

OFFICE OF THE COUNCIL

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SCOTT BAHR
VICE PRESIDENT

ROB GJONAJ DONOVIC
JIM JOLLY
BRANDON McCULLOUGH
LAURA M. TOY
CATHY K. WHITE



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250
citycouncil@livonia.gov

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE REGULAR MEETING OF
WEDNESDAY, DECEMBER 1, 2021
7:00 P.M.**

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(734) 466-2250**

The official documents are on file in the City Clerk's office.

**1934th Regular Meeting of the Council of the City of Livonia
Wednesday, December 1, 2021**

7:00 p.m. – City Hall Auditorium
33000 Civic Center Drive
Livonia, Michigan

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF MINUTES - Minutes of the 1933rd Regular Meeting of November 22, 2021

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

CONSENT AGENDA

1. [DETERMINATION OF THE LOCAL OFFICERS COMPENSATION COMMISSION: Office of the City Clerk, re: the salaries of elected officials for the calendar years 2022 and 2023, in accordance with Section 2.48.030 of Chapter 2.48 of the Livonia Code of Ordinances, as amended.](#)
2. [AWARD OF CONTRACT: Department of Parks and Recreation; re: to provide senior memberships at the Jack E. Kirksey Recreation Center to eligible participants in our senior community.](#)
3. [REQUEST APPROVAL TO ACCEPT A GRANT FROM THE DETROIT EDISON COMPANY \(DTE\): Engineering Division, re: 2021 LED Retrofit of Mercury Vapor Streetlights throughout the City, for a total cost of \\$376,550, with the City's contribution to be \\$288,800 from the Unexpended Fund Balance of the Special Assessment Streetlighting Fund.](#)
4. [REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION \(QBS\) PROCESS WITH OHM ADVISORS FOR DESIGN ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM \(CONTRACT 22-A\): Engineering Division, re: same \(CR 365-16\).](#)
5. [REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION \(QBS\) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. \(AEW\) FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD PROGRAM \(CONTRACT 22-C\); Engineering Division, re: same \(CR 365-16\).](#)

Agenda for the Regular Meeting of December 1, 2021

6. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD MAINTENANCE/SELECTIVE SLAB PROGRAM (CONTRACT 22-J): Engineering Division, re: same (CR 365-16).
7. WAIVER PETITION: Planning Commission, re: Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast ¼ of Section 24.
8. REQUEST TO AMEND SITE PLAN PETITION: Kroger/Northridge Commons, re: Petition 2021-07-08-04, requesting to amend site plan and conditions previously approved by the City Council on September 20, 2021, to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4. (CR 289-21).

UNFINISHED BUSINESS

9. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to repeal Chapter 10 (Department of the Office of the City Council) of Title 2 (Administration and Personnel) and amend Section 080 (City Clerk Duties) of Chapter 04 (City Council) of Title 2 (Administration and Personnel), to abolish the current administrator position in a stand-alone department and create an identical administrative position under the direction and supervision of the City Clerk.
10. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to amend Chapter 5.42 Section 010 (Definitions) to comport with Livonia Vision 21 Zoning Ordinance.
11. REQUEST TO AUTHORIZE APPROPRIATION AND EXPENDITURE; Department of Public Works, re: for the emergency repair and restoration of underground electrical service to Fire Station #1 (Headquarters), from budgeted funds.

NEW DATA ITEM 11 - Itemized invoice detail provided by DPW, as requested at Study Meeting of November 22, 2021.

NEW BUSINESS

AUDIENCE COMMUNICATION

SUSAN M. NASH, CITY CLERK

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email clerk@livonia.gov if you need assistance. **Council agendas are available on the City's website – www.livonia.gov - under Government, City Council, Agendas.**

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

1

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprovicz, Manager of Council Office.

2. DETERMINATION OF THE LOCAL OFFICERS COMPENSATION COMMISSION: Office of the City Clerk, re: the salaries of elected officials for the calendar years 2022 and 2023, in accordance with Section 2.48.030 of Chapter 2.48 of the Livonia Code of Ordinances, as amended.

Susan Nash, City Clerk, presented this request to Council. She stated the Local Officers Compensation Commission met on November 9th on the third floor, I know you were present, so was the Mayor, we had a few other members, myself, the Treasurer, Lynda Scheel, and the Observer was there as well as six of the seven members. And as you're aware in your packets they discussed all of the salaries for the elected officials for the City of Livonia. And they also brought up Hero Pay for the elected officials and I believe they have it all done under separate resolutions that can be looked at individually.

Councilmember Jolly offered an approving resolution for the suggested compensation rates for the Mayor, the Clerk and the Treasurer and I'll offer those for Consent if there are no objections.

City Attorney Bernier stated under our ordinance you don't need to do anything for them to take effect. They take effect automatically after thirty days, after the Clerk has filed them. The only thing Council does is the Council rejects something, then you would have to have a resolution rejecting a portion and I just wanted to make that correction.

Councilmember Jolly withdrew his motion.

Councilmember Donovic stated I don't have an issue with increases for elected officials, they're a few hundred dollars, what I do not support is hero pay for individual elected officials. So, is there a something that I could do to offer a denying on just a specific Hero Pay for elected officials?

Bernier replied it was specifically broken down at the Compensation meeting at the suggestion of Council President, that we break down the difference between the pay structure, the percentage raises for all of the elected officials and the Hero Pay. So, there would be separate issues, they're all separate, in other words. So, there's Council, there's Council President, Treasurer, Clerk, and their salary adjustments, and then there are Hero Pays for all five of them. So, if you wanted to reject something, just using as an example and not suggesting it should be done, if Council wanted to reject the Hero Pay for themselves, the resolution would be to reject the Hero Pay as to Council. And then that would be the vote.

Donovic then offered a denying resolution for Hero Pay for City Council members.

Attorney Bernier stated that the Council President is separate from Council in the LOCC suggestions.

Donovic then amended his resolution to include the Council President as well as all members of Council.

Councilmember Toy stated I have no problem with that motion, I do believe, though, that the Clerk and the Treasurer were here, as well as the Mayor, on duty, and I think that was very important, particularly because we had an election going on for some of that time as well, as well as their other duties, the monies and the financing of the City, as well as birth and death certificates and official record keeping that the Clerk does. So, I have no problem with them receiving that pay, and of course, the Mayor in her role and her duties. I guess it would be if we vote this down and there's seven of us and if my math is correct, that leaves some money. It would be interesting to take that money that was set aside for the Council in a Hero Pay and maybe donate it to a family that had maybe a loved one or someone that has had some kind of issue, and I don't know you find that out, so maybe it's a little stretch. But I don't know, I'd almost like to see that we could do something possibly with those dollars if we're not going to take them which I don't think is appropriate, at least from my standpoint. But I also think that rather than leave it in the budget for somebody else to spend somewhere in this City, not that they don't do a good job, but that it would behoove the Council to kind of designate those dollars to something worthwhile. I'm not sure what that would be, just a suggestion.

President McIntyre replied I don't believe we have any authority or vehicle for doing that. We're acting on a recommendation of the LOCC, and it's strictly whether we accept their recommendations or whether we don't. And this is not, and we discussed this I think at length, these are not dollars out of the City General Fund, correct, these are American Rescue dollars. The only way to do that, I believe, Councilmember Toy, and someone please correct me if I'm wrong, would be for the Council to accept each one of us, or for the six members of Council and the President, to accept the Hero Pay and then to turn around and donate the Hero Pay.

Councilmember McCullough stated I just want to be on record, I definitely agree with my colleagues about Council getting the \$500 stipend. I don't think it's warranted, we

were virtual, and I know there was a note in there about how we had elected to volunteer at some of the clinics for vaccinations, that was purely volunteer based and that was something that we did. The Administration had everything set up, we were virtual and even if we had to come in, so I just want to be on record to say that I'm happy that Councilman Donovic did offer a denying on the \$500.

Vice President Bahr said I think it's important for Council to know as we think about this, and I also would concur with Councilman Donovic's comments, I believe the only reason that the Commission felt a need to recommend this is because we had taken the action of offering it to our employees. And I made it very clear at the time what my feeling on that was, I just think that the only reason it was offered to any of the elected officials is because we had done that and we felt it was fair then to do it to the elected officials. And while I appreciate the work of the Commission, I appreciate the sentiment. As an elected official, knowing how many people lost their jobs during this pandemic, knowing how many people would have loved to have been working during this pandemic, to be honest, I am embarrassed by the notion of taking this Hero Pay as an elected official. So I definitely would join Councilman Donovic and saying once again, I appreciate the sentiment but I definitely don't think it's necessary and I'm glad that we've got a denying on the table.

President McIntyre stated I would like to offer a comment. One of the other things that was done and the LLOC and I attended because I think it's important to understand what the LLOC is doing and what they're thinking and they have a difficult job. I don't think it's easy to sit in front of people and talk about what you think they should be paid or not paid. But one of the reasons I had for attending was the Council President has traditionally been in the differential, I don't know how far this goes back, of about 6.5% from the rest of the Council. And after my initial term of being President, it was the first time I'd been on Council and I certainly didn't have a full appreciation for everything that the job entailed, it wasn't during a pandemic. But after the second time, really having a much better feel for the job and understanding what the expectations of the job are, and what the job requires if you do it as I think it's intended that it be done, I did recommend that the pay differential between the Council and the President be 10%. And so that was offered, the Council had a --- I can't remember what the percentage increase was but it was a larger percentage for the President. And so the intention, my intention of going forward as I pointed out to the Commission, I am no longer the President after December 31st and I cannot run again, so in no way is this feathering my own nest. But I thought it was important, certainly knowing that Mr. Jolly is coming into the job and the way he'll do the job and I would expect every future Council President will do the job, I thought it was important that that position be --- that the differential and the work be recognized and codified.

Councilmember Toy stated after being President of this Council on numerous occasions, three to be exact, you're absolutely right, it's long overdue. You have faced a lot of exceptional situations as a President of this Council in the last couple years, and you've done it with the best of your ability and with the City in mind and we appreciate that, and I think I can speak for all of us on that. But it is long overdue. The

President does do a lot of extra work, the office can be a little bit challenging at times, not that the people are, but just the whole process thereof, But I want to thank you as well for all you've done for us these last couple years, I appreciate that and I know what that's like to sit in that chair and do that gavel. It looks real easy but there are times it's not exactly the easiest job in the world, thank you.

President McIntyre thanked Toy and stated it's a team effort and the one other thanks that I want to give is to Sara Kasprowicz who Sara came into the job about a year and a half ago, and Judy was phenomenal, Judy Priebe was longstanding Director of Legislative Affairs and Judy was my lifeline and my Sherpa and everything else during my first term. And when someone who is so much a resource to everyone leaves, I think you always think we're never going to be able to find our way. And the nice thing is when the City does a great job recruiting and hiring people, when you lose one phenomenal person, you turn around and then somehow you have a new phenomenal person and I know that the Council and President Jolly are going to be very, very well served. And just one final note, we talked in the LLOC about, especially for the Council, no one does these jobs for money. And one of the things that I think people are going to have to be cognizant of going forward is as the Observer did an article on this and we've all seen it. Certainly not in our City but some other places, but the hate that elected officials are sometimes subject to, we're seeing it at school boards, we're seeing it everywhere, I think in my opinion it's going to be harder and harder to get people to step up to do these jobs. I mean as I said to the LLOC, if you wanted to pay Council \$100,000 a year, I can guarantee you'd have a primary every year. But you don't do it, that's not the motivation for doing these jobs and I just think it's something to be cognizant of as a City and as a community and really as a citizen as you look at people and you expect them to step up and serve as elected officials. And I wouldn't trade this experience, I don't think any of my colleagues would for anything in the world, but they're changing times, so thank you. Thank you for your indulgence on that subject.

President McIntyre reiterated there was a denial of the recommendation of the LLOC for the Hero Pay for City Council members and the President.

DIRECTION: DENYING (12/1 meeting)

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

2.

City Clerk
November 15, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Lori Miller, Deputy Clerk

AGENDA ITEM

DETERMINATION OF THE LOCAL OFFICERS COMPENSATION COMMISSION: Office of the City Clerk, re: the salaries of elected officials for the calendar years 2022 and 2023, in accordance with Section 2.48.030 of Chapter 2.48 of the Livonia Code of Ordinances, as amended.

BACKGROUND

Recommendations made by the Local Officers Compensation Commission for the salaries of elected officials for the years 2022 and 2023.

RECOMMENDATION

Accept the recommendations made by the Local Officers Compensation Commission as presented in the Minutes of their meeting held November 9, 2021.

FISCAL CONSIDERATION

Budgeted funds.

ATTACHMENTS

1. Minutes of 32nd Meeting held 11-09-21

APPROVED BY

A handwritten signature in cursive script, appearing to read "Susan Nash", is written over a horizontal line.

Susan Nash, C.M.M.C., City Clerk

Date: November 17, 2021

**MINUTES OF THE THIRTY SECOND MEETING OF THE
LOCAL OFFICERS COMPENSATION COMMISSION OF THE CITY OF LIVONIA**

On Tuesday, November 9, 2021, the above meeting was held at the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by Glen Long, Jr., the Acting Chairperson at 5:30 p.m. Roll was called with the following result:

MEMBERS PRESENT: Glen W. Long, Jr.
 David Cash
 Martha Foley
 John Murphy
 Maureen Simari

MEMBERS ABSENT: Michael Marihugh

CITY OFFICIALS PRESENT: Mayor Maureen Miller Brosnan
 Kathleen McIntyre, Council President
 Susan M. Nash, City Clerk
 Lynda Scheel, City Treasurer
 Paul Bernier, City Attorney
 Lori L. Miller, Deputy City Clerk

OTHERS PRESENT: Shelby Tankersley, Livonia Observer

On a motion by Murphy, seconded by Foley, unanimously adopted by, it was:

#01-21 RESOLVED, that the minutes of the November 19, 2019, Local Officers Compensation Commission are hereby approved with the correction made to Resolution #04-19, Page 3 of the minutes, to read "Effective January 1, 2021 the Mayor's salary shall be \$130,687."

On a motion by Cash, seconded by Foley, unanimously adopted, it was:

#02-21 RESOLVED, that Glen W. Long, Jr., is elected to serve as the Chairperson of the Local Officers Compensation Commission for the year 2021.

On a motion by Murphy, seconded by Foley, unanimously adopted, it was:

#03-21 RESOLVED, that David Cash, is elected to serve as the Vice Chairperson of the Local Officers Compensation Commission for the year 2021.

Mayor Brosnan thanked the Commissioners for their service and indicated they do an amazing job reviewing salary increases for elected officials.

Clerk Nash indicated the salary information provided to the Commissioners was of comparable surrounding communities in size population.

Commissioner Long thanked Clerk Nash for the information provided for review and indicated the purpose of the meeting was to discuss recommended salaries for Livonia's elected officials for the next two years and then the Commission's recommendation is passed on to City Council for approval.

City Attorney Bernier indicated the salaries approved at tonight's meeting would be accepted by City Council, unless the Council voted to reject the Commission's recommendations.

Commissioner Murphy inquired about the Heroes' Pay approved by Council for regular full-time and regular part-time employees in the amount of \$1,000.00 and \$500.00 respectively, which was not extended to elected officials, for the calendar year worked of 2021.

Council President McIntyre inquired where does the City stand with regard to providing Heroes' Pay to the Police Reserve Officers and members of the Community Emergency Response Team (CERT). Mayor Brosnan indicated this Commission is not required to discuss that matter as part of tonight's meeting.

Chairman Long asked about the financial status of the City. Mayor Brosnan responded the City is in a strong financial position: the Defined Benefit plan has been put in place for the Livonia Fire Department and the Livonia Police Department; funds have been set aside by the City to properly fund VEBA; and additional funding has been set aside for capital improvements in the City.

Commissioner Murphy inquired what was the relationship between the employees' unions and the City at the current time. Mayor Brosnan indicated the relationship is very strong and the recent contract was approved by all parties before it expired.

The Commissioners discussed proposing Heroes' Pay for elected officials, to mirror what regular full-time and regular part-time employees were awarded.

On a motion by Foley, seconded by Cash, unanimously adopted, it was:

#04-21 RESOLVED, that the Local Officers Compensation Commission hereby determines to award a one-time only \$1,000.00 Heroes' Pay stipend to the Office of the Mayor for the current year of 2021 only, to be paid before calendar year end 2021 or within the first pay period of 2022.

The Commissioners discussed the salary of the Office of the Mayor for 2022 and 2023. A 3% increase for 2022 and a 2% increase for 2023, in line with the union contracts, was presented.

On a motion by Foley, seconded by Cash, unanimously adopted, it was:

#05-21 RESOLVED, the Local Officers Compensation Commission hereby determines to change salary for the Office of the Mayor from its current rate of \$130,687.00, to a 3% increase for 2022 and a 2% increase for 2023, to the following paid on a bi-weekly basis:

Effective January 1, 2022	\$134,609.00
Effective January 1, 2023	\$137,300.00

The Commissioners discussed the salary of the City Council President and City Council. A 3% increase for 2022 and a 2% increase for 2023 was proposed for discussion.

President McIntyre requested the Heroes' Pay stipend be decoupled from the salary of the Council President and suggested that the Council President's salary might be better valued if it were 10% higher than the other Council members given the extra duties of the Council President. It was noted that if this suggestion was implemented, that Ms. McIntyre would not benefit from it as the outgoing Council President.

The Commissioners discussed the salary of the City Council President for 2022 and 2023. The suggestion from President McIntyre was discussed, as was a graduated increase over the two year period. It was noted the City Council President and City Council members have not taken a salary increase since 2017.

At the suggestion of Chairman Long, it was agreed the Commission should consider the salary of Council first and then go back to the salary of the Council President.

On a motion by Foley, seconded by Simari, unanimously adopted, it was:

#06-21 RESOLVED, that the Local Officers Compensation Commission hereby determines to award a one-time only \$500.00 Heroes' Pay stipend to the City Council members who served for the current year of 2021, to be paid before calendar year end 2021 or within the first pay period of 2022.

On a motion by Cash, seconded by Foley, unanimously adopted, it was:

#07-21 RESOLVED, the Local Officers Compensation Commission hereby determines to change salary for the City Council members from its current rate of \$17,270.00, to a 3% increase for 2022 and a 2% increase for 2023, to the following paid on a bi-weekly basis:

Effective January 1, 2022	\$17,788.00
Effective January 1, 2023	\$18,144.00

Commissioner Foley stated the Council President is tasked with leading and guiding Council and assumed this necessitated more time spent performing Council matter.

President McIntyre indicated she was the outgoing President of Council and her recommendation was not self-serving. She stated the Council President is required to perform additional work, serves as the Mayor Pro-Tem, attends more ribbon-cutting ceremonies, leads and guides new Council members, and overall has an increased amount of responsibilities and hours worked than other Council members.

Commissioner Cash indicated he felt the 10% differential proposed by outgoing President McIntyre made sense, given this information.

On a motion by Foley, seconded by Simari, unanimously adopted, it was:

#08-21 RESOLVED, that the Local Officers Compensation Commission hereby determines to award a one-time only \$500.00 Heroes' Pay stipend to the City Council President for the current year of 2021 only, to be paid before calendar year end 2021 or within the first pay period of 2022.

On a motion by Cash, seconded by Foley, unanimously adopted, it was:

#09-21 RESOLVED, the Local Officers Compensation Commission hereby determines to change salary for the City Council President from its current rate of \$18,519.00, to a 5.7% increase for 2022 and a 2.6% increase for 2023, to the following paid on a bi-weekly basis:

Effective January 1, 2022	\$19,566.00
Effective January 1, 2023	\$19,958.00

The Commissioners discussed the salary of the City Clerk and the City Treasurer. A 3% increase for 2022 and a 2% increase for 2023 was proposed for discussion. Commissioner Foley reminded the Commission members that in 2019 a noted gap between these two positions and those of similar positions in surrounding cities was discussed.

Commissioner Murphy indicated in the past the employees' unions did not have as good of a working relationship as they do now and stated this may be a good time to help close the gap. Chairman Long indicated the gap should be mitigated but did not feel it should be done all at one time.

President McIntyre expressed the positions of City Clerk and City Treasurer are "work horse positions" and both have a legacy of intensive work being done by those who occupy the positions. She indicated to compete with other surrounding communities where they may be appointed, and not elected officials, she would suggest a significant percentage increase in wages for these two positions to bring them more in line with other communities.

The Commission discussed a proposed 4% increase for 2022 and a 4% increase for 2023. Chairman Long indicated the wages presented tonight for other communities would

also receive wage increases starting in 2022 and did not feel the proposed increase would sufficiently bridge the gap in wages.

On a motion by Simari, seconded by Cash, unanimously adopted, it was:

#10-21 RESOLVED, that the Local Officers Compensation Commission hereby determines to award a one-time only \$1,000.00 Heroes' Pay stipend to the Office of the City Clerk for the current year of 2021 only, to be paid before calendar year end 2021 or within the first pay period of 2022.

On a motion by Foley, seconded by Murphy, unanimously adopted, it was:

#11-21 RESOLVED, the Local Officers Compensation Commission hereby determines to change salary for the Office of the City Clerk from its current rate of \$89,944.00, to a 5% increase for 2022 and a 3% increase for 2023, to the following paid on a bi-weekly basis:

Effective January 1, 2022	\$94,441.00
Effective January 1, 2023	\$97,274.00

On a motion by Cash, seconded by Foley, unanimously adopted, it was:

#12-21 RESOLVED, that the Local Officers Compensation Commission hereby determines to award a one-time only \$1,000.00 Heroes' Pay stipend to the Office of the City Treasurer for the current year of 2021 only, to be paid before calendar year end 2021 or within the first pay period of 2022.

