

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier, City Attorney; Susan M. Nash, City Clerk; LaShawn Thomas, Director of Governmental Affairs; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

Boy Scout Troop 271 with Leader Jack Janda led the meeting in the Pledge of Allegiance.

President McIntyre stated there is New Data on Item Nos. 10 and 12.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1. REQUEST TO APPROVE THE LIVONIA FIRE FIGHTERS UNION (LFFU) CONTRACT AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2021 THROUGH NOVEMBER 30, 2024: Civil Service Department, re: same.

Denis Maier, Director of Human Resources, presented this request to Council. She stated I am very excited to be standing before you with a new Fire Agreement. As you mentioned it's a three-year agreement and we're actually ahead of schedule. The current contract is still in effect, which is rare, it's a rare occurrence that we settle with our unions prior to expiration of the current contract, so we're very excited. The negotiations went very well, they were extremely professional and collegial and it was a very good negotiation both on the City side and on the union side. So, you have all of the changes summarized for you in a letter from our labor attorney, Greg Schultz, and if you like I can run through them or I would be happy to answer any questions that you may have.

Councilmember Jolly stated I am looking at the letter from Mr. Schultz and I understand a high level overview that's been provided here. Item No. 15, in the first group a capital PPMST, can you provide some kind of background as to what that is.

Maier replied yes, I can. The TEMS team is the tactical EMS unit. It is actually firefighters that are a special unit, they have special training. They go into situations where our police officers have been injured during a situation, usually a high level situation. And these firefighter/paramedics are, as I mentioned, specially trained to go into the situation. Once it is safe for them to do so, to tend to the or to treat the officer until they can get them to the hospital.

Vice President Bahr said first, just looking at the increases and personal business hours and sick leave hours, just refresh my memory; we have a vacation day policy, right, and then there's the sick days on top of that and personal days on top of the sick days, am I right, and Maier replied that's correct. Bahr stated there will be a total between sick days and personal days of ten days in addition to the vacation policy, if I'm looking at that correct?

Maier replied an increase in ten days, is that what you're saying and Bahr replied I probably did say that but I misspoke. It will end up going to three days of personal days and seven days of sick days in addition to whatever their vacation policy is, right?

Maier stated we're increasing the personal business by one day, and the sick hours, we're actually increasing that for the second tier of employees, we actually have two tiers because we adjusted the benefits years ago and every time we come back to the table they want the tiers to be either adjusted or done away with. So, what we did was we increased, in order to stay competitive with other communities, we increased the sick leave hours from eleven per month to fourteen hours per month, which actually gives them seven days per year, seven sick days per year.

Bahr asked and that's in addition to the personal business days, right, and Maier replied yes. He stated I assume there's a cap as far as how many of those they can accumulate?

Maier replied personal business is use it or lose it in the calendar year and sick leave they can accrue up to a certain number of hours and when they leave, there's a special calculation that is done on what is paid out and Bahr said that's the sick leave bonus that's referenced and Maier replied right, exactly.

Bahr asked what is the cap on the sick leave hours that they can accrue and Mike Slater, Director of Finance, came to the podium and replied there's two different tiers and I don't have them totally memorized, but there is a payout formula where only a portion of the hours accumulated are paid out. So, it's, I believe, the first twenty-five days are paid at 25%; the next twenty-five days are 50%, and the final twenty-five days at 70 %. But I would have to actually have the details and I don't have the contract in front of me.

Bahr then asked the four-day work week that's talked about in here, I assume that essentially matches what we did with the police recently, it's the same concept.

Maier replied it's the same concept and that's for the 40-hour per week employees.

Councilmember McCullough asked for a clarification on No. 4, which is the new classification of Paramedic Cadet, this will be a new program and Maier replied this is a brand new program, yes.

McCullough stated I want to highlight that because it's very innovative, with obviously

Public Safety, including Fire, I know we're doing better on Fire than we are with Police. I think this is a very cool thing that will pair well with – we also have a program for the high school students and Schoolcraft, I think, that we're partnering with. And the last question I do have for probably millions of viewers out there is, if anybody is watching or looking, is this something also like the Police, would we sponsor people through this Fire training and Maier replied yes, that's what we're doing. We will hire them as a Paramedic Cadet and then we will pay to put them through the Fire Academy and they will have up to a year to get their Firefighter I and II.

McCullough replied I think that's great, thank you.

Councilmember Toy asked if there was an approving resolution offered yet and President McIntyre replied we haven't had any offers. Toy then offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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2. REQUEST TO APPROVE BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING NOVEMBER 30, 2021: Department of Finance, re: same.

Mike Slater, Director of Finance, presented this request to Council. He said tonight we're bringing before you something we've done before the end of each fiscal year for a number of years now whereby we go through our results for the fiscal year that we're in; this year it's Fiscal 2021 which will end on November 30th, end of this month. Take a look at what our actual results are and comparing it to the budget and I'm happy to say there's a number of areas where our results have been favorable and those dollars can be reallocated. The total budget that we're proposing to reallocate is \$2,790,000.00 I've got a list of the items that would make that up, there's eleven items that make that up and again this year we're proposing that those dollars be split 50/50 with half of it being moved to the VEBA which is our funding for retirees health care. As everyone knows, we are still well under funded in that trust fund and this does accelerate the date where we become fully funded. And then secondly, the other half would go to our building improvement fund which we are setting aside for major building projects which we know will be coming down the road. With that, I'd be happy to answer any questions.

