk about it during a budget session.

ADJOURNMENT:

The meeting was adjourned at 8:28 p.m.

Catherine Buck
City Clerk

Approved 10-08-2019