On a motion by Foley, seconded by Simari, unanimously adopted, it was:

#13-21 RESOLVED, the Local Officers Compensation Commission hereby determines to change salary for the Office of the City Treasurer from its current rate of \$89,944.00, to a 5% increase for 2022 and a 3% increase for 2023, to the following paid on a bi-weekly basis:

Effective January 1, 2022	\$94,441.00
Effective January 1, 2023	\$97,274.00

President McIntyre thanked the Commissioners for their hard work and indicated she appreciated their thoughtful analysis to make difficult decisions.

Mayor Brosnan agreed with the point made during the meeting that the Commission may benefit in the future by receiving historical data rather than comparable data rates only an indicated that it will be provided in future meetings if possible. She pointed out the Commission has done a fantastic job in closing the gap between the salaries of the City Clerk and City Treasurer, as was done in the past to the Mayor's salary. Mayor Brosnan thanked the Commissioners for their great choices, diligence and recommendations made at tonight's meeting.

Commissioner Foley indicated the Commission will continue to strive to narrow the gap of the salaries of the Office of the City Clerk and City Treasurer between neighboring cities and will again discuss this topic at the next Commission meeting in 2023.

On a motion by Foley, seconded by Cash, and unanimously adopted, the meeting was adjourned at 6:45 p.m.

A handwritten signature in black ink, appearing to be 'Glen W. Long, Jr.', written in a cursive style.

Glen W. Long, Jr., Chairperson



Facility Partnership Agreement

<u>Peerfit, Inc. ("Peerfit")</u>		<u>Wellness Partner</u>	
Admin Name:	Jack E Kirksey Livonia Community Recreation Center	Facility Name (Client Facing Name):	
Representative:	Matt Laurence	Legal Name (as shown on entity's tax return):	
Phone:	(813) 902-3703	Contact Name:	Ted Davis
Email:	matthew.laurence@peerfit.com	Contact Phone:	
		Contact Email:	edavis@livonia.gov

This Facility Partnership Agreement ("Agreement") confirms the participation of Wellness Partner in Peerfit's network of studios and gyms according to the terms set forth herein.. This agreement begins on 10/15/2021.

Section 1: Pricing.

(a) Wellness Partner shall provide classes to Peerfit users at the rate of:

Location(s): Jack E Kirksey Livonia Community Recreation Center

Class: N/A

Reimbursement: \$ N/A

Location(s): _____

Class: _____

Reimbursement: \$ _____

Location(s): _____

Class: _____

Reimbursement: \$ _____

Location(s): _____

Class: _____

Reimbursement:\$

Location(s):

Class:

Reimbursement:\$

(b) Wellness Partner shall provide unlimited access to its facilities and classes via a month-to-month membership to Peerfit users who enroll in such membership at the rate of:

Jack E Kirksey Livonia Community
Location(s): Recreation Center Monthly Membership Reimbursement:\$ 26.95

Location(s): Reimbursement:\$

Section 2. Confidentiality. Any user purchasing on his or her own directly via Wellness Partner will not receive the benefit of the special rate provided directly to Peerfit. Except as necessary to comply with the Freedom of Information Act, MCL 15.231, et seq, or other pertinent law or process, Wellness Partner shall not disclose the details of this agreement.

Section 3. Logo and Other IP. Wellness Partner shall provide Peerfit with class descriptions, photographs, and Wellness Partner's logo. Additionally, Wellness Partner grants Peerfit permission to use its logo, trademark, and photos on the Peerfit website, in press releases, and in any marketing campaigns/events and channels as set forth in the Facility Partnership Terms and Conditions. Peerfit will create a page for Wellness Partner on the Peerfit website and mobile apps that features such photos and includes text, content, Wellness Partner's class schedules, and so on.

Section 4. Class Updates. Wellness Partner shall notify Peerfit when classes are removed from Wellness Partner's schedule. This should be done by notifying Wellness Partner's Wellness Partnership Manager in writing, or automatically through Wellness Partner's scheduling platform if Wellness Partner uses MINDBODY for such purpose.

Section 5. Terms. The Facility Partnership Terms and Conditions (the "Terms") linked here: <https://peerfit.com/studio-terms-of-service> are incorporated into this Agreement by reference, and by executing this Agreement Wellness Partner is agreeing to such Terms. Peerfit may amend the Terms from time to time, in its sole discretion, with or without notice. Peerfit will endeavor to provide prompt notice to Wellness Partner of any material changes to the Terms. To the extent the provisions of this Agreement conflict with the Terms, this Agreement shall govern.

Section 6. W-9. Wellness Partner shall provide to Peerfit a completed W-9 form. Wellness Partner represents and warrants that it has obtained any and all licenses, certificates and/or approvals required by applicable law (including but not limited to business licenses where applicable) for the performance of this Agreement.

Section 7. Marketing. Peerfit shall be responsible for marketing Peerfit's services and finding Peerfit participants through channels that Peerfit deems appropriate.

Section 8. Reservations. Peerfit shall provide reservation requests to Wellness Partner as they are received by Peerfit, and in one or more of the following formats: MINDBODY, or other third party scheduling platforms, email, etc. Peerfit shall maintain its website and mobile app as a central user interface for users to access information about Wellness Partner, make reservations for Wellness Partner

classes, purchase memberships with Wellness Partner, and review Wellness Partner's classes.

Section 9. Payment. Peerfit shall pay, on a monthly basis, the pre-negotiated rate for each reservation for a Wellness Partner class booked or Wellness Partner membership purchased through Peerfit unless such reservation (1) was cancelled by Peerfit or the Peerfit member in accordance with the Wellness Partner's cancellation policy up to 12 hours prior to the start time of such class; (2) was cancelled by the Wellness Partner after confirming with Peerfit. Payments will be made via ACH.

Section 10. Each party to this Agreement shall remain responsible for any claim arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims. Except as explicitly provided in this Agreement or the Terms, this Agreement is not intended nor shall it be interpreted as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

Section 11. This Agreement shall be governed by and construed according to the laws of the State of Michigan, U.S.A., excluding its conflict of law rules or principles. All disputes arising under or in connection with this Agreement shall be adjudicated in the federal courts of the Eastern District of Michigan or in the State courts located in Wayne County, Michigan. Each of the parties acknowledges that venue shall be proper in such courts and expressly consents to the personal jurisdiction of such courts.

WELLNESS PARTNER agrees to keep the details of this Agreement confidential.

Agreed to by: Peerfit, Inc.

<u>Peerfit</u>		<u>Wellness Partner</u>	
Printed Name:	Matt Laurence	Printed Name:	Ted Davis
Signature:	 DocuSigned by: 5703F4B498B04DE...	Signature:	
Date:	10/15/2021	Date:	

Payment Details

Payment Remit Name: _____

Tax ID #: _____

Mailing address: _____

Bank Name: _____

Bank Routing Number: _____

Bank Account Number: _____

W9 INSTRUCTIONS

Is your entity taxed as an individual or a business?

INDIVIDUAL

- Line 1: Enter the individual name as shown on your tax return.
- Line 2: If you have a business name, trade name, DBA name, or disregarded entity name, enter it on line 2.
- Line 3: Check the box individual/sole proprietor or single-member LLC.
- Line 4: If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.
- Line 5: Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.
- Line 6: Enter your city, state, and ZIP code.
- Part I. Taxpayer Identification Number (TIN) - Enter your Social Security number in the box.

Form **W-9**
(Rev. November 2017)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**
Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Stephanie Massey

2 Business name/disregarded entity name, if different from above
Beach Pilates

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
☒ Individual/sole proprietor or single-member LLC
☐ C Corporation
☐ S Corporation
☐ Partnership
☐ Trust/estate
☐ Limited liability company. Enter the tax classification (C=Corporation, S=S corporation, P=Partnership)
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
☐ Other (see instructions)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any)
Exemption from FATCA reporting code (if any)
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
123 Beach Drive

6 City, state, and ZIP code
Saint Petersburg, FL 33701

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.
Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requestor for guidelines on whose number to enter.

Social security number
1 2 3 - 4 5 - 6 7 8 9

OR
Employer identification number
-

BUSINESS

- Line 1: Enter the entity's name as shown on the entity's tax return.
- Line 2: If you have a business name, trade name, DBA name, or disregarded entity name that differs from line 1, enter it on line 2.
- Line 3: Check the appropriate box on line 3 for the U.S. federal tax classification of the entity whose name

is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

- Line 4: If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.
- Line 5: Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.
- Line 6: Enter your city, state, and ZIP code.
- Part I. Taxpayer Identification Number (TIN) - Enter your TIN in the appropriate box.
 - Sole Proprietorship - If you have an EIN, you may enter either your SSN or EIN.
 - Single-member LLC that is disregarded as an entity separate from its owner - enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN.
 - A disregarded entity refers to a business entity with one owner that is not recognized for tax purposes as an entity separate from its owner. A single-member LLC ("SMLLC"), for example, is considered to be a disregarded entity.
 - LLC is classified as a corporation or partnership, enter the entity's EIN.

Form W-9 (Rev. November 2017) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification ▶ Go to www.irs.gov/FormW9 for instructions and the latest information.	Give Form to the requester. Do not send to the IRS.
1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Yoga 333 Studio, LLC		
2 Business name/disregarded entity name, if different from above		
Print or type. See Specific Instructions on page 3.	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	
	☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ P ☐ Other (see instructions) ▶ ☐ C Corporation ☐ S Corporation ☒ Partnership ☐ Trust/estate	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. 123 Fitness Lane	
6 City, state, and ZIP code Tallahassee, FL 32313		Requestor's name and address (optional)
7 List account number(s) here (optional)		
Part I Taxpayer Identification Number (TIN) Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.		
Social security number 		or Employer identification number

Please note: You should never have both a Social security number and EIN listed on Part I of Form W-9. Please make corrections as needed.

Form **W-9**
(Rev. November 2017)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
					-				

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
------------------	----------------------------	--------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Certificate Of Completion

Envelope Id: 8481215934BE4297B4EFE4A947369F64

Status: Sent

Subject: Jack E Kirksey Livonia Community Recreation Center - Please DocuSign: Facility Partnership Agreement

Source Envelope:

Document Pages: 8

Signatures: 1

Envelope Originator:

Certificate Pages: 2

Initials: 0

Matt Laurence

AutoNav: Enabled

1060 Woodcock Rd

Enveloped Stamping: Enabled

Ste 128 #96128

Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Orlando, FL 32803-3607

matthew.laurence@peerfit.com

IP Address: 66.177.51.116

Record Tracking

Status: Original

Holder: Matt Laurence

Location: DocuSign

10/15/2021 9:23:49 AM

matthew.laurence@peerfit.com

Signer Events**Signature****Timestamp**

Matt Laurence

matthew.laurence@peerfit.com

Wellness Solutions Consultant

Peerfit, Inc.

Security Level: Email, Account Authentication
(None)

DocuSigned by:



5703F4B498B04DE...

Sent: 10/15/2021 9:40:44 AM

Viewed: 10/15/2021 9:40:55 AM

Signed: 10/15/2021 9:44:15 AM

Signature Adoption: Pre-selected Style

Using IP Address: 66.177.51.116

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Ted Davis

edavis@livonia.gov

Security Level: Email, Account Authentication
(None)

Sent: 10/15/2021 9:44:16 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Tracy Curry

vendors@peerfit.com

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Katelyn Collins

katelyn@peerfit.com

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/15/2021 9:40:44 AM
Payment Events	Status	Timestamps

2

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

5. AWARD OF CONTRACT: Department of Parks and Recreation; re: to provide senior memberships at the Jack E. Kirksey Recreation Center to eligible participants in our senior community.

Michelle Koppin, Parks & Recreation Department, presented this request to Council. She stated this is a similar program to the Silver Sneakers where you are eligible based on your insurance. The compensation for this program is a little bit different than the Silver Sneakers, if one member comes just one time a month, then we are compensated \$26.95 for that one visit. Silver Sneakers has a combination per visit or max and this is you come one time; we receive that in compensation which is higher than our regular membership so this would be an advantageous membership option for us.

Toy asked if it was cheaper and President McIntyre replied it's a higher reimbursement to us so it's more beneficial and don't have exposure as we can potentially with Silver Sneakers, is that a correct way to put it?

Koppin replied correct. For Silver Sneakers if somebody only comes one time, then we just get money for that one visit on a much smaller rate. If they come a maximum time, then we get a maximum amount so this is one time or more, we get the same rate at a higher rate. And there is a demand, once we started Silver Sneakers we've had many community members ask for this program.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING (12/1 meeting) CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

5.

Parks and Recreation November 1, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF CONTRACT: Department of Parks and Recreation; re: to provide senior memberships at the Jack E. Kirksey Recreation Center to eligible participants in our senior community.

BACKGROUND

The closure of the Livonia YMCA has highlighted the need in our community for low-cost senior recreation options. The Y had previously offered a membership option with Peerfit, Inc. which is associated with HAP. Eligibility is based upon the individual's medical insurance provider and can be verified with access to the Peerfit portal.

There are about 10,000 eligible participants in a five-mile radius of the Rec Center. The possibility of increased memberships from this program and service to the community make Peerfit stand out as a good opportunity.

RECOMMENDATION

The Parks and Recreation Commission respectfully requests your approval of a contract with Peerfit, Inc. to provide senior memberships at the Jack E. Kirksey Recreation Center to eligible participants of our senior community.

FISCAL CONSIDERATION

The attached agreement allows for a reimbursement of \$26.95/month to the Rec Center. The agreement would give Peerfit participants our "base" Matinee membership and all amenities provided with membership. The current price of a Matinee membership is \$19/month or \$190/year for Livonia residents.

ATTACHMENTS

1. 2021 Peerfit

APPROVED BY



Date: November 02, 2021

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: November 02, 2021

Michael Slater, Finance Director



Date: November 02, 2021

Paul Bernier, City Attorney



Date: November 04, 2021

Maureen Miller Brosnan, Mayor

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

3

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

8. REQUEST APPROVAL TO ACCEPT A GRANT FROM THE DETROIT EDISON COMPANY (DTE): Engineering Division, re: 2021 LED Retrofit of Mercury Vapor Streetlights throughout the City, for a total cost of \$376,550, with the City's contribution to be \$288,800 from the Unexpended Fund Balance of the Special Assessment Streetlighting Fund.

Todd Zilincik, City Engineer, presented this request to Council. He said speaking on that electrical theme tonight, we'll continue on something that we all enjoy and that's getting the LED retrofits out there in the City. As you know we've done this in the past several times, it's been a couple years since we've done this but I think this is the last scope of getting the big mercury vapor lights, the 175 watts out there. So, we're looking for your assistance to basically replace 1,570 lights, of which 217 are fed overhead, and just over 1,340 from underground where DTE would come out next year to do that. We're asking again your approval in the amount of \$288,800.00, of which we'll get a rebate from DTE in the amount of \$23,690.00. So, the total cost would be \$265,110.00, so basically about \$168.00 a light to replace these. The payback period will be 1.23 years. It will reduce the emission to the lights. Again, it will help save costs. The big thing I think is the savings in costs, about \$215,000.00 per year that we'll see. So, I just wanted to applaud DTE's involvement for us, again, do the retrofits and hopefully this is probably the biggest one we have left, the rest are kind of miniscule but if we want to attack them again, we can come back to City Council and do those but I don't think the energy savings will be there but there's always the opportunity in the future. If you have any questions, I'll be happy to answer those. But thank you for your help in getting the approval for the LED retrofits as we continue on.

Councilmember McCullough offered an approving resolution for the Consent Agenda. I must say in a return on investment of 1.23 years and our commitment to sustainability, not only that, everything we touched one, but even the maintenance, these LED lights usually last from ten to potentially fifteen years and then those are on warranty. But this is a great thing. I know our Sustainability Commission will absolutely love to see this. We have the Michigan Municipal Green Community Challenge that

we could add this as a topic of discussion for, so awesome work, 1.23, can't beat that.

President McIntyre stated the light in front of my house, there's a little covering plate that has fallen off, and Zilincik replied give me the information, we'll be happy to input that for DTE to come out and fix the shield if it's falling off.

DIRECTION: APPROVING (12/1 meeting)

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

8.

Engineering
November 2, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST APPROVAL TO ACCEPT A GRANT FROM THE DETROIT EDISON COMPANY (DTE): Engineering Division, re: 2021 LED Retrofit of Mercury Vapor Streetlights throughout the City, for a total cost of \$376,550, with the City's contribution to be \$288,800 from the Unexpended Fund Balance of the Special Assessment Streetlighting Fund.

BACKGROUND

The City of Livonia has the opportunity to obtain Energy Optimization (EO) recently been awarded a grant from the DTE Electric Company to retrofit the remaining Mercury Vapor Streetlights as well as some of our High Pressure Sodium Streetlights to LED throughout the City. The total cost for this project is \$376,550. The cost breakdown is as follows:

Detroit Edison Company Contribution	\$87,750
City of Livonia Contribution	\$288,800

Once the project is complete, the City will receive a EO Rebate in the amount of \$23,690, bringing the total cost for the conversion down to \$265,110.

This project will convert 1,570 streetlights to LED, benefitting 9,794 properties and encompassing 73 special assessment districts. The conversion costs will be distributed across the special assessment districts based on the number of streetlights converted within each district. The estimated energy savings for the conversion of the lights is \$215,143.80 per year with a payback of 1.23 years. If approved, DTE estimates that the work will begin in January, 2022.

RECOMMENDATION

Please refer to the Fiscal Consideration Section and the attachment for additional information,

FISCAL CONSIDERATION

In order to take advantage of this grant and the potential energy savings of this project, we respectfully recommend that the Council:

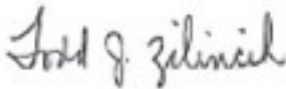
- Authorize an additional appropriation and expenditure in the amount of \$288,800 from the Unexpended Fund Balance of the Special Assessment Streetlighting Fund (219).

- Authorize the Mayor and the City Clerk to execute the agreement with the DTE Electric Company.
- Authorize a Contribution-in-Aid of Construction payment of \$288,800 to the DTE Electric Company, Community Lighting Group, 8001 Haggerty Road, Belleville, Michigan 48111 to be included with the agreement.
- Authorize the City Engineer to approve any minor changes as needed.