Vice President Bahr stated this is becoming tradition for us and it's an excellent tradition, of how to handle these, I wholeheartedly support the proposal to split this between VEBA and the building fund, I think it's sound financial management and I'm glad we're still in this scenario, hopefully it happens for many more years to come and I'd be happy to offer an approving for Consent if there's no objections.

DIRECTION:	APPROVING	CONSENT
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3. AWARD OF BID: Department of Parks and Recreation, re: for the fabrication and installation of a fence at Union Briggs Cemetery, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented this request to Council. He stated we are before Council right now for fabrication and installation for a fence at Union Briggs Cemetery, that's the cemetery on Six Mile Road between 275 and Haggerty Road, right next to Bucca de Beppo and Trinity Theater as well. So, we went out for bid, we received one from a company that gave us an alternative, gave us a proposal for two different options. Per the approval of the Historic Preservation Commission we are asking Council to approve the Nationwide Construction bid of \$21,000.00 for this project. This is a partial fencing of the cemetery, it is basically going to encapsulate around Trinity Theater, that will be Phase I and then we'll come back probably next year and do the front on the two ends of it. I'd be happy to answer any questions Council might have at this time.

Councilmember Donovic asked Davis if he decided to go with the \$21,000.00 bid because of the material, the ultra-aluminum, and you didn't want to use iron or did you just go with the bid because of the price.

Davis replied it was price and they also didn't know what the Historic Preservation Commission was going to approve. This is the first time they actually approved fencing alternative material as opposed to the wrought iron; that's typically in the past all they've approved. So, we went out and we asked for alternatives. We got one and they actually approved it and we felt it was cost efficient to go with the lowest price material.

Donovic then asked if that aluminum is going to be painted or power coated black to look like and Davis replied yes.

Councilmember Toy asked Davis if there was a fence there before and Davis replied not to my knowledge since he's been here but if you had asked two years ago and our City attorney, I didn't even know there was a cemetery there before February of this year actually, so I was kind of surprised there has not been that I've been aware of and I think this is the only one of our cemeteries that is not fenced.

Toy then said it leads me to that joke, why do cemeteries have fences, because people are dying to get in there. Thank you, Mr. Davis, I'll end on that crazy note.

Donovic then offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

4. REQUEST TO ACCEPT PROPOSALS FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS: Public Service Division, re: for snow fall of over four (4) inches for a three-year period (2021-2022, 2022-2023, 2023-2024).

Don Rohraff, Director of Public Works, presented this request to Council. He stated we, as you know, come before you every year for assistance for our snow removal program with our contractors that come in and do approximately 30 to 35% of our snow clearing during an emergency. We solicited proposals for a three-year contract

for the snow removal assistance and as it's been the last few years we've only received two quotes back or two proposals back. We did reach out to the other contractors that have helped us in the past to see if we could get them to submit a proposal but that was just to no response. And again, as I mentioned, these emergencies, they do about 30 to 35% of our 370 miles of road. A sealed bid process doesn't really present a competitive pricing advantage because these contractors aren't really competing against themselves, they're against each other, and that really wouldn't change the outcome of what we're paying. So, it is the recommendation of the Department that Council approve the three-year contract with the following vendors: Great Lakes Contracting and B & V Earth Movers and also waive the bid process according to City Ordinance as there would be no advantage to the City from competitive bidding. No additional appropriation is required since sufficient funds are available in the Roads Maintenance budget and I'd be happy to answer any questions you have.

Councilmember Toy stated everything is in order and I would offer an approving resolution for the Consent Agenda.

Councilmember Jolly asked for clarification on the column Monday – Friday overtime and Saturday; just to be clear, does that say \$50.00?

Rohraff replied \$50.00 per hour additional fees, yes.

Councilmember McCullough stated obviously not going out to bid or through MITN is not always the best recommendation but obviously I defer to you and your expertise in the area that this sole source route would be the best. In the event that either of these contractors do not work out, I just worry about the three-year. I'm assuming that per this contract you do have a way to get out of it, as a City we do have the way to cancel it and go back out to bid if you're not satisfied?

Rohraff replied I will answer your question but to answer something that had been brought up in the past, these are the only companies and we've been dealing with them for a long, long time, thirty years give or take. They've always come in and done a great job for us, we've never had any problems. So, to answer your question, yes, but I would not anticipate that being an issue at all. They've always been here and they've always been responsiveness for us and they do a great job.

McCullough replied absolutely, I do value you coming through and stating that, so, no, I have no issues with it, I just want to make sure that you have everything, the X's crossed and the I's dotted.

DIRECTION:

APPROVING

CONSENT

5. REQUEST FOR AUTHORIZATION TO PURCHASE ONE ASPHALT ZIPPER RECLAIMER; Department of Public Works, re: from budgeted funds.