ATTACHMENTS

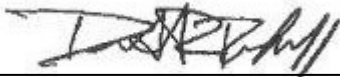
1. Report for Council - 2021 LED Conversion (with everything)
2. City of Livonia LED Conv Agreement 9-2021

APPROVED BY



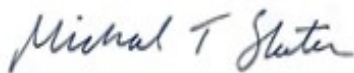
Date: November 02, 2021

Todd Zilincik, P.E., City Engineer



Date: November 02, 2021

Donald Rohraff, Director of Public Works



Date: November 03, 2021

Michael Slater, Finance Director



Date: November 04, 2021

Maureen Miller Brosnan, Mayor

2022 LED Streetlighting Retrofit Project																					
Section	SAD #	Subdivisions Included	Total Properties	OH 175w MV	UG 175w MV	OH 100w HPS	UG 100w HPS	OH 250w HPS	UG 250w HPS	UG 400w HPS	OH 60-69w LED	UG 60-69 w LED	OH LED 136	UG LED 136	Total Lights	Total to Convert	Conversion Cost @ \$183.95 ea.	Conversion Cost per Property	Energy Savings Savings @ \$137.03	Energy Savings per Property	
1	80	Heatherstone Sub., Heatherstone Sub. #2, and Pembrent Sub.	276		34		1					6		19	60	35	\$6,438.25	\$23.33	\$4,796.05	\$17.38	
	212	Argonne Annex Sub. (St. Francis N. of Long)	10	2											2	2	\$367.90	\$36.79	\$274.06	\$27.41	
2	95	Merriman Park Apts. (Apple Crest) (Morlock Ave.)	2		7		1								8	8	\$1,471.60	\$735.80	\$1,096.24	\$548.12	
	128	Livonia Mall Estates Sub.	52	5	8										13	13	\$2,391.35	\$45.99	\$1,781.39	\$34.26	
	176	Intersection of Purlingbrook and Fairfax	4	1											1	1	\$183.95	\$45.99	\$137.03	\$34.26	
8	75	Country Homes Estates Sub. No. 3	73	1	16									4	21	17	\$3,127.15	\$42.84	\$2,329.51	\$31.91	
	87	Gold Manor Subs. No. 1, No. 2 and No. 3, also part of Beatrice Gardens Sub. and Denmark Estates Sub.	413		98		8					7		7	120	106	\$19,498.70	\$47.21	\$14,525.18	\$35.17	
	130	Parkview Estates Sub.	32		5							1		1	7	5	\$919.75	\$28.74	\$685.15	\$21.41	
	143	Nottingham Woods West Sub.	39		9										9	9	\$1,655.55	\$42.45	\$1,233.27	\$31.62	
	195	Tiffany Square Sub.	27	2			10								12	12	\$2,207.40	\$81.76	\$1,644.36	\$60.90	
9	127	Nottingham Woods West No. 2 + 35472 Six Mile and 17235 Wayne	88		21							2			23	21	\$3,862.95	\$43.90	\$2,877.63	\$32.70	
	147	Gold Manor Estates Sub.	83		15		1								16	16	\$2,943.20	\$35.46	\$2,192.48	\$26.42	
	172	Francavilla Sub. No. 1	110		20		2							5	27	22	\$4,046.90	\$36.79	\$3,014.66	\$27.41	
	175	Sheffield Estates Sub.	72	4	15		1								20	20	\$3,679.00	\$51.10	\$2,740.60	\$38.06	
	178	Seven Mile Superhighway Sub. and Stamford Estates Sub.	51		10		1								11	11	\$2,023.45	\$39.68	\$1,507.33	\$29.56	
	188	Francavilla Sub. No. 2	105		17		3								20	20	\$3,679.00	\$35.04	\$2,740.60	\$26.10	
	229	Hidden Creek Sub.	14		2		1								3	3	\$551.85	\$39.42	\$411.09	\$29.36	
10	158	Argyle Park Sub.	38		8										8	8	\$1,471.60	\$38.73	\$1,096.24	\$28.85	
11	94	Binder & Lark Estates Sub.	37		10										10	10	\$1,839.50	\$49.72	\$1,370.30	\$37.04	
	135	Bobrich Ct. Sub.	24		3		1					1			5	4	\$735.80	\$30.66	\$548.12	\$22.84	
	149	Bainbridge Courts Sub.	75	10	6							1			17	16	\$2,943.20	\$39.24	\$2,192.48	\$29.23	
	179	Hillbrook Estates Sub.	11		3										3	3	\$551.85	\$50.17	\$411.09	\$37.37	
	192	Brookwood West Sub. (Mayville)	36		6							1			7	6	\$1,103.70	\$30.66	\$822.18	\$22.84	
	206	Sunset Hills Sub.	219	6	21		1					3			31	28	\$5,150.60	\$23.52	\$3,836.84	\$17.52	
	308	Bobrich Circle Sub.	9			1									1	1	\$183.95	\$20.44	\$137.03	\$15.23	
13	96	Franklin Square Apt. (Lancaster and Garden, N. of S Mile)	1	9											9	9	\$1,655.55	\$1,655.55	\$1,233.27	\$1,233.27	
16	47	Burton Hollow Sub. #6	74		13		2					1			16	15	\$2,759.25	\$37.29	\$2,055.45	\$27.78	
17	61	Judson Gardens Sub., Judson Gardens Sub. No. 2, Renwick Park Sub. and Lots 286, 287, 288, 292, 293, 294 and 295 of Kingsbury Heights Sub. No. 3	87		19							1		7	27	19	\$3,495.05	\$40.17	\$2,603.57	\$29.93	
	62	Judson Gardens Sub. No. 3, Kingsbury Heights Sub. No. 3 (except Lots 286, 287, 288, 292, 293, 294 & 295) and Renwick Park Sub. No. 2	287		52		5					4		5	66	57	\$10,485.15	\$36.53	\$7,810.71	\$27.22	
	105	Judson Gardens Sub. No. 4	87		18							3			21	18	\$3,311.10	\$38.06	\$2,466.54	\$28.35	
18	50	Blue Grass Farms Sub.	212		45		4					4			53	49	\$9,013.55	\$42.52	\$6,714.47	\$31.67	
	190	Blue Grass Estates Sub.	107		18							3			21	18	\$3,311.10	\$30.94	\$2,466.54	\$23.05	
19	48	Tiffany Park Sub. No. 3	62		14										14	14	\$2,575.30	\$41.54	\$1,918.42	\$30.94	
	108	Tiffany Park Sub. No. 5	79		13							1			14	13	\$2,391.35	\$30.27	\$1,781.39	\$22.55	
	115	Parkridge Sub.	41		6							1			7	6	\$1,103.70	\$26.92	\$822.18	\$20.05	
	117	Tiffany Park Sub. No. 6	54		8		1					3			12	9	\$1,655.55	\$30.66	\$1,233.27	\$22.84	
	189	Ron-Mar Estates Sub.	21		2										2	2	\$367.90	\$17.52	\$274.06	\$13.05	
20	83	Levan Heights Sub. And Levan Heights Sub. No. 2	71		14		1					1			16	15	\$2,759.25	\$38.86	\$2,055.45	\$28.95	
	148	St. Mary's Estates Sub.	51		7							2			9	7	\$1,287.65	\$25.25	\$959.21	\$18.81	
	150	Madonna Estates Sub. No. 3	22		4										4	4	\$735.80	\$33.45	\$548.12	\$24.91	
	349	Fox Run Estates Sub.	10				2								2	2	\$367.90	\$36.79	\$274.06	\$27.41	
21	77	Stark Gardens Sub. and part of Koloff's Greenbriar Meadows Sub. No. 3	151		28		1					3		5	37	29	\$5,334.55	\$35.33	\$3,973.87	\$26.32	
	173	Wildwood Forest Sub.	81		12										12	12	\$2,207.40	\$27.25	\$1,644.36	\$20.30	
	174	Stoneleigh Village Sub.	127		19		1					1			21	20	\$3,679.00	\$28.97	\$2,740.60	\$21.58	
23	56	Lyndon Ave. from Middlebelt to Henry Ruff	56		9		1					1			11	10	\$1,839.50	\$32.85	\$1,370.30	\$24.47	
24	46	Compton Village Sub.	423	1	80		5					2			88	86	\$15,819.70	\$37.40	\$11,784.58	\$27.86	Adams School Property will become Lyndon Park Site Cor
	157	Hampshire Estates Sub.	61		9										9	9	\$1,655.55	\$27.14	\$1,233.27	\$20.22	
	160	Compton Square Estates	68		8							1			9	8	\$1,471.60	\$21.64	\$1,096.24	\$16.12	
31	49	Arbor Estates Subs. No. 1 and No. 2	175		26		6					1			33	32	\$5,886.40	\$33.64	\$4,384.96	\$25.06	

	51	Dover Courts Subdivision No. 1	157		27						1			28	27	\$4,966.65	\$31.63	\$3,699.81	\$23.57					
32	93	Kenwood Park Sub.	43		13						1			14	13	\$2,391.35	\$55.61	\$1,781.39	\$41.43					
	116	Linden Wood Sub.	72		10									14	14	\$2,575.30	\$35.77	\$1,918.42	\$26.64					
	220	New Joy Sub. No. 2 (Crown Ave. and Northfield Ave.)	8				1							1	1	\$183.95	\$22.99	\$137.03	\$17.13					
	243	New Joy Sub. No. 2 (Addtl. Lights)	14				2							2	2	\$367.90	\$26.28	\$274.06	\$19.58					
33	54	Laurel Ave. and Pinetree Ave.	69	13		1								14	14	\$2,575.30	\$37.32	\$1,918.42	\$27.80					
	181	Cherokee Trail Sub.	7				1							1	1	\$183.95	\$26.28	\$137.03	\$19.58					
	295	Laurel Ave. S. of Pinetree Ave.	10	2										2	2	\$367.90	\$36.79	\$274.06	\$27.41					
34	1	Rosedale Gardens Sub. No. 1, No. 2 and No. 4	657	40		3			2		2		10	57	45	\$8,277.75	\$12.60	\$6,166.35	\$9.39					
	3	Rosedale Gardens Sub. No. 8	224	23				1						24	24	\$4,414.80	\$19.71	\$3,288.72	\$14.68					
	5	Part of Rosedale Gardens No. 8, also No. 10 and No. 11	321	24		4				1		3	11	43	28	\$5,150.60	\$16.05	\$3,836.84	\$11.95	Includes Noble Library				
	180	Rosedale Meadows Sub. And Rosedale Meadows Sub. No. 2	511	22	46		3				2			73	71	\$13,060.45	\$25.56	\$9,729.13	\$19.04					
35	19	J F Ferry Sub. No. 1, Meri Joy Sub., Part of Bel Aire Gardens Sub., Part of E G Settle's Bonaparte Gardens, Ziegler Woods Sub. No. 2, and Ziegler Woods Sub. No. 3	834		138		6				9		2	155	144	\$26,488.80	\$31.76	\$19,732.32	\$23.66					
	21	J F Ferry Sub. No. 3 and Part of Bel Aire Sub. Gardens	616	12	89		5				7			113	106	\$19,498.70	\$31.65	\$14,525.18	\$23.58					
	41	Part of E.G. Settle's Bonaparte Gardens	298	7	45	1				4				57	53	\$9,749.35	\$32.72	\$7,262.59	\$24.37					
36	10	Chicago Heights Sub., Greenette Sub., Thomas Elliott Sub., and Part of New Detroit Sub. No. 1 (Deering Ave. Only)	736	5									107	112	5	\$919.75	\$1.25	\$685.15	\$0.93					
	11	Pearl Wilson Sub., Pearl Wilson Sub. No. 2, Pearl Wilson Sub. No. 3, Pearl Wilson Sub. No. 4, Livonia Estates Sub. No. 3, Livonia Estates Sub. No. 4 and Livonia Estates Sub. No. 5	419		60		8				3			71	68	\$12,508.60	\$29.85	\$9,318.04	\$22.24					
	16	Livonia Estates Sub. and Livonia Estates Sub. No. 2 (Lathers Ave, from West Chicago, S. to End)	66		13									13	13	\$2,391.35	\$36.23	\$1,781.39	\$26.99					
	20	Livonia Estates Sub. and Livonia Estates Sub. No. 2 (Gillman Ave. from West Chicago, S. to Dover Ave.)	58	1	5		2		1					9	9	\$1,655.55	\$28.54	\$1,233.27	\$21.26					
	33	Newman Joy Sub.	77		11		2							13	13	\$2,391.35	\$31.06	\$1,781.39	\$23.13					
	40	New Detroit Sub. (Arcola Ave. - Plymouth Rd. to West Chicago)	84		11									11	11	\$2,023.45	\$24.09	\$1,507.33	\$17.94					
	99	New Detroit Sub. No. 1 (Cardwell Ave. - Plymouth Road to West Chicago)	77		10							1		11	10	\$1,839.50	\$23.89	\$1,370.30	\$17.80					
	120	Joy Road Cozy Homesite Sub. (Deering Ave., North of Joy Road)	49	11										11	11	\$2,023.45	\$41.29	\$1,507.33	\$30.76					
	162	New Detroit Sub. No. 1 (Cavell Ave. - Plymouth Road to West Chicago)	79	1	9							1		11	10	\$1,839.50	\$23.28	\$1,370.30	\$17.35					
		City Owned Lights Not Included in an SAD	0		14		1							15	15	\$2,759.25		\$2,055.45						
		TOTALS		202	1259	10	95																	
		GRAND TOTALS	9794												1570		\$288,801.50		\$215,137.10					

MASTER AGREEMENT FOR MUNICIPAL STREET LIGHTING

This Master Agreement For Municipal Street Lighting ("Master Agreement") is made between DTE Electric Company ("Company") and City of Livonia ("Customer") (collectively referred to as the "Parties") as of September 7, 2021.

RECITALS

A. Customer may, from time to time, request the Company to furnish, install, operate and/or maintain street lighting equipment for Customer.

B. Company may provide such services, subject to the terms of this Master Agreement.

Therefore, in consideration of the foregoing, Company and Customer hereby agree as follows:

AGREEMENT

1. Master Agreement. This Master Agreement sets forth the basic terms and conditions under which Company may furnish, install, operate and/or maintain street lighting equipment for Customer. Upon the Parties agreement as to the terms of a specific street lighting transaction, the Parties shall execute and deliver a Purchase Agreement in the form of the attached Exhibit A (a "Purchase Agreement"). In the event of an inconsistency between this Agreement and any Purchase Agreement, the terms of the Purchase Agreement shall control.

2. Rules Governing Installation of Equipment and Electric Service. Installation of street light facilities and the extension of electric service to serve those facilities are subject to the provisions of the Company's Rate Book for Electric Service (the "Tariff"), Rule C 6.1, Extension of Service (or any other successor provision), as approved by the Michigan Public Service Commission ("MPSC") from time to time.

3. Contribution in Aid of Construction. In connection with each Purchase Agreement and in accordance with the applicable Orders of the MPSC, Customer shall pay to Company a contribution in aid of construction ("CIAC") for the cost of installing Equipment ("as defined in the applicable Purchase Agreement") and recovery of costs associated with the removal of existing equipment, if any. The amount of the CIAC (the "CIAC Amount") shall be an amount equal to the total construction cost (including all labor, materials and overhead charges), less an amount equal to three years revenue expected from such new equipment. The CIAC Amount will be as set forth on the applicable Purchase Agreement. The CIAC Amount does not include charges for any additional cost or expense for unforeseen underground objects, or unusual conditions encountered in the construction and installation of Equipment. If Company encounters any such unforeseen or unusual conditions, which would increase the CIAC Amount, it will suspend the construction and installation of Equipment and give notice of such conditions to the Customer. The Customer will either pay additional costs or modify the work to be performed. If the work is modified, the CIAC Amount will be adjusted to account for such modification. Upon any such

suspension and/or subsequent modification of the work, the schedule for completion of the work shall also be appropriately modified.

4. Payment of CIAC Amount. Customer shall pay the CIAC Amount to Company as set forth in the applicable Purchase Agreement. Failure to pay the CIAC Amount when due shall relieve Company of its obligations to perform the work required herein until the CIAC Amount is paid.

5. Modifications. Subject to written permission of the respective municipality, after installation of the Equipment, any cost for additional modifications, relocations or removals will be the responsibility of the requesting party.

6. Maintenance, Replacement and Removal of Equipment. In accordance with the applicable Orders of the MPSC, under the Municipal Street Lighting Rate (as defined below), Company shall provide the necessary maintenance of the Equipment, including such replacement material and equipment as may be necessary. Customer may not remove any Equipment without the prior written consent of Company.

7. Street Lighting Service Rate.

a. Upon the installation of the Equipment, the Company will provide street lighting service to Customer under Option 1 of the Municipal Street Lighting Rate set forth in the Tariff, as approved by the MPSC from time to time, the terms of which are incorporated herein by reference.

b. The provision of street lighting service is also governed by rules for electric service established in MPSC Case Number U-6400. The Street Lighting Rate is subject to change from time to time by orders issued by the MPSC.

8. Contract Term. This Agreement shall commence upon execution and terminate on the later of (a) five (5) years from the date hereof or (b) the date on which the final Purchase Agreement entered into under this Master Agreement is terminated. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.

9. Design Responsibility for Street Light Installation. The Company installs municipal street lighting installations following Illuminating Engineering Society of North America ("IESNA") recommended practices. If the Customer submits its own street lighting design for the street light installation or if the street lighting installation requested by Customer does not meet the IESNA recommended practices, Customer acknowledges the Company is not responsible for lighting design standards.

10. New Subdivisions. Company agrees to install street lights in new subdivisions when subdivision occupancy reaches a minimum of 80%. If Customer wishes to have installation occur prior to 80% occupancy, then Customer acknowledges it will be financially responsible for

all damages (knockdowns, etc.) and requests for modifications (movements due to modified curb cuts from original design, etc.).

11. Force Majeure. The obligation of Company to perform this Agreement shall be suspended or excused to the extent such performance is prevented or delayed because of acts beyond Company's reasonable control, including without limitation acts of God, fires, adverse weather conditions (including severe storms and blizzards), malicious mischief, strikes and other labor disturbances, compliance with any directives of any government authority, including but not limited to obtaining permits, and force majeure events affecting suppliers or subcontractors.

12. Subcontractors. Company may sub-contract in whole or in part its obligations under this Agreement to install the Equipment and any replacement Equipment.

13. Waiver; Limitation of Liability. To the maximum extent allowed by law, Customer hereby waives, releases and fully discharges Company from and against any and all claims, causes of action, rights, liabilities or damages whatsoever, including attorney's fees, arising out of the installation of the Equipment and/or any replacement Equipment, including claims for bodily injury or death and property damage, unless such matter is caused by or arises as a result of the sole negligence of Company and/or its subcontractors. Company shall not be liable under this Agreement for any special, incidental or consequential damages, including loss of business or profits, whether based upon breach of warranty, breach of contract, negligence, strict liability, tort or any other legal theory, and whether or not Company has been advised of the possibility of such damages. In no event will Company's liability to Customer for any and all claims related to or arising out of this Agreement exceed the CIAC Amount set forth in the Purchase Order to which the claim relates.

14. Notices. All notices required by the Agreement shall be in writing. Such notices shall be sent to Company at **DTE Electric Company, Community Lighting Group, 8001 Haggerty Rd, Belleville, MI 48111** and to Customer at the address set forth on the applicable Purchase Agreement. Notice shall be deemed given hereunder upon personal delivery to the addresses set forth above or, if properly addressed, on the date sent by certified mail, return receipt requested, or the date such notice is placed in the custody of a nationally recognized overnight delivery service. A party may change its address for notices by giving notice of such change of address in the manner set forth herein.

15. Representations and Warranties. Company and Customer each represent and warrant that: (a) it has full corporate or public, as applicable, power and authority to execute and deliver this Agreement and to carry out the actions required of it by this Agreement; (b) the execution and delivery of this Agreement and the transactions contemplated hereby have been duly and validly authorized by all necessary corporate or public, as applicable, action required on the part of such party; and (c) this Agreement constitutes a legal, valid, and binding agreement of such party.

16. Miscellaneous.

a. This Agreement is the entire agreement of the parties concerning the subject matter hereof and supersedes all prior agreements and understandings. Any amendment or modification to this Agreement must be in writing and signed by both parties.

b. Customer may not assign its rights or obligations under this Agreement without the prior written consent of Company. This Agreement shall be binding upon and shall inure to the benefit of the parties' respective successors and permitted assigns. This Agreement is made solely for the benefit of Company, Customer and their respective successors and permitted assigns and no other party shall have any rights to enforce or rely upon this Agreement.

c. A waiver of any provision of this Agreement must be made in writing and signed by the party against whom the waiver is enforced. Failure of any party to strictly enforce the terms of this Agreement shall not be deemed a waiver of such party's rights hereunder.

d. The section headings contained in this Agreement are for convenience only and shall not affect the meaning or interpretation thereof.

e. This Agreement shall be construed in accordance with the laws of the State of Michigan, without regard to any conflicts of law principles. The parties agree that any action with respect to this Agreement shall be brought in the courts of the State of Michigan and each party hereby submits itself to the exclusive jurisdiction of such courts.

f. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

g. The invalidity of any provision of this Agreement shall not invalidate the remaining provisions of the Agreement.

Company and Customer have executed this Master Agreement as of the date first written above.

Company:

Customer:

DTE Electric Company

City of Livonia

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Exhibit A to Master Agreement

Purchase Agreement

This Purchase Agreement (this "Agreement") is dated as of September 7, 2021 between DTE Electric Company ("Company") and City of Livonia ("Customer").

This Agreement is a "Purchase Agreement" as referenced in the Master Agreement for Municipal Street Lighting dated September 7, 2021 (the "Master Agreement") between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

1. DTE Work Order Number:	TBD If this is a conversion or replacement, indicate the Work Order Number for current installed equipment: [##### or N/A]	
2. Location where Equipment will be installed:	<u>Various locations per maps</u>	
3. Total number of lights to be installed:	1,570	
4. Description of Equipment to be installed (the " <u>Equipment</u> "):	<u>Overhead Fed Lighting Systems</u> 22-175w MV OH Suspension to 80w LED OH Suspension 1- 400W HPS OH Cobra G to 1- 136W LED OH Cobra G 4- 250W HPS OH Cobra G to 4- 136W LED OH Cobra G 154- 175W MV OH Cobra G to 154- 58W LED OH Cobra G 2- 175W MH OH Cobra G to 2- 58W LED OH Cobra G 34- 100W HPS OH Cobra G to 34- 58W LED OH Cobra G <u>Underground Fed Lighting Systems</u> 1- 400W MV UG Cobra G to 1- 136W LED UG Cobra G 1- 400W HPS UG Cobra G to 1- 136W LED UG Cobra G 1- 250W MH UG Cobra G to 1- 136W LED UG Cobra G 13- 250W HPS UG Cobra G to 13- 136W LED UG Cobra G 1170- 175W MV UG Cobra G to 1170- 58W LED UG Cobra G 6- 175W MH UG Cobra G to 6- 58w LED UG Cobra G 159- 100W HPS UG Cobra G to 159- 58w LED UG Cobra G 1- 175W MV UG Colonial B to 1- 72W LED UG Revolution B 1- 100W HPS UG Colonial B to 1- 72W LED UG Revolution B	
5. Estimated Total Annual Lamp Charges		
6. Computation of Contribution in aid of Construction (" <u>CIAC</u> "):	Total estimated construction cost, including labor, materials, and overhead:	\$288,800.00
	Credit for 3 years of lamp charges:	\$0.00

Amount")	CIAC Amount (cost minus revenue)	\$288,800.00
7. Payment of CIAC Amount:	Due promptly upon execution of this Agreement	
8. Term of Agreement	5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.	
9. Does the requested Customer lighting design meet IESNA recommended practices?	(Check One) ☐ YES ☒ NO If "No", Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices _____	
10. Customer Address for Notices:	12973 Farmington Rd Livonia, MI 48150 Todd Zilincik	

11. Special Order Material Terms:

All or a portion of the Equipment consists of special order material: (check one) ☐ YES ☒ NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. Customer acknowledges that all or a portion of the Equipment is special order materials ("SOM") and not Company's standard stock. Customer will purchase and stock replacement SOM and spare parts. When replacement equipment or spare parts are installed from Customer's inventory, the Company will credit Customer in the amount of the then current material cost of Company standard street lighting equipment.

B. Customer will maintain an initial inventory of at least ____ posts and ____ luminaires and any other materials agreed to by Company and Customer, and will replenish the stock as the same are drawn from inventory. Costs of initial inventory are included in this Agreement. The Customer agrees to work with the Company to adjust inventory levels from time to time to correspond to actual replacement material needs. If Customer fails to maintain the required inventory, Company, after 30 days' notice to Customer, may (but is not required to) order replacement SOM and Customer will reimburse Company for such costs. Customer's acknowledges that failure to maintain required inventory could result in extended outages due to SOM lead times.

C. The inventory will be stored at _____. Access to the Customers inventory site must be provided between the hours of 9:00 am to 4:00 pm, Monday through Friday with the exceptions of federal Holidays. Customer shall name an authorized representative to contact regarding inventory: levels, access, usage, transactions, and provide the following contact information to the Company:

Name: _____ Title: _____

Phone Number: _____ Email: _____

The Customer will notify the Company of any changes in the Authorized Customer Representative. The Customer must comply with SOM manufacturer's recommended inventory storage guidelines and practices. Damaged SOM will not be installed by the Company.

D. In the event that SOM is damaged by a third party, the Company may (but is not required to) pursue a damage claim against such third party for collection of all labor and stock replacement value associated with the damage claim. Company will promptly notify Customer as to whether Company will pursue such claim.

E. In the event that SOM becomes obsolete or no longer manufactured, the Customer will be allowed to select new alternate SOM that is compatible with the Company's existing infrastructure.

F. Should the Customer experience excessive LED equipment failures, not supported by LED manufacturer warranties, the Company will replace the LED equipment with other Company supported Solid State or High Intensity Discharge luminaires at the Company's discretion. The full cost to complete these replacements to standard street lighting equipment will be the responsibility of the Customer.

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company:

DTE Electric Company

By: _____

Name: _____

Title: _____

Customer:

City of Livonia

By: _____

Name: _____

Title: _____

Attachment 1 to Purchase Agreement

Map of Location

[To be attached]

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

9. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH OHM ADVISORS FOR DESIGN ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM (CONTRACT 22-A): Engineering Division, re: same (CR 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He stated you just approved the 2022 Road Program; we appreciate your assistance again in improving our infrastructure throughout the City. We use OHM Advisors, they've been with us since day one on the millage, since 2002. We have Rhett Gronevelt, the principal from OHM Advisors in the audience to help represent the company, but as you know, they've been a staple in making sure that we do replace those asphalt roads, we've been involved with the concrete previously. But looking at 3.8 million dollars' worth of improvements in 2022, asking for your assistance for the design portion in the amount of \$163,400.00 based on the QBS contract and that's based on that 3.8 million dollars for construction, and again, we'll take, in the spring of 2022 for the final contract amount, we're looking for your assistance for that approval on design. Again, myself or Rhett's here in the audience to answer any questions if you may have them. This has been a working form that's been great for the last twenty years and look forward to again continuing the last year of the millage and hopefully renew it in 2022.

Councilmember White offered an approving resolution for the Consent Agenda.

President McIntyre commented on the dedication of the firms the City utilizes in their various projects who take the time to attend the Council meetings.

DIRECTION:	APPROVING (12/1 meeting)	CONSENT
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LETTER TO THE LIVONIA CITY COUNCIL

9.

Engineering
November 5, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH OHM ADVISORS FOR DESIGN ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM (CONTRACT 22-A): Engineering Division, re: same (CR 365-16).

BACKGROUND

The City Council approved the Qualification Based Selection (QBS) firms pursuant to Council Resolution No. 365-16, adopted September 19, 2016 to perform all professional engineering services on various federal, state and locally funded projects through fiscal year 2021. Under this procedure, we are recommending that OHM Advisors continue as our consultant for the 2022 Asphalt Road Program. See the attached letter dated November 4, 2021 from OHM Advisors for design engineering services.

OHM Advisors contract for professional design services will be based on estimated construction costs of \$3.8 million which forms the basis for the Engineering contract.

RECOMMENDATION

Please refer to the Fiscal Consideration section and the attachments for additional information.

FISCAL CONSIDERATION

In order to proceed with this project, it is respectfully recommended that the Council take the following actions:

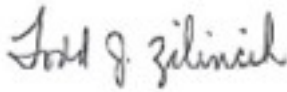
- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 in the not-to-exceed amount of \$163,400 for Design Engineering for the Asphalt Program. These amounts are based on the preliminary construction cost estimates and may be adjusted based on the actual bids.
- Authorize an expenditure in the amount of \$163,400 from budgeted funds in the Road, Sidewalk and Tree Fund, Account Number 204-441-818-102.

- Authorize the City Engineer to approve minor adjustments in the work, as required.

ATTACHMENTS

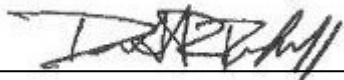
1. Advisory Committee Resolution - Approval of 2022 Road Program, 10.27.21
2. 2022 Road Project Listing 9-14-21
3. Proposal - 2022 Livonia Asphalt Program OHM 11-04-21
4. CR #365-16

APPROVED BY



Date: November 05, 2021

Todd Zilincik, P.E., City Engineer



Date: November 10, 2021

Donald Rohraff, Director of Public Works



Date: November 10, 2021

Michael Slater, Finance Director



Date: November 10, 2021

Paul Bernier, City Attorney



Date: November 10, 2021

Maureen Miller Brosnan, Mayor

Motion by David Green, seconded by Tom Carey

RESOLVED, that the Citizens Advisory Committee on the Roads, having reviewed the proposed 2022 Road Repair Program presented by the Department of Public Works on September 22, 2021 and comments from concerned residents / business owners on October 27, 2021, does hereby recommend that the 2022 Road Repair Program Road based be available funding to the Livonia City Council for its approval with a budget of \$9,600,000 (\$5.0 Million for Concrete, \$3.8 Million for Asphalt and \$800,000 for Selective Slab Maintenance). If there are additional funds or street segments changes in the 2022 Road Repair Program; Alternate Street Segment for Concrete to be Oakley (Hubbard to Ingram) in Section 22.

Approved 10/27/21: Kevra - Chairman, Boadway, Carey, Green, and Grzebik
Absent: Gierak, Gostias, Hoen and Kolhoff

**Projected Road Segments for 2022 Road Repair Program
(Proposed List)**

11/5/2021

SUBJECT TO CHANGE BASED ON FUNDING						
Street Name	From	To	Section	Pavement Type	PASER Rating	Type of Treatment
Brentwood Avenue	Pembroke Avenue	Eight Mile Road	1	Concrete	4,5	Reconstruction
St. Francis	Bridge Avenue	End	1	Asphalt	4,5	Rehabilitation
Hardy	Ingram	Bretton Road	3	Concrete	6	Maintenance
Hubbard Road	Norfolk Avenue	Eight Mile Road	3	Asphalt	4	Rehabilitation
Mayfield Road	Pembroke Avenue	Eight Mile Road	3	Asphalt	4	Rehabilitation
Shadyside Road	700' South of Norfolk Ave.	Eight Mile Road	3	Asphalt	4	Rehabilitation
Ellen Drive	Morlock Avenue	Eight Mile Road	4	Concrete	4	Reconstruction
Bennett Avenue	Westbrooke Drive	Parklane Drive	8	Concrete	3	Reconstruction
Wayne Road	Curtis Avenue	Seven Mile Road	8	Asphalt	4,5,6	Rehabilitation
Clarita Avenue	Stamford Avenue	Farmington Road	9	Asphalt	3,4	Rehabilitation
Curtis Avenue	Wayne Road	End	9	Asphalt	4,5	Rehabilitation
Filmore Avenue	Curtis Avenue	Pickford Avenue	9	Asphalt	4,5,6	Rehabilitation
Filmore Avenue	Pickford Avenue	Seven Mile Road	9	Asphalt	4	Rehabilitation
Irving Boulevard	Filmore Avenue	Pickford Avenue	9	Asphalt	5	Rehabilitation
Irving Boulevard	Pickford Avenue	Seven Mile Road	9	Asphalt	4,5	Rehabilitation
Myron Avenue	Curtis Road	Pickford Avenue	9	Asphalt	5	Rehabilitation
Myron Avenue	Pickford Avenue	Seven Mile Road	9	Asphalt	5	Rehabilitation
Norwich Road	Curtis Avenue	Whitby Road	9	Asphalt	4,5	Rehabilitation
Pickford Avenue	Myron Avenue	Farmington Road	9	Asphalt	6	Rehabilitation
Stamford Avenue	Curtis Avenue	Pickford Avenue	9	Asphalt	5	Rehabilitation
Stamford Avenue	Clarita Avenue	End	9	Asphalt	4	Rehabilitation
Whitby Road	Curtis Avenue	Norwich Road	9	Asphalt	4,5	Rehabilitation
Bainbridge Avenue	150' South of Hillbrook Avenue	Seven Mile Road	11	Asphalt	4,5,6	Rehabilitation
Hillbrook Avenue	1,000' West of Bainbridge Ave.	Bainbridge Avenue	11	Asphalt	5	Rehabilitation
Grimm Avenue	South End	Pickford Avenue	12	Asphalt	4	Rehabilitation
Maplewood Avenue	Clarita Avenue	Seven Mile Road	12	Asphalt	4	Rehabilitation
Pickford Avenue	Grimm Avenue	East End	12	Asphalt	4,5	Rehabilitation
Hidden Lane	Five Mile Road	North End	14	Asphalt	4	Rehabilitation
Henry Ruff	Rayburn Avenue	Puritan Avenue	14	Asphalt	4,5	Rehabilitation
Wood Drive	265' West of Fairlane Drive	Fairlane Drive	16	Concrete	4	Reconstruction
Sussex Street	Fitzgerald Street	Ladywood Road	17	Concrete	4,5	Reconstruction
Wood Drive	Park Drive	Ronnie Lane	17	Concrete	4	Reconstruction
Jamison/Richfield Int.	West of Newburgh Road		19	Concrete	4,5,6	Reconstruction
Jamison Avenue	West End	Country Club Drive	20	Concrete	4,5	Reconstruction
Lyndon Avenue	325' East of Stark Road	Farmington Road	21	Concrete	4,5	Reconstruction
Jamison/Berwick Int.	South of Five Mile Road		22	Concrete	5	Reconstruction
Beatrice Avenue	Lyndon Avenue	Lori Avenue	23	Concrete	4	Reconstruction
Beatrice Avenue	Oakview Avenue	Lyndon Avenue	23	Concrete	5	Reconstruction
Bredin Court	Lyndon Avenue	North End	23	Asphalt	4	Rehabilitation
Oakview Avenue	Jacquelyn Drive	175' North of Jacquelyn Drive	23	Concrete	4	Reconstruction
Oakview Avenue	175' North of Jacquelyn Avenue	Middlebelt Road	23	Concrete	5,6	Maintenance
Jacquelyn Drive	Oakview Avenue	925' East of Oakview Avenue	23	Concrete	4	Reconstruction
Jacquelyn Drive	925' East of Oakview Avenue	Oakview Avenue	23	Concrete	5	Maintenance
Brentwood Drive	Meadowlark Street	260' North of Meadowlark	24	Concrete	5	Reconstruction
Jacquelyn Drive	Alexander Street	Brentwood Drive	24	Concrete	4,5	Reconstruction
Eastbound Schoolcraft	450' West of Merriman Road	Merriman Road	27	Concrete	4	Reconstruction
Graytona Avenue	Surrey Avenue	Farmington Road	28	Concrete	4	Reconstruction
Surrey Avenue	200' South of Graytona Ave.	200' North of Graytona Ave.	28	Concrete	4	Reconstruction
Wayne Road East Side	Glendale Avenue	Industrial Road	28	Concrete	3	Reconstruction
Industrial Road	Wayne Road	Fairlane Avenue	28	Concrete	3	Reconstruction
Industrial Road	400' East of Newburgh Road	800' East of Newburgh Road	29	Concrete	4	Reconstruction
Grantland Avenue	West End	Newburgh Road	30	Asphalt	4	Rehabilitation
Jarvis Avenue	South End	Plymouth Road	30	Asphalt	4	Rehabilitation
Hathaway Avenue	Stark Road	Farmington Road	33	Asphalt	4	Rehabilitation
Perrin Drive	Joy Road	Olson Avenue	35	Concrete	4	Reconstruction
Selective Slab Program, 22-J						
Caliburn Drive	Glastonbury Drive	Newburgh Road	7	Concrete	5,6	Maintenance
Seven Mile Service Dr.	625' West Glen Eagles Dr.	475 East of Levan Road	8	Concrete	5	Maintenance
Seven Mile Service Dr.	120' West of Parklane Dr.	140' East of Parklane Dr.	8	Concrete	5,6	Maintenance
Pickford Court	West End	Wayne Road	8	Concrete	6	Maintenance
Rayburn Avenue	Middlebelt Road	Garden Avenue	13	Concrete	5	Maintenance
Riverside Drive	Perth Avenue	Riverside Drive	21	Concrete	5	Maintenance
25 Miscellaneous Locations Throughout City As Determined By DPW/Engineering						

TOTAL = 61 Segments (32 Concrete and 29 Asphalt)

23 Reconstruction Segments
29 Rehabilitation Segments
9 Maintenance Segments



November 4, 2021

Todd J. Zilincik, PE, City Engineer
Engineering Division
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

RE: Design Phase Engineering Services
2022 Comprehensive Road Reconstruction and Rehabilitation Program (Asphalt)

Dear Mr. Zilincik:

Thank you for showing continued confidence in OHM Advisors, by selecting us to provide Design Phase engineering services for the 2022 Comprehensive Road Reconstruction and Rehabilitation Program (Asphalt). Attached is Exhibit A with associated Project Supplements (A-C), Supplement A - Scope of Services, outlining the Project Understanding, Supplement B – Schedule, Supplement C - Compensation

If you have any questions concerning the Exhibit, please contact me at (734) 466-4441. Again, we look forward to working with the City of Livonia on this program.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark R. Loch". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Mark R. Loch, PE
Project Manager

Attachment: Proposal

cc: Rhett Gronevelt, OHM Advisors

EXHIBIT A
PROJECT SPECIFIC SCOPE OF SERVICES, PROJECT SCHEDULE, PAYMENTS
TO CONSULTANT

The information contained in this Exhibit applies only to the following project:

Project Title: 2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM (ASPHALT)

Dated: _____, 2021

This is an Exhibit to the Contract dated December 1, 2016 between the City of Livonia (CITY) and OHM Advisors (CONSULTANT), whose address is 34000 Plymouth Road, Livonia, Michigan 48150.

This Exhibit acts as a duly executed written instrument that amends, supplements, modifies, or cancels certain portions of the Contract, as provided in Article 8.01 of the Contract.

A. SCOPE OF SERVICES

CONSULTANT will provide Design Phase Services for the proposed improvements in accordance with attached Supplement A, dated November 3, 2021.

B. PROJECT SCHEDULE

The Project Schedule is attached as Supplement B, dated November 3, 2021.

C. PAYMENTS TO CONSULTANT

CONSULTANT shall be paid on an hourly basis up to the not-to-exceed amount of One Hundred Sixty-Three Thousand Four Hundred Dollars and Zero Cents (\$163,400.00) in accordance with the terms on Supplement C, dated November 3, 2021.

In Witness Whereof, the CITY and CONSULTANT, by and through their duly authorized officers and representatives, have executed this Contract.

In the Presence of:

CITY OF LIVONIA, a Michigan
Municipal Corporation

By: _____
Maureen Miller Brosnan, Mayor

By: _____
Susan M. Nash, City Clerk

In the Presence of:



OHM Advisors

By: 
Rhett A. Gronevelt, PE

Approved:

Its: _____
Principal

Donald R. Rohraff
Director of Public Works

Approved:

Todd J. Zilincik, PE
City Engineer

Approved:

Pursuant to Council Resolution

No.: _____

Michael Slater
Director of Finance

Adopted on: _____

Approved:

Paul A. Bernier
Department of Law

SCOPE OF SERVICES

CITY OF LIVONIA

2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM (ASPHALT)

PROJECT UNDERSTANDING

The CONSULTANT will provide Design Services for the asphalt portion of the 2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM. The CITY'S intent is to replace the pavement in-kind and minimize behind the curb or beyond the edge of pavement restoration. Minimal topographic survey data, if any, may be required during the design phase. One, log-type format construction Contract Document will be prepared for the CITY to obtain bids and subsequently award a construction contract.

The streets to be included are:

Rehabilitation Street Locations

Road Name	From	To
St. Francis Ave.	Bridge Ave.	End
Hubbard Road	Norfolk Ave.	Eight Mile Road
Mayfield Road	Pembroke Ave.	Eight Mile Road
Shadyside Road	700' South of North of Ave.	Eight Mile Road
Wayne Road	Curtis Ave.	Seven Mile Road
Clarita Road	Stamford Ave.	Farmington Road
Curtis Ave.	Wayne Road	End
Filmore Ave.	Curtis Ave.	Pickford Ave.
Filmore Ave.	Pickford Ave.	Seven Mile Road
Irving Boulevard	Filmore Ave.	Pickford Ave.
Irving Boulevard	Pickford Ave.	Seven Mile Road
Myron Ave.	Curtis Ave.	Pickford Ave.
Myron Ave.	Pickford Ave.	Seven Mile Road
Norwich Road	Curtis Ave.	Whitby Road
Pickford Ave.	Myron Ave.	Farmington Road
Stamford Ave.	Curtis Ave.	Pickford Ave.
Stamford Ave.	Clarita Ave.	End
Whitby Road	Curtis Ave.	Norwich Road
Bainbridge Ave.	150' South of Hillbrook Ave.	Seven Mile Road
Hillbrook Ave.	1000' West of Bainbridge Ave.	Bainbridge Ave.
Grimm Ave.	South End	Pickford Ave.
Maplewood Ave.	Clarita Ave.	Seven Mile Road

Road Name	From	To
Pickford Ave.	Grimm Ave.	East End
Hidden Lane	Five Mile Road	North End
Henry Ruff	Rayburn Ave.	Puritan Ave.
Bredin Court	Lyndon Ave.	North End
Grantland Ave.	West End	Newburgh Road
Jarvis Ave.	South End	Plymouth Road
Hathaway Ave.	Stark Road	Farmington Road

WORK PLAN

A. Design Parameters

1. Road Classification: Varies
2. Horizontal Alignment: Not anticipated to be revised
3. Vertical Alignment: The existing vertical alignment will mainly be maintained for reconstruction roads. Small modification(s) may be made during construction to increase flat slopes.

For HMA pulverization repair, the road may be raised 0"- 6" depending on the existing conditions.

For HMA inlays, and mill and overlays, the pavement elevation will mainly be maintained. Some minor improvements may be made to help with the drainage problems.

4. Typical Roadway Cross-Section: Provide a HMA overlay matching the existing cross slope or placing at 2% - 2.5% dependent on existing conditions.
5. Drainage: Existing underground storm sewer system and roadside ditches will be utilized. Minor modifications to the existing system may be required at known flooding areas identified by either the CITY or the CONSULTANT. No other additional drainage improvements are to be included at this time.
6. General Design Standards: *2011 AASHTO*, A Policy on Geometric Design of Highways and Streets, and Michigan Manual of Uniform Traffic Control Devices Standards.
7. Specifications: CITY/CONSULTANT specifications along with the MDOT *2012 Standard Specifications for Construction*, the current *MDOT Standard Plans for Roads and Bridges*, *Special Provisions and Supplemental Specifications* will be utilized.
8. Maintenance of Traffic: Maintain access to all properties as feasible. Access to all properties throughout construction is the goal, except during paving operations and during the concrete curing process.

9. Pavement Rehabilitation Locations:

- a. A log of the pavement repairs will be provided along with curb locations requiring replacement. Corrective quantities will be listed in the log.
- b. Patching quantities to repair streets that are not identified at this point will be included and can be added during construction, dependent on road funding. This item will be as directed by the CITY.

10. Lane Line Markings: Quantities for permanent pavement markings throughout the project will be developed in accordance with the *Michigan Manual of Uniform Traffic Control Devices* and consistent with MDOT recommendations. Details will be developed where MDOT standards do not address specific proposed striping concepts.

11. Permanent Signing: Signs shall be removed and replaced at their current location, as needed, for construction access. No analysis of the project corridor will be made to determine if upgraded sign/additional signing is required. If other signs are observed to be in non-compliance with the current standards, it will be brought to the CITY'S attention and replaced, if necessary.

12. Traffic Signals: No traffic signal head adjustments are anticipated in regard to maintaining traffic during construction. This work will be coordinated with the CITY and Wayne County Department of Public Services.

B. CONSULTANT Design Phase Scope of Services:

1. Attend one (1) meeting with the Citizens Advisory Committee on Roads.
2. Conduct condition survey of existing pavement and applicable curb locations. Prepare log sheets that can be used to prepare Contract Documents.
3. Check existing known utilities, public or private, within project limits for potential conflicts. Utility plans are generally not requested as proposed work is often surface related improvements. Utilities will be marked in construction and further investigation into depths will be made at that time.
4. Provide up to three (3) crew days of survey time to provide topographic survey to gain additional information to detail sidewalk grading or address roadway drainage concerns.
5. Identify non-compliant ADA sidewalk ramps on streets within the road project limits. Include upgrading ramps in the project design.
6. Notify known utility agencies of the proposed work, identify conflicts and coordinate relocations where necessary.
7. CONSULTANT will acquire representative pavement core samples as follows:
 - a. Approximately Ninety-five (95), pavement cores will be obtained with the intent to identify the thickness of the pavement, provide a description of the underlying subgrade material and provide a description of the existing asphalt pavement condition for identified streets in the Program.