Don Rohraff, Director of Public Works, presented this request to Council. He stated as

you mentioned, the asphalt zipper that we're looking at here just to put things in perspective, we have 145 miles of asphalt roads. In the last three years we spent about 3.8 million dollars on repaving those roads. We're always trying to find a better way to do our job, the DPW, we've been trying to bring more smaller scale work in-house as you know, buying more road repair equipment and those types of things for our DPW staff. This piece of equipment will allow us to repair asphalt roads and cracks. The potholes, damage caused by tree roots, allowing us to go to these trouble spots, grind this out, pulverize the asphalt, use it as a base to put that down which will be a better base than what we had down there previously with the mixture of the pulverized asphalt and induced spot repairs extending those sections of the road and that life for that road. Making these repairs allows us to focus funds to do the larger scale projects for our Road Program in the other areas that we may not have had the opportunity to do if we had this piece of equipment. We have had this company out a couple of times to do demos for us in certain areas, it worked out perfectly. This machine is only manufactured by this company, they are the only sole provider. They've told us there's been two price increases as I'm sure you've heard 1,000 times over the last few months. But they're willing to hold the pricing that we have here which is a savings of about \$19,000.00 at this point if we make this purchase by the end of the year. So, it is the recommendation of the Department that Council approve the purchase of this equipment from Asphalt Zipper at a cost of \$180,200.00 from budgeted funds and waive the bid process according to City Ordinance as there is no advantage to the City from competitive bidding and I'd be happy to answer any questions you may have.

Councilmember Donovic stated that oftentimes you get the question about the County roads, the State roads and the City roads; this piece of machinery is going to be intended to use for smaller repairs. Are we allowed to repair the small holes that we find on the County-owned road or a State-owned road or this piece of machinery only allowed to be used for City-owned roads?

Rohraff replied I'm going to borrow Ted Davis' statement, that's a great question. As anything that we have, we try not to make it a practice to go on a County road or a State road for that matter, obviously for a lot of reasons. You start going out and exhibiting that behavior then it's going to become expected and then you don't get the results that you need. If there was an emergency situation this piece of equipment could definitely be taken out there and used for that. We've done it in the past where we've had debris that's fallen on road that we were getting no response, those type of things. But yes, it would be, its focus is on local for City roads that we have here. But if there was an emergency situation we would definitely respond with it.

Donovic said I feel like a genius because that's exactly the answer I give to residents when they ask me so thanks, Mr. Rohraff, and I'd like to offer an approving on Consent if there's no objection.

DIRECTION:

APPROVING

CONSENT

6. REQUEST FOR ADDITIONS TO THE LOCAL STREET SYSTEM FOR ACT 51 COMPUTATIONS: Engineering Division, re: for streets or portions thereof, newly opened during 2021.

Todd Zilincik, City Engineer, presented this request to Council. He stated this is an easy one, this is Livonia Manor III, Bridge Street, we're just adding 123.5 lineal feet of road to the network that's required by the end of the year so we can get funding for the State for Act 51 Funds. I'd be happy to answer any questions if you need further information or have concerns.

Councilmember McCullough offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

7. REQUEST TO EXTEND THE QUALIFICATION-BASED SELECTION (QBS) CONTRACTS WITH OHM ADVISORS, HUBBELL, ROTH AND CLARK, INC., SPALDING DEDECKER ASSOCIATES, INC. AND ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR FIVE YEARS: Engineering Division, re: to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewer, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects from December 1, 2021 through November 30, 2026. (CR 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He stated as you're all aware, we have four consultants that we selected previously, we did a five-year extension and now we're asking for another five-year extension. The reason for the extension is because there's not enough work really for all four but we try to spread the wealth as best we can. Most of our annual road program is done by either AEW or OHM. We bring in HRC to help us with the water main or sanitary sewer issues along with Spalding to help us out on some of our previous road projects for Federal Aid money. So, depending on the situation, and the expertise and what they've had previously as far as information or the expertise in that area, we talk to them to help us get a proposal. Obviously with the potential infrastructure bill coming forward there may be some projects that we move forward in here tonight. A million dollars was given for a study so obviously that will come into play for Bell Creek stabilization, look for our consultants to help neighbors in that area, obviously to help address their concerns. So, it's been working out well, we didn't want to go out for an RFQ because it's a very expensive endeavor, it's very time consuming. Again, if there was a lot of work to be done out there, as you know short supply, Wayne County is looking to do the permits through other consultants, inspections, and I just wanted to extend it for five years. We can cancel the agreement at any time and move forward with the Law Department, but again, it served us well the last five years but I do probably look in 2026 to go out for an opportunity at the time to see how things have progressed. But if there's an option that the City Council desires two years, three years from now, things are heating up, we'd be happy to look at an alternative with your input.

Councilmember Toy stated this was just a fabulous idea and I think it's worked well for us as you pointed out and I don't hesitate to offer that extended five years. These companies have been excellent to work with for us and the back and forth and the communication has been outstanding so I can't see any reason not to do this, so, Madam Chair, I'm going to offer an approving and ask for it to be on Consent.