8. Prepare Contract Documents showing project details, pay items based on the 2012 MDOT Standard Specifications for Construction with CITY and Wayne County modifications, and special provisions. Include special provisions to address safety and reduce residential complaints.
9. Prepare pavement marking and striping details within the affected influence of the project area in accordance with the MMUTCD requirements (where required). There is no expectation of revising the current configuration of the roadway striping. Attention to school and other special signing and markings will be investigated in further detail on a case-by-case basis.
10. Maintenance of traffic issues and coordination due to schools or large commercial/ industrial users within the project limits will be incorporated into the contract documents.
11. Prepare preliminary Engineer's Opinion of Probable Construction Cost.
12. Attend coordination and plan review meetings with the CITY. An estimated two (2) meetings are anticipated.
13. Drafts of log packages will be forwarded to the CITY for review. The first submittal will be at fifty (50) percent complete and the second submittal at ninety-five (95) percent complete.
14. Final submittal will include the following:
 - a. Five (5) sets of the Contract Documents to the CITY for their use.
 - b. One (1) scanned document (.pdf) for the use of the CITY.
 - c. Engineer's Opinion of Probable Construction Cost.
 - d. Field notes and copies of quantity calculations, if requested by the CITY.
15. Permits:
 - a. Wayne County Encroachment Permit for advanced signing will be required for work on side streets adjacent to the following streets:
 - i. Eight Mile Road
 - ii. Seven Mile Road
 - iii. Five Mile Road
 - iv. Farmington Road
16. Bid Assistance:
 - a. It is understood that the City will consider not to publicly bidding this project, but will renegotiate the contract with the 2021 Livonia Asphalt Paving Contractor, Nagle Paving. This is dependent upon City Council approval.

D. City's Responsibilities

1. Provide existing water, storm and sanitary sewer information, as needed, in development of log by November 30, 2021, if requested.
2. Provide known problems within the project limits from DPW and Engineering Department

records by November 30, 2021, if requested.

3. Coordination with the police and fire departments, and Livonia Public Schools.
4. Pay any required permit review fees or reimburse the CONSULTANT for permit fees paid to expedite review and approval.
5. Assist the CONSULTANT in expediting reviews by WCDPS.
6. Host a public information meeting with residents, businesses and institutions, as needed.
7. Review specific specifications in an effort to ensure safety and reduce residential complaints.

SUPPLEMENT B - PROJECT SCHEDULE

CITY OF LIVONIA

2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM (ASPHALT)

ID	Task Name	Start	Finish	Duration	Oct	Nov	Dec	Jan	Feb	Mar	Apr
1	Notice to Proceed	Thu 12/2/21	Thu 12/2/21	0 days			◆ Thu 12/2/21				
2	Preliminary Design Phase	Mon 12/6/21	Fri 3/11/22	70 days			▶	▶	▶	▶	
3	Internal Predesign Meeting	Mon 12/6/21	Mon 12/6/21	1 day			▶				
4	Geotechnical Investigation	Thu 12/9/21	Wed 1/19/22	30 days			▶	▶			
5	Field Log of Repairs	Tue 12/7/21	Mon 12/27/21	15 days			▶				
6	Preliminary Design and Log Package	Tue 12/7/21	Mon 1/10/22	25 days			▶	▶			
7	QA/QC and Revisions of Preliminary Documents	Tue 1/11/22	Thu 1/13/22	3 days				▶			
8	50% Status Meeting with City	Fri 1/21/22	Fri 1/21/22	1 day				▶			
9	Permit Submittal (Wayne Co ROW)	Mon 1/31/22	Fri 3/11/22	30 days				▶	▶		
10	Final Design Phase	Mon 1/24/22	Thu 4/21/22	64 days				▶	▶	▶	▶
11	Develop Final Design Log	Mon 1/24/22	Fri 2/18/22	20 days				▶	▶		
12	QA/QC and Revisions of Final Documents	Mon 2/21/22	Thu 2/24/22	4 days					▶		
13	Submit Final Plans to City	Fri 2/25/22	Fri 2/25/22	1 day					▶		
14	Final Revisions	Mon 2/28/22	Fri 3/4/22	5 days					▶		
15	Electronic Bid Books to City (if required)	Mon 3/7/22	Mon 3/7/22	1 day						▶	
16	Advertisement Period (if required)	Tue 3/8/22	Wed 3/30/22	17 days						▶	
17	City Bid Letting (if required)	Thu 3/31/22	Thu 3/31/22	1 day							▶
18	Council Approval	Mon 4/11/22	Mon 4/11/22	0 days							◆ Mon 4/11/22
19	Public Information Meeting	Thu 4/21/22	Thu 4/21/22	1 day							▶
20	Construction Phase	Tue 4/26/22	Fri 10/7/22	119 days							▶
21	Preconstruction Meeting	Tue 4/26/22	Tue 4/26/22	1 day							▶
22	Road Construction	Mon 5/2/22	Fri 10/7/22	115 days							



Supplement C – Payments to the Consultant

PAYMENTS TO CONSULTANT

CITY OF LIVONIA

2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM (ASPHALT)

The following fees are based on the projected construction cost of \$3,800,000 and the pavement treatment noted in Supplement A. The construction cost, and design effort, may be altered if additional streets are added, or changes in pavement treatment is requested which affects the construction cost by more than 10%.

Design Phase

The CITY agrees to pay the CONSULTANT on an hourly basis, billed monthly, per the 2021/2022 OHM Rate Schedules at the not-to-exceed amount of One Hundred Sixty-Three Thousand Four Hundred Dollars and Zero Cents (\$163,400.00).

Construction Phase

Construction Engineering services are not included at this time.

Additional Services

Additional services, if approved by City Council, shall be paid at the current hourly rate schedule or at an agreed upon price between the CITY and CONSULTANT.

**PAYMENTS TO THE CONSULTANT
CITY OF LIVONIA
2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM
(ASPHALT)
2021 RATE SCHEDULE**



**OHM ADVISORS
2021 HOURLY RATE SCHEDULE**

Professional Engineer IV / Architect IV / Senior Interior Designer IV	\$183.00
Professional Engineer III / Architect III / Senior Interior Designer III	\$165.00
Professional Engineer II / Architect II / Senior Interior Designer II	\$150.00
Professional Engineer I / Architect I / Senior Interior Designer I	\$140.00
Project Specialist II	\$158.00
Project Specialist I	\$130.00
Graduate Engineer IV	\$145.00
Graduate Engineer III	\$138.00
Graduate Engineer II	\$130.00
Graduate Engineer I	\$123.00
Graduate Architect III / Landscape Architect III / Interior Designer III	\$132.00
Graduate Architect II / Landscape Architect II / Interior Designer II	\$112.00
Graduate Architect I / Landscape Architect I / Interior Designer I	\$100.00
Technician IV	\$140.00
Technician III	\$120.00
Technician II	\$103.00
Technician I	\$83.00
Engineering / Architectural / Interior Design Aide	\$65.00
Professional Surveyor III	\$162.00
Professional Surveyor II	\$150.00
Professional Surveyor I	\$135.00
Graduate Surveyor	\$115.00
Surveyor III	\$117.00
Surveyor II	\$110.00
Surveyor I	\$90.00
Surveyor Aide	\$70.00
Planner IV	\$160.00
Planner III	\$140.00
Planner II	\$118.00
Planner I	\$100.00
Planner Aide	\$65.00
Graphic Designer	\$110.00
Administrative Support	\$70.00
Clerical Aide	\$60.00
Principal	\$210.00
Sr. Associate	\$195.00
Associate	\$185.00

Rates as reflected subject to review and adjustment on an annual basis.
2021 Public Rates

Vice President Kritzman stepped down from the podium to avoid any perceived conflict of interest at 7:12 p.m.

On a motion by Brosnan, supported by Jolly, it was:

#365-16 RESOLVED, that having considered the report and recommendation of the Infrastructure and Community Transit Committee, dated August 29, 2016, submitted pursuant to Council Resolution No. 49-10, regarding the subject of Quality-Based Selection (QBS) Process for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the Qualification Based-Selection Contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315, for a five year period ending November 30, 2021, to perform professional engineering services on various Federal, State and locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Council does hereby determine to substitute the revised approved Attachment A, dated August 18, 2016, for the previous Attachment A with respect to QBS Consultants, OHM Advisors and Anderson, Eckstein and Westrick, Inc. (AEW) for the design of the 2017 Road Program should they be selected prior to November 30, 2016; and FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

A roll call vote was taken on the foregoing resolution with the following

result:

AYES: Jolly, White, Bahr, Brosnan and McIntyre

NAYS: None

The President declared the resolution adopted.

Kritzman returned to the podium at 7:13 p.m.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

5

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

10. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. (AEW) FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD PROGRAM (CONTRACT 22-C); Engineering Division, re: same (CR 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He stated, again, this is the contract portion of it, it involved five million dollars. We have Ross Wilberding here from AEW, unfortunately Scott Lockwood was not able to attend because he is out of town but he spent his best replacement here. Ross has been with the program several years, project manager, does an excellent job with us, they make sure those concrete streets are replaced. We're looking for your assistance to approve AEW's contract in the amount of \$315,000.00, again, for the design and then looking for construction in 2022 for \$5,000,000.00 worth of concrete, reconstruct streets with a portion of a little bit of miscellaneous maintenance with those. If there are further questions I'd be happy to answer those or Ross is here, too, for assistance.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING (12/1 meeting) CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

10.

Engineering
November 5, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. (AEW) FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD PROGRAM (CONTRACT 22-C); Engineering Division, re: same (CR 365-16)

BACKGROUND

The City Council approved the Qualification Based Selection (QBS) firms pursuant to Council Resolution No. 365-16, adopted September 19, 2016 to perform all professional engineering services on various federal, state and locally funded projects through fiscal year 2021. AEW has agreed to utilize the revised Attachment A dated November 4, 2021 for the 2022 Concrete Road Program. Under this procedure, we are recommending that Anderson, Eckstein and Westrick, Inc. (AEW) continue as our consultant for the 2022 Concrete Road Program. See attached letter dated November 4, 2021 from AEW for design engineering services.

AEW contract for professional design services will be based on estimated construction costs of \$5 million which forms the basis for the Engineering Contract.

RECOMMENDATION

Please refer to the Fiscal Consideration section and the attachments for additional information.

FISCAL CONSIDERATION

In order to proceed with these projects, it is respectfully recommended that the Council take the following actions:

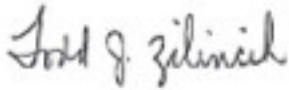
- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 in the amount of \$215,000 for the design engineering for the 2022 Concrete Road Program, Contract 22-C. These amounts are based on the preliminary construction cost estimates and may be adjusted based on the actual bids.
- Authorize an expenditure in the amount of \$215,000 from budgeted funds in the Road, Sidewalk and Tree Fund, Account Number 204-441-818-102.

- Authorize the City Engineer to approve minor adjustments in the work, as required.

ATTACHMENTS

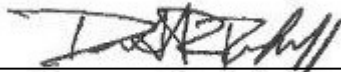
1. Advisory Committee Resolution - Approval of 2022 Road Program, 10.27.21
2. 2022 Road Project Listing 9-14-21
3. Livonia 2022 Concrete Program 22-C Reconstruction Design Engineering CvrLtr with Exhibit A
4. CR #365-16

APPROVED BY



Date: November 05, 2021

Todd Zilincik, P.E., City Engineer



Date: November 05, 2021

Donald Rohraff, Director of Public Works



Date: November 05, 2021

Michael Slater, Finance Director



Date: November 05, 2021

Paul Bernier, City Attorney



Date: November 05, 2021

Maureen Miller Brosnan, Mayor

Motion by David Green, seconded by Tom Carey

RESOLVED, that the Citizens Advisory Committee on the Roads, having reviewed the proposed 2022 Road Repair Program presented by the Department of Public Works on September 22, 2021 and comments from concerned residents / business owners on October 27, 2021, does hereby recommend that the 2022 Road Repair Program Road based be available funding to the Livonia City Council for its approval with a budget of \$9,600,000 (\$5.0 Million for Concrete, \$3.8 Million for Asphalt and \$800,000 for Selective Slab Maintenance). If there are additional funds or street segments changes in the 2022 Road Repair Program; Alternate Street Segment for Concrete to be Oakley (Hubbard to Ingram) in Section 22.

Approved 10/27/21: Kevra - Chairman, Boadway, Carey, Green, and Grzebik
Absent: Gierak, Gostias, Hoen and Kolhoff

**Projected Road Segments for 2022 Road Repair Program
(Proposed List)**

11/5/2021

SUBJECT TO CHANGE BASED ON FUNDING						
Street Name	From	To	Section	Pavement Type	PASER Rating	Type of Treatment
Brentwood Avenue	Pembroke Avenue	Eight Mile Road	1	Concrete	4,5	Reconstruction
St. Francis	Bridge Avenue	End	1	Asphalt	4,5	Rehabilitation
Hardy	Ingram	Bretton Road	3	Concrete	6	Maintenance
Hubbard Road	Norfolk Avenue	Eight Mile Road	3	Asphalt	4	Rehabilitation
Mayfield Road	Pembroke Avenue	Eight Mile Road	3	Asphalt	4	Rehabilitation
Shadyside Road	700' South of Norfolk Ave.	Eight Mile Road	3	Asphalt	4	Rehabilitation
Ellen Drive	Morlock Avenue	Eight Mile Road	4	Concrete	4	Reconstruction
Bennett Avenue	Westbrooke Drive	Parklane Drive	8	Concrete	3	Reconstruction
Wayne Road	Curtis Avenue	Seven Mile Road	8	Asphalt	4,5,6	Rehabilitation
Clarita Avenue	Stamford Avenue	Farmington Road	9	Asphalt	3,4	Rehabilitation
Curtis Avenue	Wayne Road	End	9	Asphalt	4,5	Rehabilitation
Filmore Avenue	Curtis Avenue	Pickford Avenue	9	Asphalt	4,5,6	Rehabilitation
Filmore Avenue	Pickford Avenue	Seven Mile Road	9	Asphalt	4	Rehabilitation
Irving Boulevard	Filmore Avenue	Pickford Avenue	9	Asphalt	5	Rehabilitation
Irving Boulevard	Pickford Avenue	Seven Mile Road	9	Asphalt	4,5	Rehabilitation
Myron Avenue	Curtis Road	Pickford Avenue	9	Asphalt	5	Rehabilitation
Myron Avenue	Pickford Avenue	Seven Mile Road	9	Asphalt	5	Rehabilitation
Norwich Road	Curtis Avenue	Whitby Road	9	Asphalt	4,5	Rehabilitation
Pickford Avenue	Myron Avenue	Farmington Road	9	Asphalt	6	Rehabilitation
Stamford Avenue	Curtis Avenue	Pickford Avenue	9	Asphalt	5	Rehabilitation
Stamford Avenue	Clarita Avenue	End	9	Asphalt	4	Rehabilitation
Whitby Road	Curtis Avenue	Norwich Road	9	Asphalt	4,5	Rehabilitation
Bainbridge Avenue	150' South of Hillbrook Avenue	Seven Mile Road	11	Asphalt	4,5,6	Rehabilitation
Hillbrook Avenue	1,000' West of Bainbridge Ave.	Bainbridge Avenue	11	Asphalt	5	Rehabilitation
Grimm Avenue	South End	Pickford Avenue	12	Asphalt	4	Rehabilitation
Maplewood Avenue	Clarita Avenue	Seven Mile Road	12	Asphalt	4	Rehabilitation
Pickford Avenue	Grimm Avenue	East End	12	Asphalt	4,5	Rehabilitation
Hidden Lane	Five Mile Road	North End	14	Asphalt	4	Rehabilitation
Henry Ruff	Rayburn Avenue	Puritan Avenue	14	Asphalt	4,5	Rehabilitation
Wood Drive	265' West of Fairlane Drive	Fairlane Drive	16	Concrete	4	Reconstruction
Sussex Street	Fitzgerald Street	Ladywood Road	17	Concrete	4,5	Reconstruction
Wood Drive	Park Drive	Ronnie Lane	17	Concrete	4	Reconstruction
Jamison/Richfield Int.	West of Newburgh Road		19	Concrete	4,5,6	Reconstruction
Jamison Avenue	West End	Country Club Drive	20	Concrete	4,5	Reconstruction
Lyndon Avenue	325' East of Stark Road	Farmington Road	21	Concrete	4,5	Reconstruction
Jamison/Berwick Int.	South of Five Mile Road		22	Concrete	5	Reconstruction
Beatrice Avenue	Lyndon Avenue	Lori Avenue	23	Concrete	4	Reconstruction
Beatrice Avenue	Oakview Avenue	Lyndon Avenue	23	Concrete	5	Reconstruction
Bredin Court	Lyndon Avenue	North End	23	Asphalt	4	Rehabilitation
Oakview Avenue	Jacquelyn Drive	175' North of Jacquelyn Drive	23	Concrete	4	Reconstruction
Oakview Avenue	175' North of Jacquelyn Avenue	Middlebelt Road	23	Concrete	5,6	Maintenance
Jacquelyn Drive	Oakview Avenue	925' East of Oakview Avenue	23	Concrete	4	Reconstruction
Jacquelyn Drive	925' East of Oakview Avenue	Oakview Avenue	23	Concrete	5	Maintenance
Brentwood Drive	Meadowlark Street	260' North of Meadowlark	24	Concrete	5	Reconstruction
Jacquelyn Drive	Alexander Street	Brentwood Drive	24	Concrete	4,5	Reconstruction
Eastbound Schoolcraft	450' West of Merriman Road	Merriman Road	27	Concrete	4	Reconstruction
Graytona Avenue	Surrey Avenue	Farmington Road	28	Concrete	4	Reconstruction
Surrey Avenue	200' South of Graytona Ave.	200' North of Graytona Ave.	28	Concrete	4	Reconstruction
Wayne Road East Side	Glendale Avenue	Industrial Road	28	Concrete	3	Reconstruction
Industrial Road	Wayne Road	Fairlane Avenue	28	Concrete	3	Reconstruction
Industrial Road	400' East of Newburgh Road	800' East of Newburgh Road	29	Concrete	4	Reconstruction
Grantland Avenue	West End	Newburgh Road	30	Asphalt	4	Rehabilitation
Jarvis Avenue	South End	Plymouth Road	30	Asphalt	4	Rehabilitation
Hathaway Avenue	Stark Road	Farmington Road	33	Asphalt	4	Rehabilitation
Perrin Drive	Joy Road	Olson Avenue	35	Concrete	4	Reconstruction
Selective Slab Program, 22-J						
Caliburn Drive	Glastonbury Drive	Newburgh Road	7	Concrete	5,6	Maintenance
Seven Mile Service Dr.	625' West Glen Eagles Dr.	475 East of Levan Road	8	Concrete	5	Maintenance
Seven Mile Service Dr.	120' West of Parklane Dr.	140' East of Parklane Dr.	8	Concrete	5,6	Maintenance
Pickford Court	West End	Wayne Road	8	Concrete	6	Maintenance
Rayburn Avenue	Middlebelt Road	Garden Avenue	13	Concrete	5	Maintenance
Riverside Drive	Perth Avenue	Riverside Drive	21	Concrete	5	Maintenance
25 Miscellaneous Locations Throughout City As Determined By DPW/Engineering						

TOTAL = 61 Segments (32 Concrete and 29 Asphalt)

23 Reconstruction Segments
29 Rehabilitation Segments
9 Maintenance Segments



ANDERSON, ECKSTEIN & WESTRICK, INC.

CIVIL ENGINEERS - SURVEYORS - ARCHITECTS

51301 Schoenherr Road, Shelby Township, MI 48315
586.726.1234 | www.aewinc.com

November 4, 2021

Todd Zilincik, P.E.
City Engineer
City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154

Reference: **Proposal for Professional Services- Design Engineering**
2022 Concrete Road Program: 22-C Reconstruction
City of Livonia

Dear Mr. Zilincik:

Thank you for considering our firm to provide engineering services on the project referenced above. The enclosed Exhibit A, "Project Specific Scope of Services, Project Schedule, Payments to Consultant," has been prepared for this project in accordance with the Professional Services Contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc. Please let us know if you have any questions regarding the enclosed exhibit.

Thank you for considering our firm for continued participation of this very successful Road Program.

Sincerely,

Anderson, Eckstein and Westrick, Inc.

Scott Lockwood, Exec. Vice President

Enclosure: Exhibit A

M:\0263\0263-0000\Contracts\Livonia 2022 Concrete Program\Livonia 2022 Concrete Program 22-C Reconstruction Design Engineering
CvrLtr.docx

EXHIBIT A

NOVEMBER 1, 2021 PROJECT SPECIFIC SCOPE OF SERVICES, PROJECT SCHEDULE, PAYMENTS TO CONSULTANT

The information contained in this Exhibit applies only to the following project:

Project Title: **2022 Concrete Road Repair Program, Design Engineering Services for Contract 22-C**

This is an exhibit to the contract dated December 1, 2016 and extended for 5 years per Council Resolution No. 365-16, September 19, 2016 between the City of Livonia, and Anderson, Eckstein, and Westrick, Inc. (AEW), whose address is 51301 Schoenherr, Shelby Twp., Michigan 48135.

This Exhibit acts as a duly executed written instrument that amends, supplements, modifies, or cancels certain portions of the contract, as provided in Article 8.01 of the contract.

A. SCOPE OF SERVICES

The CONSULTANT is requested to provide survey and design engineering services for the 2022 Concrete Road Program on reconstruction road segments with some minor maintenance work on streets in close proximity of the reconstruction segments. The roads to be included in the program are as follows:

Reconstruction:

Street	From	To
Brentwood Avenue	Pembroke Avenue	Eight Mile Road
Ellen Drive	Morlock Avenue	Eight Mile Road
Bennet Avenue	Westbrooke Drive	Parklane Drive
Wood Drive	265' West of Fairlane	Fairlane Drive
Sussex Street	Fitzgerald Street	Ladywood Road
Wood Drive	Park Drive	Ronnie Lane
Jamison/Richfield Intersection	West of Newburgh Road	
Jamison Avenue	West End	Country Club Drive
Lyndon Avenue	325' East of Stark Rd.	Farmington Road
Jamison/Berwick Intersection	South of Five Mile Road	
Beatrice Avenue	Lyndon Avenue	Lori Avenue
Beatrice Avenue	Oakview Avenue	Lyndon Avenue
Oakview Avenue	Jaquelyn Drive	175' North of Jaquelyn Drive
Jaquelyn Drive	Oakview Avenue	925' East of Oakview Avenue
Brentwood Drive	Meadowlark Street	260' North of Meadowlark Street
Jaquelyn Drive	Alexander Street	Brentwood Drive
Eastbound Schoolcraft Serv. Dr.	450' West of Merriman Rd	Merriman Road
Graytona Avenue	Surrey Avenue	Farmington Road
Surrey Avenue	200' South of Graytona	200' North of Graytona
Perrin Drive	Joy Road	Olson Avenue
Wayne Road (East Side)	Glendale Avenue	Industrial Road
Industrial Road	Wayne Road	Fairlane Avenue
ALTERNATE- Oakley Drive	Hubbard Road	Ingram Road

DESIGN PARAMETERS:

All design will be in accordance with the AASHTO and MDOT standards, guidelines and policies. All signing and pavement markings will be in accordance with the Michigan Manual of Uniform Traffic Control Devices. Specifications will be in accordance with MDOT 2012 Standard Specifications for Construction. Any unique special provisions will be prepared and submitted for the CITY's review and approval.

Horizontal and Vertical Alignment:

For maintenance projects, no modifications to horizontal or vertical alignment will be made. Minor improvements may be identified to improve drainage, however, the intent is to maintain the existing alignments and drainage patterns for maintenance projects. Any minor improvements will be done within existing right-of-way.

For reconstruction projects, horizontal or vertical alignment will be evaluated if modifications are necessary to meet current standards. All effort will be made to match existing horizontal and vertical alignments, minimizing impact beyond the roadbed.

Pavement Cross Sections:

Existing pavement cross sections will be matched for maintenance and rehabilitation projects. New pavement cross sections will be considered for reconstruction projects.

Drainage:

Existing storm sewer and drainage ditches will be maintained. Minor drainage improvements identified during field investigation or any problem areas identified by the CITY's personnel may be incorporated in the design.

Format:

All maintenance projects will be developed in an 8.5" x 11" log book format. A log of pavement repairs will be provided with aerial maps showing pavement sections requiring replacement and estimated quantities for each segment. Reconstruction projects that do not require alignment changes will also be developed in log book format.

Reconstruction projects requiring modified alignments will be developed in 24" x 36" plan sheet format, providing horizontal and vertical control data, at a scale of 1"=40'.

Permits:

Applications for Wayne County and MDOT permits will be prepared and coordinated for any right-of-way encroachments during construction.

SCOPE OF DESIGN SERVICES:

The Design Services to be provided by the CONSULTANT shall include, but are not limited to the following:

1. Attend pre-design kick-off meeting with CITY representatives to discuss project approach and limits of improvements, confirm the format for each project, finalize schedule, review budget, establish communication plan and requirements of applications for standards and details (order of governance for City, County and MDOT standards and details).
2. Complete aerial or planimetric mapping as necessary; establish stationing for reference in both log and plan sheet design formats.
3. Coordinate subconsultant to perform geotechnical investigation at each rehabilitation and reconstruction project location.
4. Conduct site and pavement condition survey to log areas and quantities for repair, including curb and gutter and structure adjustments.
5. Notify utility agencies of proposed work and investigate potential conflicts; coordinate and resolve conflicts via utility relocations or modifications in proposed work.
6. Prepare construction bid documents, in English units, in log book format, showing proposed work with typical sections, as necessary, construction details, pay items and quantities, with all required specifications, special provisions and notices to bidders.
7. Prepare maintenance of traffic special provision and details; address large traffic generators, such as schools or large businesses, immediately affected by the work and incorporate restrictions or requirements in the special provisions.
8. Prepare construction staging details and special provisions as necessary.
9. Prepare permanent pavement marking details and quantities, including special markings; it is anticipated that current pavement marking patterns will be maintained.
10. Prepare permanent signing details and quantities for signs directly impacted by construction activities.
11. Work involving traffic control devices such as traffic signals or large overhead signs is not included in this scope of services, but may be added at the CITY's request.
12. Prepare preliminary and final engineer's opinion of probable construction cost.
13. Attend project coordination meetings, as well as preliminary and final plan review meetings.

14. Submit final bid documents including:
 - Reproducible set of log book construction documents, including special provisions and notices to bidders
 - Electronic copy of above documents
 - Engineer's Opinion of Probable Construction cost
 - Field notes and copies of quantity calculations
15. Respond to questions during the bidding process as requested by the Owner.
16. Prepare bid documents in .pdf format for City of Livonia to place on MITN and provide ten hard copies for City use, review bids and prepare a recommendation for the construction contract award.
17. Attend public information, Citizen Advisory Committee on Roads or City Council meetings, as necessary.

B. PROJECT SCHEDULE:

Task No.	Task Name	Nov '21	Dec '21	Jan '22	Feb '22	Mar '22	Apr '22
1	City Council Program Review and Authorize to Proceed						
2	Initial Inspection						
3	Provide treatment recommendations and feasible cost estimate						
4	Field Evaluation						
5	Field Survey						
6	Geotechnical Investigation						
7	Prepare Preliminary Contract Documents						
8	City Review Preliminary Contract Documents						
9	Prepare Final Contract Documents						
10	Review Final Contract Documents						

Task No.	Task Name	Nov '21	Dec '21	Jan '22	Feb '22	Mar '22	Apr '22
11	Advertise Project						
12	Plan Pickup and Contractor Review						
13	Bid Opening						
14	Letter of Recommendation to Council						
15	Anticipated Council Review and Award						

C. PAYMENTS TO CONSULTANTS

The CONSULTANT will be paid at the attached hourly rates with a not to exceed amount based on Attachment A (reduced by .7% due to repeat service on this contract), Engineering Fees by Construction Value and Type of Project. Not to exceed fees by service classification are:

Design Engineering Fee \$215,000

Fees shall not exceed \$215,000 without prior approval from City Council. Fees shown above are based on an estimated construction cost of \$5,000,000.

In Witness Whereof, the City and Consultant, by and through their duly authorized officers and representatives, have executed this Contract.

In the Presence of:

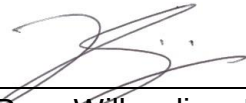
CITY OF LIVONIA, a Michigan
Municipal Corporation

By: _____
Maureen Miller Brosnan, Mayor

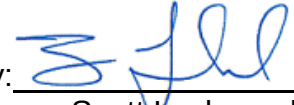
By: _____
Susan M. Nash, City Clerk

In the Presence of:

Anderson, Eckstein and Westrick



Ross Wilberding, P.E.

By: 

Scott Lockwood, P.E.

Its: Executive Vice President

Approved:

Donald R. Rohraff
Director of Public Works

Approved:

Todd J. Zilincik, P.E.
City Engineer

Pursuant to Council Resolution:

Approved:

No.: _____

Michael Slater
Director of Finance

Adopted on: _____

Approved as to form:

Paul A. Bernier
Department of Law

CITY OF LIVONIA 2022 CONCRETE PROGRAM

HOURLY CHARGE RATES

<u>EMPLOYEE CLASSIFICATION</u>	<u>HOURLY CHARGE RATE</u>
PRINCIPAL ENGINEER / SURVEYOR / ARCHITECT	\$ 163.60
SENIOR PROJECT ENGINEER / SURVEYOR / ARCHITECT	150.30
LICENSED ENGINEER / SURVEYOR / ARCHITECT	136.10
GRADUATE ENGINEER / SURVEYOR / ARCHITECT	112.40
TEAM LEADER	112.40
ENGINEERING AIDE III	93.10
ENGINEERING AIDE II	87.40
ENGINEERING AIDE I	81.50
ENGINEERING AIDE TRAINEE	69.80
SECRETARIAL (Special Projects)	44.20
SURVEY FIELD (3 PERSON CREW)	227.00
SURVEY FIELD (2 PERSON CREW)	197.90
SURVEY FIELD (1 PERSON CREW)	151.40
CONFINED SPACE ENTRY CREW (2 PERSON)	244.40
DATA COLLECTOR (SURVEY CREW)	30.30
GPS SURVEY EQUIPMENT	74.50

Vice President Kritzman stepped down from the podium to avoid any perceived conflict of interest at 7:12 p.m.

On a motion by Brosnan, supported by Jolly, it was:

#365-16 RESOLVED, that having considered the report and recommendation of the Infrastructure and Community Transit Committee, dated August 29, 2016, submitted pursuant to Council Resolution No. 49-10, regarding the subject of Quality-Based Selection (QBS) Process for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the Qualification Based-Selection Contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315, for a five year period ending November 30, 2021, to perform professional engineering services on various Federal, State and locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Council does hereby determine to substitute the revised approved Attachment A, dated August 18, 2016, for the previous Attachment A with respect to QBS Consultants, OHM Advisors and Anderson, Eckstein and Westrick, Inc. (AEW) for the design of the 2017 Road Program should they be selected prior to November 30, 2016; and FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

A roll call vote was taken on the foregoing resolution with the following

result:

AYES: Jolly, White, Bahr, Brosnan and McIntyre

NAYS: None

The President declared the resolution adopted.

Kritzman returned to the podium at 7:13 p.m.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

6

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

11. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD MAINTENANCE/SELECTIVE SLAB PROGRAM (CONTRACT 22-J): Engineering Division, re: same (CR 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He stated again, AEW is our partner here tonight for the design portion. We're asking City Council's approval to have them as part of the QBS Contract to do that design. Previously DPW and Engineering has identified about twenty-five miscellaneous locations, along with several streets that will have the maintenance streets completed and we're asking for your approval in the amount of \$42,400.00 for the 22-J Program. Again, as we talked about before there are basically eleven locations that will be removed from the overall list that we've created to put on the 22-J miscellaneous locations so it's a good trade to get those streets that were identified reduced further, so we have about 75, I believe, locations left. You know, chip away twenty-five a year, for three years, we should be hopefully done with those and obviously new ones pop up but looking for your assistance to do that for the City and to continue on, I believe it's the fourth year we've done the 22-J contract and over \$800,000.00 a year.

DIRECTION:

APPROVING (12/1 meeting)

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

11.

Engineering
November 5, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR DESIGN ENGINEERING SERVICES FOR THE 2022 CONCRETE ROAD MAINTENANC/SELECTIVE SLAB PROGRAM (CONTRACT 22-J): Engineering Division, re: same (CR 365-16).

BACKGROUND

The City Council approved the Qualification Based Selection (QBS) firms pursuant to Council Resolution No. 365-16, adopted September 19, 2016 to perform all professional engineering services on various federal, state and locally funded projects through fiscal year 2021. AEW has agreed to utilize the revised Attachment A dated November 4, 2021 for the 2022 Concrete Road Maintenance/Selective Slab Program. Under this procedure, we are recommending that Anderson, Eckstein and Westrick, Inc. (AEW) continue as our consultant for the 2022 Concrete Road Maintenance/Selective Slab Program. See attached letter dated November 4, 2021 from AEW for design engineering services.

Preventative Maintenance to occur at nine (9) street segments in Sections 3, 7, 8, 13, 21 and 23 along with 25 separate locations throughout the City in Sections 3, 4, 9, 11, 17, 19, 20, 22, 24, 31, 32, 35 and 36. Please note that the Road Maintenance / Selective Slab Program was able to eliminate 11 locations previously identified to be removed due to being part of the 2022 Concrete Road Reconstruction Program on street segments: Brentwood, Wood, Riverside and Jacquelyn Avenue.

AEW contract for professional design services will be based on estimated construction costs of \$800,000 which forms the basis for the Engineering Contract.

RECOMMENDATION

Please see the Fiscal Consideration section and the attachments for additional information.

FISCAL CONSIDERATION

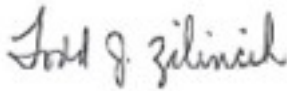
In order to proceed with these projects, it is respectfully recommended that the Council take the following actions:

- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 in the amount of \$42,400 for the design engineering for the Concrete Road Maintenance/Selective Slab Program. These amounts are based on the preliminary construction cost estimates and may be adjusted based on the actual bids.
- Authorize an expenditure in the amount of \$42,400 from budgeted funds in the Road, Sidewalk and Tree Fund, Account Number 204-441-818-102.
- Authorize the City Engineer to approve minor adjustments in the work, as required.

ATTACHMENTS

1. 2022 Selective Slab Locations
2. Livonia 2022 Concrete Program 22-J Maintenance Design Engineering CvrLtr with Exhibit A
3. CR #365-16

APPROVED BY



Date: November 05, 2021

Todd Zilincik, P.E., City Engineer



Date: November 05, 2021

Donald Rohraff, Director of Public Works



Date: November 05, 2021

Michael Slater, Finance Director



Date: November 05, 2021

Paul Bernier, City Attorney



Date: November 05, 2021

Maureen Miller Brosnan, Mayor

2022 MISCELLANEOUS LOCATIONS FOR CONCRETE SELECTIVE SLAB REPLACEMENTS, CONTRACT 22-J

9/14/2021

Location	Address	Street Name	Section	Tree Removals	Notes
1	32112	Pembroke Avenue	3	2	Parker Avenue Side of Lot
2	19295	Whitby Avenue	4		
3	18848	Aspen Drive	9		
4	17462	Sunset Avenue	11	1	SR 30348
5	36730	Kingsbury Avenue	17		SR 50885
6	14140	Stonehouse Avenue	19	2	
7	14160	Stonehouse Avenue	19		
8	14884	Fairway Avenue	20		SR 999881089
9	35928	Middleboro Avenue	20	1	SR 66214
10	31530	Grenada Avenue	22	1	SR 37573
11	14350	Loveland Avenue	22	1	SR 60130
12	14416	Melrose Avenue	22	1	
13	32745	Oakley Avenue	22	1	SR 999933940
14	14116	Alexander Avenue	24		
15	38514	Grandon Avenue	31		SR 36024
16	38678	Grandon Avenue	31	1	
17	9332	Patton Avenue	31		
18	9363	Patton Avenue	31	1	
19	9472	Patton Avenue	31		
20	35826	Joy Road	32	2	
21	9932	Denne Avenue	35		SR 999896116 Carry-Over from 2021
22	30788	Hathaway Avenue	35		Hathaway/Sunset Intersection
23	30080	Richland Avenue	35		
24	9610	Arcola Avenue	36		
25	9628	Hartel Avenue	36		Manhole Adjustment and Slab
				14 Total	

11 LOCATIONS PREVIOUSLY IDENTIFIED TO BE REMOVED DUE TO PROPOSED 2022 CONCRETE ROAD REPAIRS

Location	Address	Street Name	Section	Notes
1	19972	Brentwood Avenue	1	2022 Road Program
2	19973	Brentwood Avenue	1	2022 Road Program
3	19984	Brentwood Avenue	1	2022 Road Program
4	19996	Brentwood Avenue	1	2022 Road Program
5	34650	Wood Avenue	16	2022 Road Program
6	14406	Riverside Drive	21	2022 Road Program
7	14466	Riverside Drive	21	2022 Road Program
8	29584	Jacquelyn Avenue	23	2022 Road Program
9	29601	Jacquelyn Avenue	23	2022 Road Program
10	29676	Jacquelyn Avenue	23	2022 Road Program
11	29733	Jacquelyn Avenue	23	2022 Road Program



ANDERSON, ECKSTEIN & WESTRICK, INC.

CIVIL ENGINEERS - SURVEYORS - ARCHITECTS

51301 Schoenherr Road, Shelby Township, MI 48315
586.726.1234 | www.aewinc.com

November 4, 2021

Todd Zilincik, P.E.
City Engineer
City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154

Reference: **Proposal for Professional Services- Design Engineering**
2022 Concrete Road Program: 22-J Maintenance
City of Livonia

Dear Mr. Zilincik:

Thank you for considering our firm to provide engineering services on the project referenced above. The enclosed Exhibit A, "Project Specific Scope of Services, Project Schedule, Payments to Consultant," has been prepared for this project in accordance with the Professional Services Contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc. Please let us know if you have any questions regarding the enclosed exhibit.

Thank you for considering our firm for continued participation of this very successful Road Program.

Sincerely,

Anderson, Eckstein and Westrick, Inc.

Scott Lockwood, Exec. Vice President

Enclosure: Exhibit A

M:\0263\0263-0000\Contracts\Livonia 2022 Concrete Program\Livonia 2022 Concrete Program 22-J Maintenance Design Engineering
CvrLtr.docx

EXHIBIT A

November 3, 2021 PROJECT SPECIFIC SCOPE OF SERVICES, PROJECT SCHEDULE, PAYMENTS TO CONSULTANT

The information contained in this Exhibit applies only to the following project:

Project Title: **2021 Concrete Road Repair Program, Design Engineering Services for Contract 22-J**

This is an exhibit to the contract dated December 1, 2016 and extended for 5 years per Council Resolution No. 365-16, September 19, 2016 between the City of Livonia, and Anderson, Eckstein, and Westrick, Inc. (AEW), whose address is 51301 Schoenherr, Shelby Twp., Michigan 48135.

This Exhibit acts as a duly executed written instrument that amends, supplements, modifies, or cancels certain portions of the contract, as provided in Article 8.01 of the contract.

A. SCOPE OF SERVICES

The CONSULTANT is requested to provide survey and design engineering services for the 2022 Concrete Road Program for maintenance and selective slab work. The roads to be included in the program are as follows:

Planned Preventative Maintenance:

Street	From	To
Hardy	Ingram Street	Bretton Road
Caliburn Drive	Glastonbury Drive	Newburgh Road
Seven Mile Service Drive	625' West of Glen Eagles Dr.	475' East of Levan Road
Seven Mile Service Drive	120' West of Parklane Dr.	140' East of Parklane Dr.
Pickford Court	West End	Wayne Road
Rayburn Avenue	Middlebelt Road	Garden Avenue
Riverside Drive	Perth Avenue	Riverside Drive
25 Miscellaneous Location	DPW Roads Selected Locations	
Oakview Avenue	175' North of Jaquelyn Ave	Middlebelt Road
Jaquelyn Drive	925' East of Oakview Ave	Oakview Avenue

DESIGN PARAMETERS:

All design will be in accordance with the AASHTO and MDOT standards, guidelines and policies. All signing and pavement markings will be in accordance with the Michigan Manual of Uniform Traffic Control Devices. Specifications will be in accordance with MDOT 2012 Standard Specifications for Construction. Any unique special provisions will be prepared and submitted for the CITY's review and approval.

Horizontal and Vertical Alignment:

For maintenance projects, no modifications to horizontal or vertical alignment will be made. Minor improvements may be identified to improve drainage, however, the intent is to maintain the existing alignments and drainage patterns for maintenance projects. Any minor improvements will be done within existing right-of-way.

For reconstruction projects, horizontal or vertical alignment will be evaluated if modifications are necessary to meet current standards. All effort will be made to match existing horizontal and vertical alignments, minimizing impact beyond the roadbed.

Pavement Cross Sections:

Existing pavement cross sections will be matched for maintenance and rehabilitation projects. New pavement cross sections will be considered for reconstruction projects.

Drainage:

Existing storm sewer and drainage ditches will be maintained. Minor drainage improvements identified during field investigation or any problem areas identified by the CITY's personnel may be incorporated in the design.

Format:

All maintenance projects will be developed in an 8.5" x 11" log book format. A log of pavement repairs will be provided with aerial maps showing pavement sections requiring replacement and estimated quantities for each segment. Reconstruction projects that do not require alignment changes will also be developed in log book format.

Reconstruction projects requiring modified alignments will be developed in 24" x 36" plan sheet format, providing horizontal and vertical control data, at a scale of 1"=40'.

Permits:

Applications for Wayne County and MDOT permits will be prepared and coordinated for any right-of-way encroachments during construction.