DIRECTION:

APPROVING

CONSENT

8. REQUEST TO APPROVE 2022 ROAD REPAIR PROGRAM: Engineering Division, re: as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year paving millage approved by Livonia residents.

Todd Zilincik, City Engineer, presented this request to Council.

President McIntyre commended Zilincik on the Citizens Advisory Committee meeting that was held last month.

Zilincik stated as you know it's the last year of the renewal millage in 2022 so we look forward trying to capture all of the information that we've done over the last ten years and we had a meeting as you stated back on October 27th in which we invite all of the public business owners to come out and address their concerns. We had three residents come out but again we do get calls throughout the year and DPW does get calls in which they log on a spreadsheet certain locations where we have selective slab repairs. But in general basically it involves street segments. This year we're requesting sixty-one street segments, of which thirty-two are concrete, twenty-nine are asphalt, it encompasses just over thirteen miles of rehabilitation of which we have 373 miles that we maintain in the City of Livonia. So I'm very proud of the fact that we can go out and help these residents, business owners along these streets to help bring the street back up to a good or fair condition and I appreciate your patience during the construction. As I said before, we're looking for a renewal millage in 2022, I'm sure we'll be working with the Law Department to put on the ballot for next year in August. But a couple highlights I want to show on next year's program for 2022 is Pere was one of the ones down on Joy Road that was talked about for a long time for a concrete reconstruct. In addition we're doing a lot of work west of Farmington south of Seven Mile, in addition Bainbridge south of Seven Mile was one that's been talked about for a while so looking forward to getting that taken care of. And some other highlights, the County is actually going to do Merriman Road between Schoolcraft and Five Mile next year. The biggie that we're really blessed to see this one is Farmington Road between Plymouth and Orangelawn, to actually widen the road out so that we don't have to jockey for position at the signal to go north, to either do I go north, make a right, so hopefully with the widening of seven feet on the east side, look forward to making that area a lot better especially for the residents that traverse south along that corridor, the Sheldon Center that was recently developed with that area. So, that was a couple highlights that I wanted to bring to your attention. Next year we'll be going out for the PACER ratings, we go out and do it in-house, 373 miles typically, in August/September, and we bring it back to the Citizens Advisory Meetings to see what happens. And we have also one of the members in the audience, Tom Carey,

here. But just wanted to, however, the other issue is the resolution that we're looking to take for City Council's approval. As we all know we traverse the area of Five and Newburgh, Farmington Road from Six to Seven Mile, that's really bad on the southbound side, and looking at getting Five and Farmington, obviously our Police and Fire go at these locations that are very bumpy. I know Councilmember Donovic had mentioned can we go out and help fix these areas. So, we're looking to participate with Wayne County, hopefully, they recently did Five and Haggerty, to resurface that before 275 shut down. So, hopefully we'll partner up with them next year to do these locations or work together to get these areas addressed on a more expedited manner to help us in that area. So, one of the other things that came from the meeting was a resolution that we'd like to have City Council have the Clerk draft and take to Warren Evans and the County Commissioner Terry Marecki. In addition, the Citizens Advisory agreed with the recommendation of a budget of 3.8 million for asphalt, 5 million for concrete on a reconstruct, and 800,000 for selective slab; so a total of 9.6 million dollars' worth of improvements for next year in 2022, the last year of the renewal millage and I'd be happy to answer any questions but hopefully I'll give you a couple of highlights that were discussed at that meeting and I look forward to working with the City Council, as you know, and the residents and business owners next year to again get the roads fixed starting in the spring and working until late in the year during the annual construction season from April to November 15th.

Councilmember McCullough said the million dollar question that I do have is the trees, so we're kind of back to that and I know that we do have an item in Community of the Whole, and while I'm saying it right now we're in more of a preventative mode now, we know what's going to happen potentially with some of these road projects. So, I don't have the answers and I don't want to slow this project down but I'm just wondering if you have any more proactive measures to --- because obviously we have the tree ordinance for everybody that's out there that we're still working that, I'm the Council rep for the Tree Committee, so that is in development but I'm not there yet. Like I said, I wish I had a perfect resolution to ask but I don't know, you seem like might have something.

Zilincik replied we discussed it at the Citizens Advisory Meeting, we had two meetings, one in September, then one in October, but their thought is since it's the last year renewal millage if there's mature trees that are hindering a road segment, that we skip that road segment and go on the next one just for the importance of getting the Road Repair Program completed. However, again, we know on the sidetrack that there's an ordinance that could be coming through that conduit itself, I was hoping to have this earlier in October but with everything going on, we'll probably have a list for City Council on the number of trees that could be impacted in January as we work to get that and tell it to you guys itself, but again, I would say that their direction was if there's a street segment that has to be moved because of mature trees, they talked about an alternative Oakley, over here in Section 22, or just skipping that segment for this time and working through it until we're hoping that if we do our job right the renewal millage for another ten years, and in the meantime the Tree Ordinance issue will hopefully come to life by the time we go out for bids or look at what's in the contract itself. But again, any time we can save a tree, we do that as

best we can, two or three looks at it, but anything else like an old car, you know, after ten years it can only run so much, and some have to be destroyed, some have to be limped along, and we try and do the best we can as far as maintaining a fine balance in the City.