SCOPE OF DESIGN SERVICES:

The Design Services to be provided by the CONSULTANT shall include, but are not limited to the following:

1. Attend pre-design kick-off meeting with CITY representatives to discuss project approach and limits of improvements, confirm the format for each project, finalize schedule, review budget, establish communication plan and requirements of applications for standards and details (order of governance for City, County and MDOT standards and details).
2. Complete aerial or planimetric mapping as necessary; establish stationing for reference in both log and plan sheet design formats.
3. Coordinate subconsultant to perform geotechnical investigation at each rehabilitation and reconstruction project location.
4. Conduct site and pavement condition survey to log areas and quantities for repair, including curb and gutter and structure adjustments.

5. Notify utility agencies of proposed work and investigate potential conflicts; coordinate and resolve conflicts via utility relocations or modifications in proposed work.
6. Prepare construction bid documents, in English units, in log book format, showing proposed work with typical sections, as necessary, construction details, pay items and quantities, with all required specifications, special provisions and notices to bidders.
7. Prepare maintenance of traffic special provision and details; address large traffic generators, such as schools or large businesses, immediately affected by the work and incorporate restrictions or requirements in the special provisions.
8. Prepare construction staging details and special provisions as necessary.
9. Prepare permanent pavement marking details and quantities, including special markings; it is anticipated that current pavement marking patterns will be maintained.
10. Prepare permanent signing details and quantities for signs directly impacted by construction activities.
11. Work involving traffic control devices such as traffic signals or large overhead signs is not included in this scope of services, but may be added at the CITY's request.
12. Prepare preliminary and final engineer's opinion of probable construction cost.
13. Attend project coordination meetings, as well as preliminary and final plan review meetings.
14. Submit final bid documents including:
 - Reproducible set of log book construction documents, including special provisions and notices to bidders
 - Electronic copy of above documents
 - Engineer's Opinion of Probable Construction cost
 - Field notes and copies of quantity calculations
15. Respond to questions during the bidding process as requested by the Owner.
16. Prepare bid documents in .pdf format for City of Livonia to place on MITN and provide ten hard copies for City use, review bids and prepare a recommendation for the construction contract award.
17. Attend public information, Citizen Advisory Committee on Roads or City Council meetings, as necessary.

B. PROJECT SCHEDULE:

Task No.	Task Name	Nov '21	Dec '21	Jan '22	Feb '22	Mar '22	Apr '22
1	City Council Program Review and Authorize to Proceed						
2	Initial Inspection						
3	Provide treatment recommendations and feasible cost estimate						
4	Field Evaluation						
5	Field Survey						
6	Geotechnical Investigation						
7	Prepare Preliminary Contract Documents						
8	City Review Preliminary Contract Documents						
9	Prepare Final Contract Documents						
10	Review Final Contract Documents						
11	Advertise Project						
12	Plan Pickup and Contractor Review						
13	Bid Opening						
14	Letter of Recommendation to Council						
15	Anticipated Council Review and Award						

C. PAYMENTS TO CONSULTANTS

The CONSULTANT will be paid at the attached hourly rates with a not to exceed amount based on Attachment A (reduced by .7% due to repeat service on this contract), Engineering Fees by Construction Value and Type of Project. Not to exceed fees by service classification are:

Design Engineering Fee \$42,400

Fees shall not exceed \$42,400 without prior approval from City Council. Fees shown above are based on estimated construction costs of \$800,000.

In Witness Whereof, the City and Consultant, by and through their duly authorized officers and representatives, have executed this Contract.

In the Presence of:

CITY OF LIVONIA, a Michigan
Municipal Corporation

By: _____
Maureen Miller Brosnan, Mayor

By: _____
Susan M. Nash, City Clerk

In the Presence of:



Ross Wilberding, P.E.

Anderson, Eckstein and Westrick

By: 

Scott Lockwood, P.E.

Its: Executive Vice President

Approved:

Donald R. Rohraff
Director of Public Works

Approved:

Todd J. Zilincik, P.E.
City Engineer

Approved:

Michael Slater
Director of Finance

Approved as to form:

Paul A. Bernier
Department of Law

Pursuant to Council Resolution:

No.: _____

Adopted on: _____

CITY OF LIVONIA 2022 CONCRETE PROGRAM

HOURLY CHARGE RATES

<u>EMPLOYEE CLASSIFICATION</u>	<u>HOURLY CHARGE RATE</u>
PRINCIPAL ENGINEER / SURVEYOR / ARCHITECT	\$ 163.60
SENIOR PROJECT ENGINEER / SURVEYOR / ARCHITECT	150.30
LICENSED ENGINEER / SURVEYOR / ARCHITECT	136.10
GRADUATE ENGINEER / SURVEYOR / ARCHITECT	112.40
TEAM LEADER	112.40
ENGINEERING AIDE III	93.10
ENGINEERING AIDE II	87.40
ENGINEERING AIDE I	81.50
ENGINEERING AIDE TRAINEE	69.80
SECRETARIAL (Special Projects)	44.20
SURVEY FIELD (3 PERSON CREW)	227.00
SURVEY FIELD (2 PERSON CREW)	197.90
SURVEY FIELD (1 PERSON CREW)	151.40
CONFINED SPACE ENTRY CREW (2 PERSON)	244.40
DATA COLLECTOR (SURVEY CREW)	30.30
GPS SURVEY EQUIPMENT	74.50

Vice President Kritzman stepped down from the podium to avoid any perceived conflict of interest at 7:12 p.m.

On a motion by Brosnan, supported by Jolly, it was:

#365-16 RESOLVED, that having considered the report and recommendation of the Infrastructure and Community Transit Committee, dated August 29, 2016, submitted pursuant to Council Resolution No. 49-10, regarding the subject of Quality-Based Selection (QBS) Process for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the Qualification Based-Selection Contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315, for a five year period ending November 30, 2021, to perform professional engineering services on various Federal, State and locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Council does hereby determine to substitute the revised approved Attachment A, dated August 18, 2016, for the previous Attachment A with respect to QBS Consultants, OHM Advisors and Anderson, Eckstein and Westrick, Inc. (AEW) for the design of the 2017 Road Program should they be selected prior to November 30, 2016; and FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

A roll call vote was taken on the foregoing resolution with the following

result:

AYES: Jolly, White, Bahr, Brosnan and McIntyre

NAYS: None

The President declared the resolution adopted.

Kritzman returned to the podium at 7:13 p.m.

7

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

13. WAIVER PETITION: Planning Commission, re: Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast ¼ of Section 24.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a request for a distiller, the operation of a distiller's license as the Buckingham Village Shopping Center, this is at the northwest corner of Schoolcraft and Inkster Road. This is somewhat of a unique shopping complex, it's essentially made up of several ownership units and businesses spread out over about 7.5 acres, altogether it's about 78,000 square feet. But on this parcel what this operator is looking at is a single space of about 2,800 square feet, it's a 28-foot wide unit, it lays immediately adjacent to Snooker's Pool and Pub. This is a former Subway sandwich shop and what they'd be operating is a distiller's license, they're a current Livonia operation. They have to move out of their facility which is on Schoolcraft Road within the Industrial District. As part of the move and transition, what they'd like to do is operate a tasting room as part of this, so the space would actually be divided into three different components. The front part of the building would be the tasting room with a maximum of about 40 seats. The middle section would be devoted to the prep and assembly area, bottling, as well as cold storage and restrooms. And then the rear portion would be the manufacturing operations or the distilling. Access and parking are shared between all of the businesses in this area. The Subway previously operated with about 30 seats, this is more customer seats than what they had but parking at the center is adequate or should be adequate. There is the separation requirement of 1,000 feet between on premise liquor license, because the Snooker's is located adjacent to this business, proposed business, that is something that would have to be waived by City Council. There are no churches or schools or other sensitive land uses within the 400-foot radius. There are no other exterior modifications proposed to the building other than signage. The Planning Commission

is recommending approval. The one stipulation they've added was the limitation on the hours of operation, Sundays through Thursdays between noon and 10:00 p.m. and then on the weekend, Friday and Saturday evenings, they would have to close by 11:00 p.m.

Councilmember Jolly said I think this is the kind of --- I hate to say it --- niche business that we'd like to see this kind of turning over some of these properties, it's unique, it's something that's going to attract a different type of person to come into that strip mall. I know the Subway well from my high school days, we used to walk over there, so in my mind I'm thinking of it as a smaller location but if you think you can do what's described, I think that's great. I'm a little surprised to hear that you are an existing Livonia business. I wasn't aware that we had a business like this in Livonia; can you tell us what specific products you make/what are the brand names that we might see, where we could get the products; can you give us a little bit of information with regard to that?

Jason Mitchell, Petitioner, 9199 Merriman Road, came to the podium and stated right now we're producing mostly it's like corn whiskey, specialty spirit we call Moonshine, that seems to be popular right now, so that's what we're doing. We are also developing a few vodka spirits, we've got whiskey aging, we're also working on some gin as well to help round out what we're doing. And we've actually been manufacturing since last January, we've got all approvals and everything. At that time we were in an industrial building to seek City Council approval. But yes, we've grown quite a bit and it's kind of a two-fold thing, we're a little bit growing out of our current facility, it's only 1,000 square feet and we're also getting pushed out for other businesses that are willing to pay a little more in rent than we are. So, that's why we're kind of seeking this, we want to stay in Livonia, been working with a lot of Livonia businesses, we currently developed a couple of different vodkas with like Chap's Feed and Awrey's Bakery. And then we've got a couple other ones that we're trying to get, some more established businesses that are well known to be part of this as well so we can actually come up with a brand we are looking at calling the "Spirits of Livonia". And it might only be a local thing right now; locally there are nine liquor stores in Livonia, we're a little over 200 in the State of Michigan.

Jolly asked what the brand names are again and Mitchell replied Leaky Still and then we have a Monte Vista vodka coming out at the end of January.

Jolly wished the Petitioner the best and offered an approving resolution for the Consent Agenda.

Councilmember Donovic said this is pretty exciting and it's cool to see this space re-used as opposed to sitting vacant. I'm a little concerned, not with you, but that complex, the parking lot is driving me, I've never seen a parking lot with holes, my Dodge Ram almost falls inside of those holes. So, I'm hoping that you can work with the tenants nearby and the landlord, and I know, this property is interesting because they're sort of parceled out, or not parceled out, but multiple owners, I guess, or maybe it is parceled out. But I mean that parking lot is horrible and to see such an

amazing development come through there and the repurposing of a Subway that was really convenient because I used to go there a lot when it shut down, so hats off to you. I do have a couple questions, though. Mr. Taormina, you mentioned the hours of operation, are those hours of operation consistent with Snooker's next door or are they limited hours compared to Snookers?

Taormina replied, don't hold me to this, but I believe their hours run later than theirs. Donovic asked was that okay with the Petitioner, were they asked to narrow their hours and Taormina replied yes, we discussed it at the Study and the Regular Meeting and he's perfectly happy with those limited hours of operation.

Donovic then asked to the north, if my orientation is correct, is that like an outdoor patio for the Petitioner? It seems like an outdoor patio of some sort of maybe an enclosed patio and Taormina replied the windows are, it's kind of got like a 4-foot little atrium area, you can probably sit people in there but it's real tight.

Donovic then stated so then you'll actually have people directionally walking along the side of the building to get into that little dining area and Mitchell replied well, they'll be coming right in the front from the parking lot into the tasting room there, yeah.

Donovic said it's kind of confusing because you have a lot in the middle there, I was trying to get an idea and Mitchell replied that's the prep area with all approval from Subway, and then behind that we'll have a bottling area, so that way it's sectioned off from everything. That's really the only place that we have the alcohol open exposed to air, that way we can control fire and have proper ventilation there without doing the whole building.

Donovic congratulated the Petitioner and wished him luck and stated you'll probably see some of us there soon.

DIRECTION:

APPROVING (12/1 meeting)

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

13.

Planning
November 12, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast $\frac{1}{4}$ of Section 24.

BACKGROUND

RECOMMENDATION

At the 1,178th Public Hearing and Regular Meeting held by the City Planning Commission on November 9, 2021, the following resolution was unanimously adopted:

#11-61-2021 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on November 9, 2021, on Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast $\frac{1}{4}$ of Section 24, the Planning Commission does hereby recommend to the City Council that Petition 2021-10-02-20 be approved subject to the following conditions:

1. That the use of a Small Distiller license at this location shall be permitted only under the circumstances that the Zoning Ordinance standard set forth in Section 6.09(2)(A) requiring that there be at least one thousand feet (1,000') separation between any other licensed establishments is waived by the City Council.
2. That the aerial site plan submitted on October 12, 2021, is hereby approved and shall be adhered to.
3. That the maximum customer seating count for the tasting room shall not exceed a total of forty (40) seats.
4. That the hours of operation for public entry into the facility, including the tasting room and any other retail operations, shall be limited from noon to 10:00 p.m. Sunday thru Thursday, and from noon to 11:00 p.m. Friday and Saturday.

5. That the facility shall adhere to the International Fire Code (IFC), Michigan Building Code (MBC) and National Fire Protection Administration, Fire Code (NFPA) for all inspections, enforcements and project plan reviews.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
7. That no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
8. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for, and
9. Pursuant to Section 13.13 of Livonia Vision 21 Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-10-02-20_BBS_E-COUNCIL Pkt

APPROVED BY



Date: November 12, 2021

Maureen Miller Brosnan, Mayor

Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast $\frac{1}{4}$ of Section 24.

**CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL**

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications must include property owner's name, address and notarized signature.

Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 10-8-21 Petition 2021-10-02-20
 Site Address: 27600 Schoolcraft Road Sidwell 096-02-0424-005 Zoning of Property C-2
 Requesting Approval To operate Distillery and Tasting Room
 Applicant: Jason Mitchell Business/Company: BBS Distilleries
 Applicant's Address: 32457 Schoolcraft City: Livonia State: MI Zip Code: 48150
 Applicant's Phone # (313) 394 9829 Applicant's Email Jason@BBSDistilleries.com
 Contact Person: Jason Mitchell Business/Company: BBS Distilleries, LLC
 Contact's Address: 9919 Menomah City: Livonia State: MI Zip Code: 48150
 Contact's Phone # (313) 394 9829 Contact's Email Jason@BBSDistilleries.com

Please provide the following information:

- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.C.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), **a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us**
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) Three (3) completed application forms & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

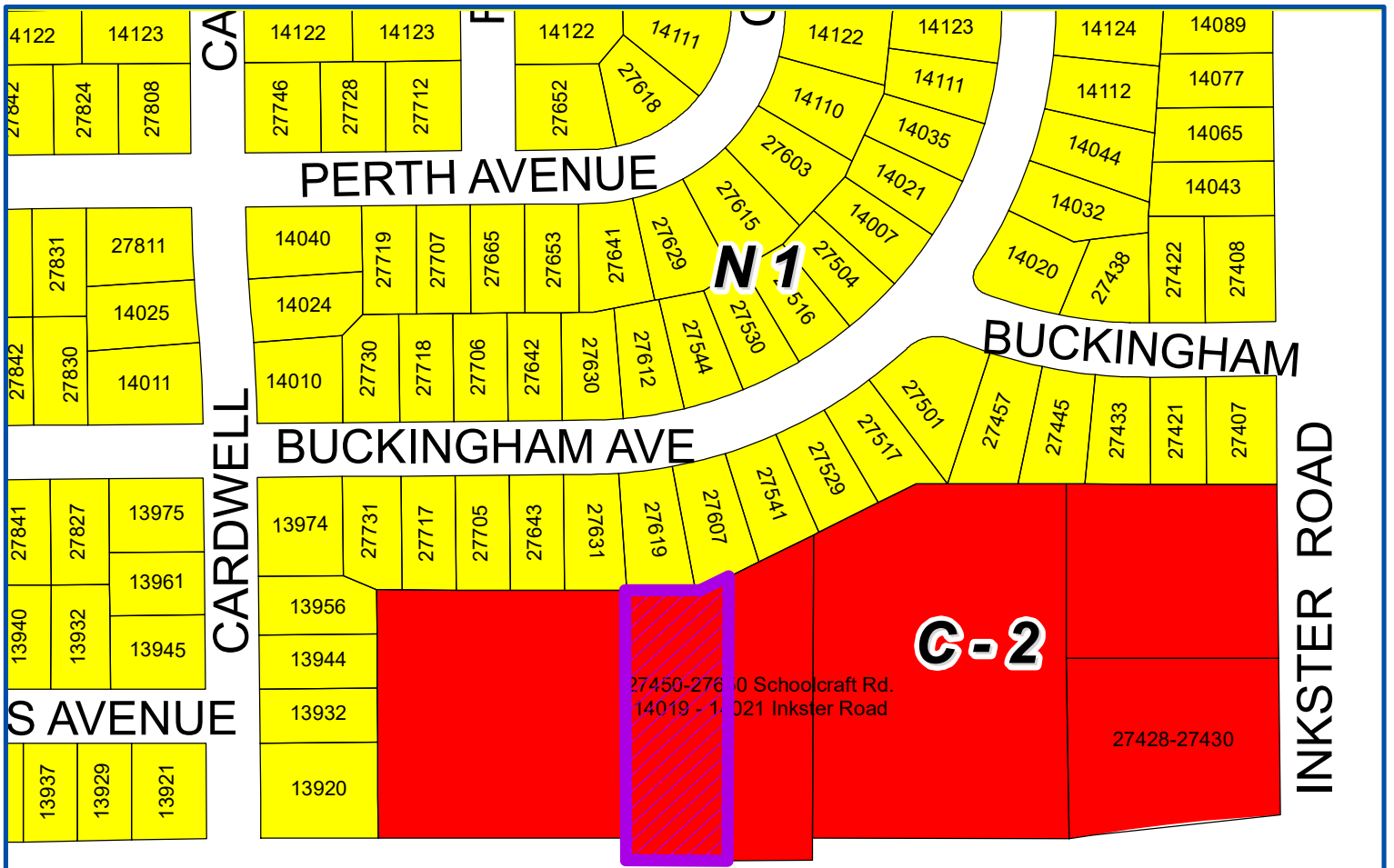
FEE COMPUTATION		\$600.00
_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft.		
(NOTE: Round off to nearest 1,000)	+	
Total Amount Due	\$	

Owner of Property: Buckingham Plaza Limited Partnership
 Owner's Address: 31000 Northwestern Highway, Suite 200 City: Farmington Hills State: MI Zip Code: 48334
 Owner's Phone # 248 353-1111 Owner's Email rkattoo@keystonecres.com
 Signature of Owner: [Signature] Print Name: Ryan Kattoo
 Subscribed and sworn to before me, a Notary Public in and for the County of Oakland State of Michigan
 on this 8th day of October 2021
 Signature of Notary [Signature] My commission expires May 10, 2027
 Acting in the County of Oakland

RECEIVED
 OCT 12 2021
 CITY OF LIVONIA
 PLANNING COMMISSION

RECEIVED
 OFFICE OF THE CITY CLERK
 2021 OCT 11 AM 11:47

Crystal Dailo
 Notary Public of Michigan
 Oakland County
 Expires 05/10/2027
 Acting in the County of Oakland

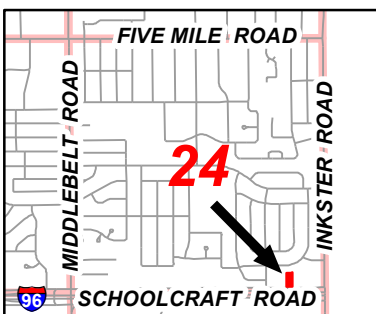


Address & Zoning Map

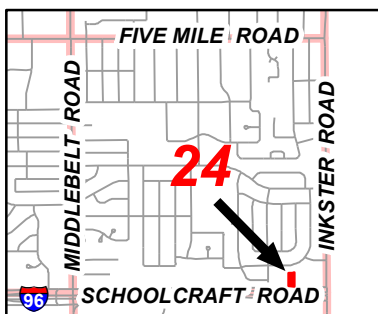
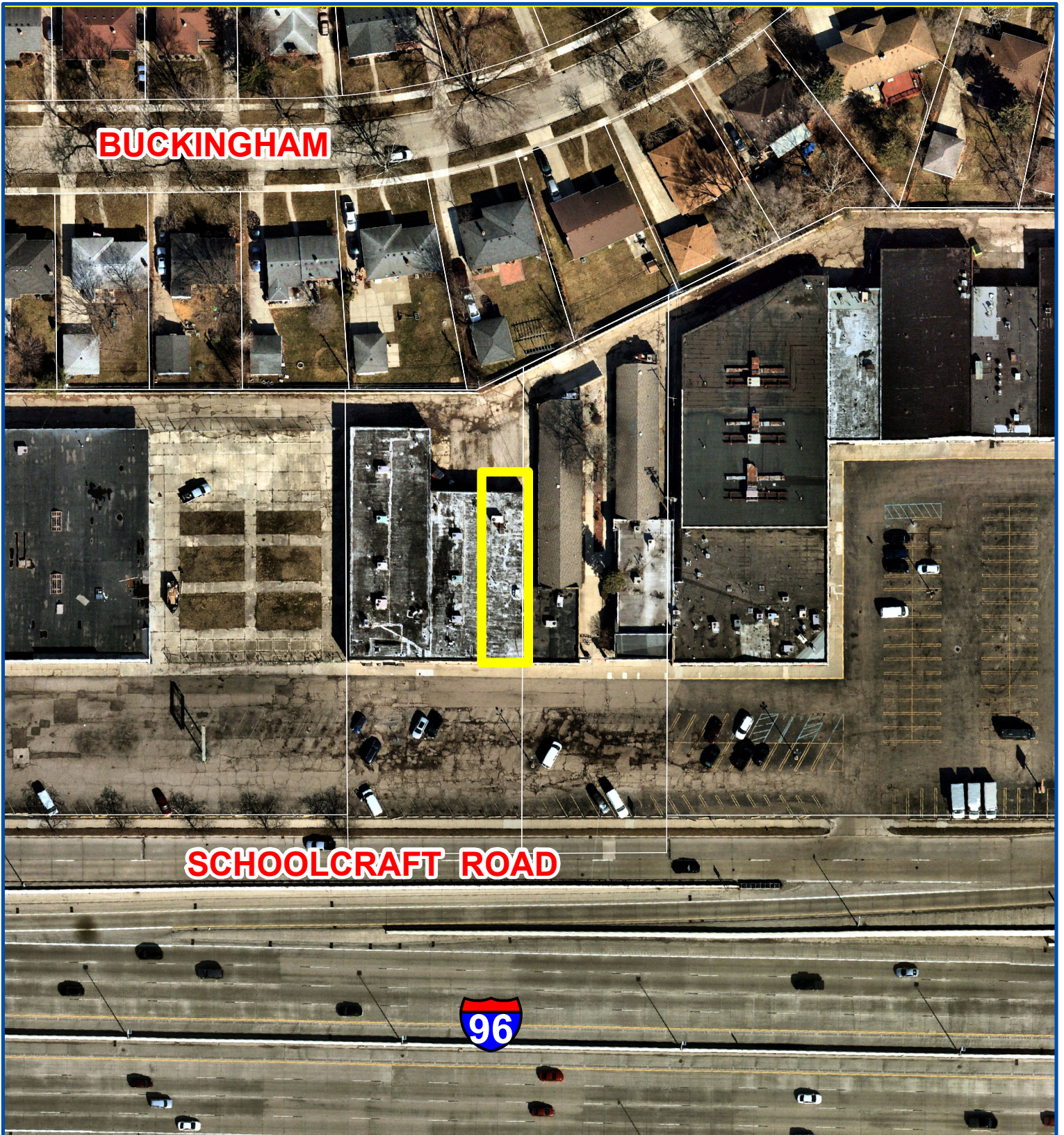
Petition 2021-10-02-20
BBS Distilleries
27600 Schoolcraft Road
to utilize a Small Distiller license



Not to Scale



City of Livonia
Planning Department



Aerial Map

Petition 2021-10-02-20
BBS Distilleries
27600 Schoolcraft Road
to utilize a Small Distiller license



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 2

Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast $\frac{1}{4}$ of Section 24.