McCullough said and if I can, I do want to commend that. You know, after sitting in many meetings with Mr. Moore and the rest of the Tree Committee, there is a lot of thought and a lot of time and a lot of reinspection that goes into it, so that is very valued. That was the one thing that I think was surprising to a lot of the residents in how much thought goes into it, so kudos for that. I think that this plan is good. When will you generally get the demolition plan for these roads?

Zilincik replied obviously we've got to go to City Council on December 1st for your approval, we do a nonveto, and then we can get the consultants to start the design on that. But again, I would say sometime in January that we could get a list of trees we think that could be impacted on the concrete streets. A lot of the asphalt streets obviously, there's very minimal impact to one or two trees, but it will be most on the concrete streets, I would say Brentwood, if I had to pick us one in Section 1.

McCullough asked and that does come before Council again and Zilincik replied for Council's approval on the contract itself. But Brentwood would probably be the biggest one you're going to deal with, Sussex would probably be another one itself, but just to give you a heads-up, and then Jacquelyn west off of Middlebelt is probably the three critical areas where the trees could be impacted based on the reconstruction at those locations.

McCullough stated if we're going to be revisiting this in a few months, I have no issues and I would offer this for approving on Consent if there are no objections.

Councilmember Toy said I would like to say thank you for Hubbard Road, it's a great improvement and the bike paths are awesome and people are using them, so thank you very much. I was also concerned about the trees because – and I'm sure you don't – we don't want to go through what we went through before obviously and I still have people calling me on the whole subject. So, if we could, and I know that Councilman McCullough is conscientious of that and he'll try and get that Tree Committee going because it is intense and there is a lot to consider and all that. So, I want to be a cheerleader on that, whatever we can do. Also, I wanted to ask, when is Five Mile going to be done at that bridge, I keep having to turn around.

Zilincik replied I have heard early December, but again, Mother Nature could dictate something else but I do see cranes out there, I do see activity, they're like ants working up and down 275 trying to get the crossovers completed and very fortunate to have good weather to get the joint sealing on further south on the patches itself. So, I think, knock on wood, we can hopefully get it done by early December is what we heard from MDOT and that way we can all go across the street to go to Kroger, get your car washed.

Toy said I appreciate that, and lastly, I just wanted to ask, too, did you need a resolution for the County did I hear you say?

Zilincik stated we provided an attachment there, so we wanted your approval on the attachment, the resolution, but also ask for City Council to certify that resolution and to be sent from the Clerk's Office to Warren Evans and to Terry Marecki for the record.

Toy asked if there was another Commissioner as well that takes in a little part of Livonia and Zilincik said until the redistricting.

Toy asked if that was a separate resolution and Zilincik replied if we could have a separate one that would be great, also, and to include Commissioner Knezek as well in that resolution and McCullough agreed to include both in his offer.

Vice President Bahr stated he wanted to take the opportunity, Councilman McCullough, you mentioned the Tree Committee, can you just give us a quick update on – I don't know how often that group meets, when they last met, and when they anticipate, so I'm looking forward to that.

McCullough replied right now the Tree Committee has been meeting monthly, we actually have a meeting tomorrow at 10:30, we've also had study sessions, so kind of the directive that has been the approach to get the Tree Ordinance, is the Tree Committee is to give our wish list. So, we're going to provide staff and administration a wish list of our wants and needs. From there it's going to go for Administrative review, and then I did ask that it would go through consultant review before it would potentially go back to the Tree Committee for that blessing and from there it would be coming before us. Timeline-wise, I know that the wish list, which was very, very long from the Tree Committee, has moved on from Administration. I would suggest that probably the first quarter of next fiscal year, we might be seeing something at least being packaged depending on how far along consultant review, could be longer. But I know it's not a very slow process, but we're taking our time. A lot of people have read in the news, I know Canton, there have been a lot of unconstitutional rulings to the Tree Committee. So, we want to make sure we stay away from one of the key issues was the private property, and staying away from that mechanism. But we're analyzing tree credits, landmark trees, stuff that we probably should have had in place, but using the other ordinances that have been newsworthy, to use them as our gauge. Hopefully, first quarter, if I could guess I would say March, April of next year.

DIRECTION:

APPROVING

CONSENT

9. REQUEST FOR ONE-YEAR EXTENSION OF SITE PLAN APPROVAL: Planning Commission, re: Petition 2019-12-08-16, submitted by Ali Hamouch, previously approved by City Council on March 11, 2020, in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16. (CR 85-20)

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated as you indicated this is a request for a one-year extension of the site plan. This is the Shell Gas Station at Six and Farmington. The addition on the building is about 500, a little under 600 square feet, added to the existing 2,000 square foot building. Council approved this back in March. The Zoning Board of Appeals approved variances in September, that extended the life of the site plan but they do need to extend it and the issue there was really the difficulties in finding a general contractor but he is moving forward and he is requesting the extension.

Councilmember Donovic offered an approving resolution for the Consent Agenda. He stated I was at the Planning Commission meeting recently and spoke to the owner and he basically elaborated that they want to move forward with the project but they've been having difficulties with contractors and when they do find contractors, they have difficulty with the contractor actually having people to carry out the job. And I've spoken to a lot of people in the construction industry and this seems to be unfortunately very common amongst this industry and a lot of industries actually with labor and work force.

DIRECTION:

APPROVING

CONSENT

10. WAIVER PETITION: Planning Commission, re: Petition 2021-08-02-16 submitted by Mellodie Hastings requesting to operate a day care nursery (Kid Venture Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.

President McIntyre presented the New Data on this item.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a waiver use request for a child day care/nursery. This property is on Farmington Road, it's south of Plymouth Road. It's a former office building that's part of a medical office complex that was known as Orangelawn Professional Center. It's an older building that was constructed in 1963, one of three buildings actually. The Petitioner is looking to repurpose this building as a day care center, it's set up well for that use. The Planning Commission has spent some time with this Applicant rearranging some of the parking and circulation on the site. One aspect of the request that would require modification to one of the special requirements is the size of the play area. Our ordinance requires a minimum size of 5,000 square feet. The State, on the other hand, only requires 1,200 square feet. In this case she's pretty much splitting the difference, she's selling the area that's about 3,000 square feet located behind the building. But again, Council can approve this smaller play area that would require a separate resolution in which five members of Council concur. Parking is adequate on the site. Again, the Planning Commission went over the drop off arrangement for this site. We rearranged the parking and also addressed issues regarding the fencing around the outdoor play area, how traffic is going to be handled. There are no building exterior modifications proposed, really

they're going to keep the building as it is. With that, I'll answer any questions that you have.

Councilmember Jolly offered an approving for the Consent Agenda as well as the waiver for the play yard size for the Regular Agenda.

Councilmember Donovic asked how many children can be accommodated here at one time, is there a maximum of 100 kids a day; how does that equation work out?

Taormina replied that determination is made by the State, these would be children ranging in age from infant to a 12-year old. Ms. Hastings may have an update, but I know she's been working with the State to try to fix that number but I'm not sure that that has been accomplished yet.

Donovic said I'm very excited about this project, you're repurposing an old building and bringing it back to life with as many children as they have in terms of trash; how is trash handled here, is it just a trash can that GFL comes and picks up or is it an actual dumpster enclosure outside with the three yard dumpster, etc.

Taormina replied in this particular instance it's going to be curbside only. They do not generate sufficient trash to really require a separate dumpster so I believe the end result was just continue with curbside pick-up.

Donovic asked if there was some kind of signage outside and Taormina replied yes, there's an existing sign if you look at this aerial, this photograph, you can see the existing sign, I'm sure that will just be refaced.

Donovic then asked what kind of security precautions, does the City mandate security precautions on these sorts of developments that age or does the State, how does that work?

Taormina replied I think the State would address certain security issues, but again, Ms. Hastings is here and can probably answer that better than I can.

President McIntyre called the Petitioner to the podium.

Mellodie Hastings, 2380 Stockmeyer Road, Westland, Michigan, came to the podium.

President McIntyre opened the floor for questions for the Petitioner.

Councilmember Donovic welcomed Ms. Hastings to Livonia and thanked her for picking our community and wished her the best of luck on this future project. I have just one other question is the security thing, out of curiosity with Public Safety in our communities, what kind of precautions does your type of business have to take nowadays?

Hastings replied as far as coming in and out the door, the door has to be locked at all

Councilmember Toy asked Hastings if she had run a facility like this before and/or worked at a facility like this and Hastings replied yes. Toy then asked if Hastings holds a degree and Hastings replied I have a CDA.

REGULAR

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this item comes from Airgas USA, located at the former Viscount Building on the south side of Plymouth Road between Merriman and Middlebelt Road. The property is immediately adjacent to the Quality Inn and the building has been there for many years, there's been several uses over the years, it's a good sized building, maybe 6,000 square feet. As I said, Airgas is in that building and operating. There is a storage area behind the building that Airgas would like to use for the purpose of storing various compressed gas products, these are cylinders, these include oxygen, nitrogen, carbon dioxide, argon, propane and acetylene. The Planning Commission reviewed this petition carefully, consulting with the Fire Marshal, he's on top of this, they've been in contact with them regarding the storage. The storage area itself is about 225 feet from the closest residential property. One of the things the Planning Commission wanted to see was an obscuring fence along the south side of the storage area to further screen that area from view from the residents. Parking is adequate on the site. Other minor deficiencies were addressed as part of the petition and are reflected in the resolution and again, the Planning Commission is recommending approval.

Councilmember Donovic commented that I was at the Planning Commission meeting and listening to you guys present and it was going great, and now I keep seeing Airgas signs all over the different commercial buildings across the city and other cities, so it looks like you guys have a pretty wide range of customers and what not, so congratulations. I think everything is in order. At the Planning Commission some of the Commissioners had suggestions and from what it seems like from the plans you guys have all met those, so I'd like to offer an approving for Consent if there's no objections.

CONSENT

12. SIGN PETITION: Planning Commission, re: Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark

Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

President McIntyre presented the New Data for this Agenda item.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a sign request and it involves the former YMCA building, the name given for the project and for the facility is the Livonia Athletic District. The owners have been undertaking substantial renovations to the interior of that building getting it ready for occupancy on a phased approach. But what they're requesting this evening really pertains only to signage. And there's a number of signs to help identify the building and the various users, again, this will be a multi-tenant facility. But the main purpose is really to advertise the Livonia Athletic District and for that purpose they're proposing a series of signs along the east elevation of the building. This is the side of the building facing Stark Road and that's just a lower view, if you will, you can see where Livonia Athletic District would be identified as a main identification sign here on the south portion of the building. This logo that is centrally located on the building, that's something that the Planning Commission has actually asked that they reduce the size of that down to 36-square feet. There are some vinyl logos or emblems, if you will, placed on some of the windows, these are roughly about 7-square feet each. And then when you turn the corner of the building and look at the north elevation, an additional sign, this is further west on the building, again, advertising Livonia Athletic District. This is closer to where the main entrance for the building is, which is located here. And then there's a multi-tenant sign which will probably not be visible or legible to passersby on Stark Road but it does qualify as a sign nonetheless, that, too, is on the north side of the building. So, altogether they are requesting a number of signs. This is a residential zoned property so they are limited, very strictly limited on the amount of signage, so all of this would have to be reviewed and approved by the Zoning Board of Appeals, but it does require Council approval as well. The issue with the awnings kind of came up late in the building review and inspection process and we had actually signed off on those features very early in the review of the exterior building modifications, we view these awnings as an architectural feature and not as signage. We went over that again with the Building Department when this issue came up last week. And what those are, are just a series of mesh panels, metal mesh panels that are located in a couple of places along the front of the building that are back lit, so we felt again that that didn't really constitute signage, it was actually an architectural feature and could be reviewed as such and approved as such.

Councilmember McCullough asked the signs that are facing the east, how are those illuminated?

Taormina replied the original concept was to paint those on the brick, the Planning Commission objected to that. So these are now going to be aluminum type signs, let me see if I have an example what that looks like. I apologize, I don't. We did get an example of that provided to us and those would be lit, I think with sconces on the building or I think it's ground lighting, so it will not be eternally illuminated, they're

aluminum paneled signs.

McCullough stated overall I think it brings the building that's been there for quite a long time and again, I know the Petitioner is standing right here, but what an investment to come into the community. What was the original size of the – 36-square feet, that was the LED?

Taormina replied the logo originally was 121-square feet. They came back at 68-square feet and the Planning Commission has approved 36-square feet so it's a substantial reduction from the original proposal.

McCullough said and that one would be ground lit, correct, and Taormina replied that too, would be ground lit, yes. The only exception is going to be the multi-tenant sign located on the north side of the building.

McCullough stated my main concern is the east because that's where they do have the residential that's abutting it and Taormina replied correct.

Vice President Bahr stated I was just reviewing the Planning Commission meeting minutes here and I haven't gotten through all of them yet, so maybe this is in here. For the YMCA they had a monument sign, if I recall correctly, right, and Taormina replied right. Bahr then asked if that's being removed and Taormina stated I believe that's the intent. Bahr said isn't it typical for us to ask for a monument sign in lieu of the signage on the building for something like this and Taormina replied not always. The YMCA had limited wall signage and they may have attempted for signage in the past but was either rejected. I know that when they came to us some years ago for the monument sign, they wanted a much larger sign and they ended up with a rather small monument sign on that site.

Bahr said I agree with you that the monument sign was probably too small but I thought, I don't know exactly what our rules are, but I thought throughout the City we try to push people towards the monument signs versus the building signs and I guess I'm trying to understand why this would be different. It seems like an appropriate sized monument sign would serve the purpose nicely without dealing with some of the issues that the Planning Commission appears to have raised, which again I haven't finished reading all the minutes.

Taormina stated yes, it could help, you know the YMCA was such a destination location, I think they probably didn't have the issues that this is likely to have in terms of identification and visibility. So, the monument sign would help but could also see the need for some wall signs in addition.

Bahr said you talk about the visibility, I saw in the Planning Commission meetings, I actually found it humorous that they said they're competing with the St. Joe's Sports Dome, I'm sorry, you're not competing with the St. Joe's Sports Dome for eyeballs. Nobody is driving down the road and I see the dome, but they're not even close. I just feel, you know this is, it's not on a major road. Anybody that's going there is either

going there already because they know they're going there, or they're driving by it at 25 to 30 miles an hour, I think it's 25 on that road, and it's a prominent building, I just don't see the need to do a waiver apart from what Livonia has done in the past for the signage on the size of this building, to me it seems like a monument sign would be adequate.

Taormina stated again, the monument sign is small for it to be the only sign for this use I would suggest or offer that, I'll give you my personal opinion.

Bahr said I appreciate that, like I said we have Outback Steakhouse on Middlebelt Road which is incredibly busy and all they have is a monument sign. That's just one that comes to mind, we can think of a lot of other places that it works fine, I'm just struggling to see the need for all this building signage.

Councilmember Jolly stated in terms of just sharing my opinion in regard to this, I understand what Mr. Bahr is saying. I think this might be an opportunity, though, to kind of refresh and kind of rebrand an older building to be more modern. I like the idea of the metal signage. I think with as big as the building is, I would also worry about making the sign too small because it is an opportunity to kind of bring a little life into an older brick building that's been there forever. So I'll offer an approving.

Councilmember Donovic stated along the lines of what Mr. Jolly said, I think this is an awesome opportunity. You have a building that's been there for a very long time, that's been struggling for a very long time but offers so much opportunity and potential to Livonia. So, with that being said, I understand some of the decisions in the past for signage and what not, but this is a very modern, sleek design that I see other communities doing. I think it's going to be really cool. I'm not a fan of the ground lighting, I do think that's kind of a cheap way to really capture what this signage, the way I envision in my mind would have been much better as back lit, so I think it should be back lit, as opposed to just the ground lighting, to really capture what this can offer. But regardless I'm really excited about the signage and the kind of modern designs in the future what this site is going to offer. We've had the chance to tour it and I know there's some other ideas out there that I think are just going to continue to make this area more of a destination and I don't think that the typical marquee sign will be adequate at this location. I think taking advantage of the newer designs, the newer modern appeals that I've seen other modern developments take advantage of, I think this will be great for this location.

Councilmember Jolly said just to add on, just to kind of rebut, in terms of the type of signage that they have provided in the package here, I don't see how that would be back lit, they're like metal signage, they would be affixed to the building. So, maybe is it possible that you would provide the lighting for these metal signs from above so it's not on the ground or would that have any kind of impact in terms of what you're trying to do there? The light coming from below does have the potential to become to perhaps be altered from where you would like to have it shine, correct. Would you be open to lighting it from above or what are the challenges here?

Joseph de Verteuil, 14255 Stark Road, petitioner, came to the podium. He stated in terms of the lighting package, I wasn't part of the group that put it together. We have a development group, architectural and graphic design group that put together. In terms of how the functionality would work, I really wouldn't be the expert to answer that question but we can propose it to our architectural and graphic design group.

Jolly said why don't we keep this on the Regular and then come back to us with that kind of information. I'd like to just see if you could follow up and see if it was possible to light it from above in a way that would be appropriate or if that's not possible, explain to us why that's not possible. Thank you.

Vice President Bahr offered a denying resolution.

Councilmember Donovic stated he also would like to clarify that he would still approve it with the ground lighting. I understand what my colleagues are saying, maybe it is impossible, that is my personal preference but I understand the difficulties. I think that the petitioner has gone above and beyond trying to work with the City and trying to have a good middle ground, I think we've accomplished that. I'm not going to be held up on the lighting, so to speak, I'm not the expert in lighting and the signage. I think what you propose is really sleek and really modern, but with that being said, that was just a personal preference but I do like it either way. Thanks, Madam President.

Councilmember McCullough said I guess the question, if there's an approving and a denying, Councilman Jolly did bring up the fact we'll leave the size out there. I would, we have the ability as Council to approve bigger, correct, Mr. Taormina>

Taormina replied you could recommend larger signs, it's still going to be subject to the Zoning Board of Appeals.

McCullough stated I would at least throw in there the 59 square feet that's listed in the packet if we're going to go for it. Councilman Jolly does bring up a good point, you do have a lot, the baseball, the hockey program that happens right across the street and I'm not a businessman but if you're seeing that, you're going to see the sign from there and it might draw in some attraction. To touch base on the ground lights, that elevation is a little higher than the residential across the street, I would recommend keeping the ground lights because if not you're going to be in a situation where you'd have to shield it and the luminosity could hit into the windows, just my opinion. So, if I may just add the 59-square feet.

Jolly accepted the amendment.

Taormina replied just a clarification on which sign you're talking about, the 59-square feet, the logo sign on the front of the building, so rather than 36-square feet you're suggesting 59? The revised sign was 68-square feet.

McCullough said let's go with the 68-square feet, I'm reading something different in here.

The Petitioner stated they would have no problem accepting the 68-square feet, it goes back to the original plan.

DIRECTION: 1) APPROVING REGULAR
 2) DENYING

13. PROPOSED 2022 CITY COUNCIL MEETING SCHEDULE: City Council President Kathleen E. McIntyre, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

President McIntyre presented this request to Council. She stated the proposed 2022 meeting schedule comes to Council from her, the Council President, in accordance with the provisions of the Open Meetings Act of 1976, Public Act 267 as amended. And I made a few suggestions and solicited input from all of my colleagues before Sara finalized the schedule.

Vice President Bahr offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

AUDIENCE COMMUNICATION None heard.

As there were no further questions or comments, President McIntyre adjourned the Study Session at 9:13 p.m. on Monday, November 8, 2021

For the 1933rd Regular Meeting of November 22, 2021

DATED: November 10, 2021

SUSAN M. NASH, City Clerk