October 26, 2021: Study Meeting:

This petition involves a request to utilize a Small Distiller liquor license in connection with the operation of a distillery and tasting room at the Buckingham Village shopping center located at the northwest corner of Schoolcraft and Inkster Roads. The shopping center property totals 7.53 acres, with approximately 1,000 feet of frontage along Schoolcraft Road and 367 feet of frontage on Inkster Road. Buckingham Village, with over twenty (20) tenant spaces, is generally considered a single shopping complex even though it is made up of four (4) separate parcels and three (3) different ownership entities. Storefronts face both Schoolcraft and Inkster Roads. The unit that is the subject of this petition is located at the west end of the plaza, adjacent to Snooker's Pool and Pub.

Bordering along the north and west sides of the shopping center site are residential homes that are part of the Buckingham Village No. 2 Subdivision, zoned N1, Neighborhood. Properties to the east, across Inkster Road, are part of Redford Township. Directly south of the shopping center is the I-96 Expressway.

The subject property is zoned C-2, General Business. The utilization of a Small Distillery license requires the approval of a waiver use pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance. Pursuant to the rules of the Michigan Liquor Control Commission (MLCC) rules, a Small Distiller license allows a licensee to do the following:

- Manufacture spirits, not to exceed 60,000 gallons annually of all brands combined.
- Offer free samples to consumers on the manufacturing premises.
- Sell spirits to consumers for consumption on the manufacturing premises.
- Sell spirits to consumers for off-premises consumption (take-out) for not less than the uniform price set by the Commission.

PUBLIC HEARING

ITEM 2 Petition 2021-10-02-20 – BBS Distilleries

Page 2

Licensees may **not** sell spirits directly to Michigan retail licensees but may sell spirits to the Michigan Liquor Control Commission who resells spirit products through the spirit distribution system.

The proposed distillery would occupy an interior unit that faces south, towards Schoolcraft Road. The tenant space, which was previously occupied by a Subway sandwich shop, is 2,800 square feet (28' x 100') and is located immediately east of Snooker's Pool & Pub. The floor plan shows the division of the space into three (3) distinct operations. The front part would contain a tasting room consisting of tables and chairs with the capacity to accommodate forty (40) customers. The middle section would be the distillery's prep and assembly area and include a bottling room, cold storage, and restrooms. And the rear portion of the unit would be retrofitted to house the distilling (manufacturing) operations. This area would house the stills, fermentation tanks and storage racks. In the tasting room, the only food items that would be served are processed foods such as chips, pretzels and cookies.

Access and parking are shared between the multiple parcels and tenants that make up the overall shopping complex. Records show that the former Subway restaurant was limited to 30 seats. Even though the proposed distillery would have 10 more customer seats, parking at the center should be adequate.

Section 6.09(2)(A) specifies that brewers, micro brewers, brewpubs, and distilleries shall not be located within 1,000 feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties. Staff is of the opinion that this requirement applies to any on-premises license business, including those operating with a Class C license. Snooker's Pool & Pub, which is located right next door to this unit, has a Class C license. As such, the 1,000-foot separation provision must be waived by the City Council.

Another special requirement, Section 6.09(2)(B), specifies that a proposed licensed establishment shall be located at least 400 feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building. No church or school building exists within 400 feet of the subject unit.

The petitioner is not proposing any exterior changes or modifications to the unit in association with the proposed use. This distillery would be allowed one (1) wall sign not exceeding one (1) square foot of sign area for each one (1) lineal foot of unit frontage.

November 9, 2021: Public Hearing:

Approving Resolution: That the request to utilize a Small Distiller license in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, is hereby approved, subject to City Council approval and the following conditions:

1. That the use of a Small Distiller license at this location shall be permitted only under the circumstances that the Zoning Ordinance standard set forth in Section 6.09(2)(A) requiring that there be at least one thousand feet (1,000') separation between any other licensed establishments is waived by the City Council.
2. That the aerial site plan submitted on October 12, 2021, is hereby approved and shall be adhered to.
3. That the maximum customer seating count for the tasting room shall not exceed a total of forty (40) seats.
4. That the hours of operation for public entry into the facility, including the tasting room and any other retail operations, shall be limited from noon to 10:00 p.m. Sunday thru Thursday, and from noon to 11:00 p.m. Friday and Saturday.
5. That the facility shall adhere to the International Fire Code (IFC), Michigan Building Code (MBC) and National Fire Protection Administration, Fire Code (NFPA) for all inspections, enforcements and project plan reviews.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
7. That no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
8. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for, and
9. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Denying Reasons: That the request to utilize a Small Distiller license in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use is in compliance with all of the general wavier use standards and requirements as set forth in Section 6.09 of the Livonia Vision 21 Zoning Ordinance.
2. That the proposed use fails to comply with the Zoning Ordinance standard set forth in Section 6.09(2)(A) with respect to the requirement that there be at least one thousand feet (1,000') separation between any other licensed establishments.
3. That there is no demonstrated need for a distillery and tasting room in this area of the City.
4. That the petitioner has not sufficiently demonstrated that the proposal would be compatible to and in harmony with surrounding uses in the area.
5. That the petitioner has failed to demonstrate that proper and adequate safety measures would be provided for the proposed use.
6. That the proposal is in conflict with the spirit and intent of the Zoning Ordinance to promote and encourage a balanced and appropriate mix of uses and not to oversaturate an area with similar uses, and
7. That the proposed use is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.



Home Improvement Center

Snooker's Pool & Pub
10000 sqft

Cleaning
1000 sqft

Sister Braiding Salon
1850 sqft

Pretty Girls Hair Boutique
1850 sqft

DOLLAR GENERAL

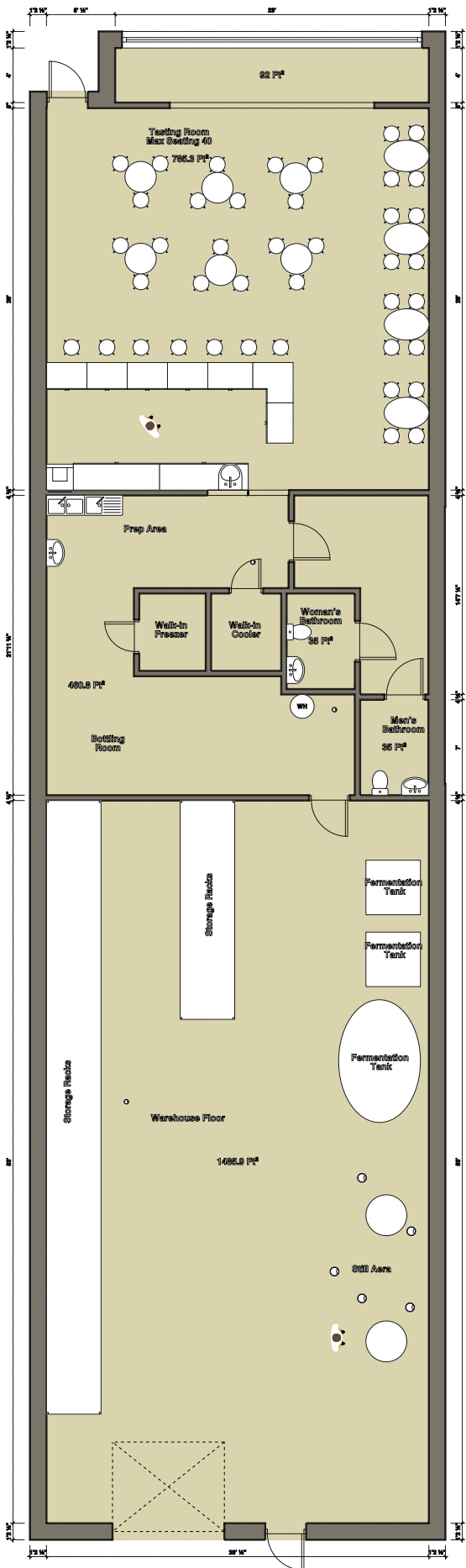
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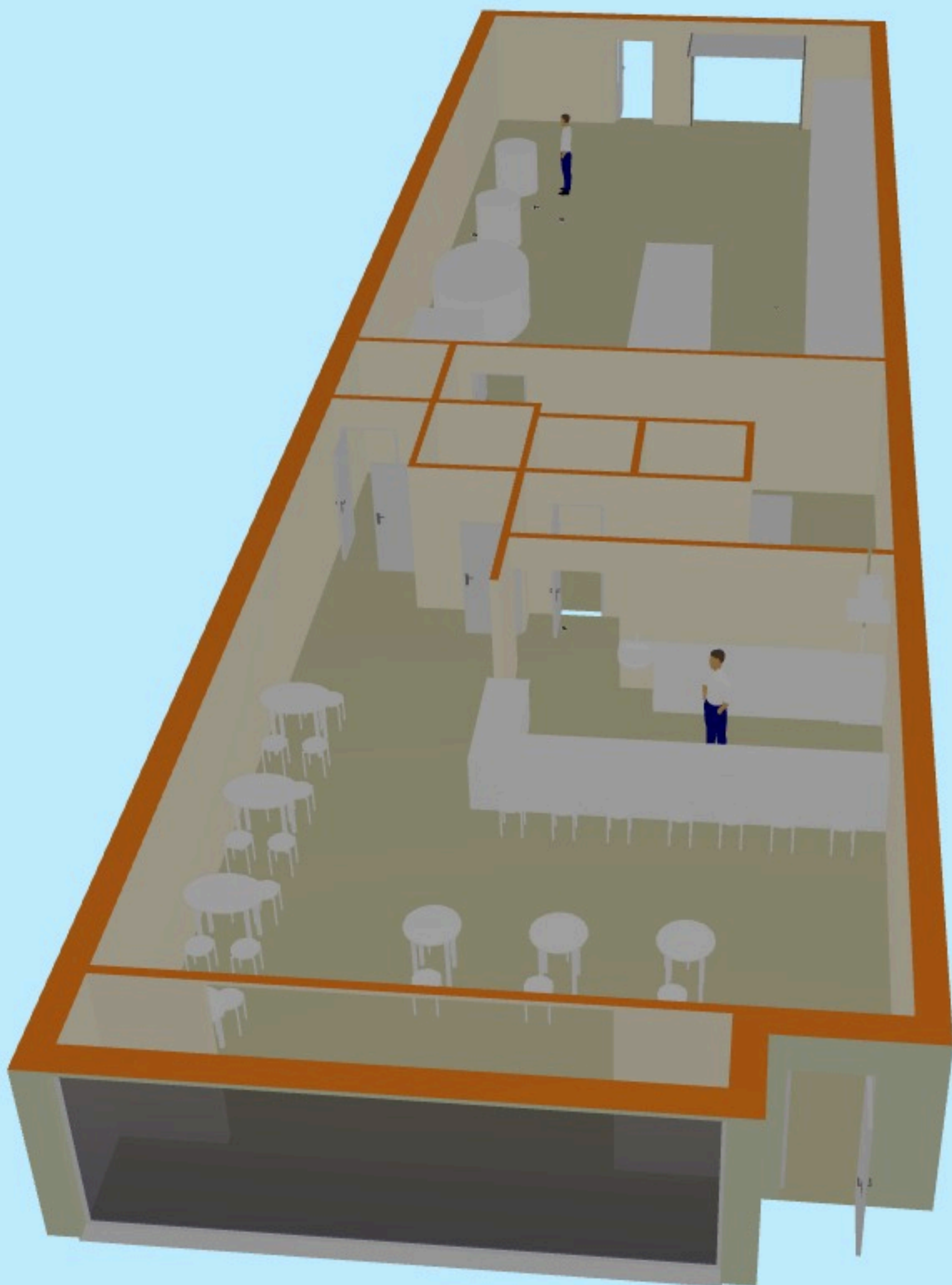


149,271+ VPD

Schoolcraft Rd 7,980+ VPD

Inkster Rd 23,769+ VPD









DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

October 19, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-10-02-20 – 27600 Schoolcraft Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the range of addresses of #27450 to #27650 Schoolcraft Road and #14019 to #14021 Inkster Road, with the address of **#27600 Schoolcraft Road** being assigned to the overall parcel.

The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems.

It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation (MDOT) or Wayne County, should any work occur within the I-96 or Inkster Road right-of-way's.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@livonia.gov or tzilincik@livonia.gov.

Sincerely,

A blue ink signature of David W. Lear, P.E. is written over a horizontal line.

David W. Lear, P.E.
Assistant City Engineer
cc: 2021 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: October, 25th 2021
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: **Petition 2021-10-02-20, 27600 Schoolcraft Road**

We have no objections to this proposal with the following stipulations:

Note: The Livonia Fire Department, Fire Prevention Division utilizes the 2015 versions of the International Fire Code (IFC), Michigan Building Code (MBC) and National Fire Protection Administration, Fire Code (NFPA) for all inspections, enforcements and project plan reviews.

When considering planning for this project, this location will be considered a “mixed-use” facility and will apply the appropriate codes (see above) during plan review and zoning compliance inspections.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

CURTIS CAID
CHIEF OF POLICE

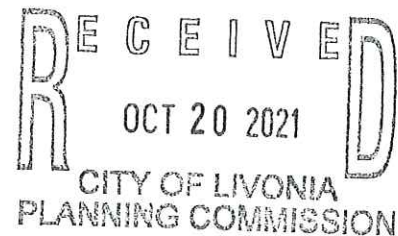


MAUREEN MILLER BROSNAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

October 15, 2021

Mr. Scott Miller
City of Livonia Planning Dept
33000 Civic Center Drive
Livonia, MI 48154



Re: Petition 2021-10-02-20 – 27600 Schoolcraft Rd

Mr. Miller,

I have reviewed the plans in connection with the petitions. I have no objections to the proposals.

Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE,

Scott Szczepanski #543

Scott Szczepanski, Sergeant
Traffic Bureau
(734) 466-2107

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

CURTIS CAID
CHIEF OF POLICE



MAUREEN MILLER BROSNAN
MAYOR

15050 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5499
(734) 466-2470
FAX: (734) 261-2265

October 25, 2021

Scott Miller, Planner IV
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

RE; Petition 2021-10-02-20 – BBS Distilleries, L.L.C.

Dear Mr. Miller,

We reviewed the plans submitted by BBS Distilleries, L.L.C. requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance. It is the intent of the applicant to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room. The proposed location is 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast quarter of Section 24. The proposed site is one of the units of the Buckingham Village Shopping Center.

The submitted plan does not comply with prior separation requirement guidelines. The proposed establishment is inside the separation requirement distance of at least one thousand (1,000) feet from any existing Class C licensed establishment. Snooker's Pool & Pub at 27630 Schoolcraft (MLCC Business ID 237355) currently has a Class C license and is directly next door to the proposed establishment.

We would recommend that the Planning Department and City Council maintain separation requirement guidelines. It is our opinion that this guideline is good for local established businesses and maintains Livonia's family atmosphere.

We are available to provide any additional information you may desire on this subject.

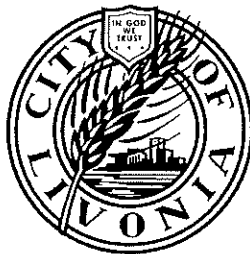
Sincerely,

FOR THE CHIEF OF POLICE,

Jeffrey W. Ronayne
Special Services Bureau

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: October 26, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-10-02-20 – 27600 Schoolcraft Road



Pursuant to your request, the above referenced Petition has been reviewed.

1. The petitioner's proposal is a change in use. This would require that the proposed space must conform to all current barrier free codes, building codes and all mechanical codes and standards. This will be addressed further at time of plan review if this project moves forward.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

October 13, 2021

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2021-10-02-20 - 27600 Schoolcraft Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

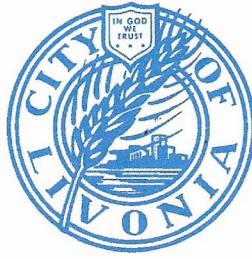
Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

October 22, 2021

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2021-10-02-20

27600 Schoolcraft Road
BBS Distilleries, LLC

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are no taxes due, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall – 525 W. Allegan, Lansing, MI 48933
Mailing Address: PO Box 30005, Lansing, MI 48909
Toll Free 866-813-0011 – www.michigan.gov/lcc

Distiller or Small Distiller Licensing Requirements & General Information

A Distiller license, also referred to as a Manufacturer of Spirits license, as defined by MCL 436.1107(8), is issued by the Michigan Liquor Control Commission to a person located in Michigan to manufacture spirits produced at the licensed distillery facility, to sell those spirits to the Commission for the sale and distribution through Authorized Distribution Agents (ADAs) to retailer licensees, and to sell its spirits to customers for consumption on or off the premises at a tasting room located on its manufacturing premises where it also holds an On-Premises Tasting Room Permit. A Distiller licensee may also sell spirits it manufactures at an approved tasting room off the manufacturing premises under an Off-Premises Tasting Room License or Joint Off-Premises Tasting Room License.

A Small Distiller license, as defined by MCL 436.1111(11), is issued by the Commission to a person located in Michigan to manufacture no more than 60,000 gallons of spirits per year, to sell those spirits to the Commission for the sale and distribution through Authorized Distribution Agents (ADAs) to retailer licensees, and to sell its spirits to customers for consumption on or off the premises at a tasting room located on its manufacturing premises where it also holds an On-Premises Tasting Room Permit. A Distiller licensee may also sell spirits it manufactures at an approved tasting room off the manufacturing premises under an Off-Premises Tasting Room License or Joint Off-Premises Tasting Room License.

How to Apply

All applicants requesting a new Distiller or Small Distiller license, seeking to transfer ownership of a Distiller or Small Distiller license, or transferring interest (stock or membership interest) in a Distiller or Small Distiller license must submit the following:

- **Application Form**

For a new Distiller or Small Distiller license or to transfer a Distiller or Small Distiller license - [Manufacturer License & Permit Application \(Form LCC-150\)](#)

To transfer interest in a Distiller or Small Distiller license – [License Interest Transfer Application \(Form LCC-101\)](#)

- **Inspection Fee** - A \$70.00 nonrefundable inspection fee is required for each license requested in an application. For example, if an applicant has requested a new Small Distiller license in conjunction with a new Micro Brewer license, the inspection fee would be \$140.00.

- **Local Approval** – If the applicant intends to sell spirits it manufactures under its Distiller or Small Distiller license in an approved tasting room located on the manufacturing premises under an On-Premises Tasting Room Permit, it must obtain the approval of the local legislative body of the local governmental unit where it will be licensed. The [Manufacturer License & Permit Application \(Form LCC-150\)](#) contains a Local Governmental Approval form (LCC-106a) that can be used by the local governmental unit to approve or disapprove the request for the On-Premises Tasting Room Permit. Local approval is not necessary for the Commission to consider approval and issuance of a Distiller or Small Distiller license when the applicant does not intend to sell its spirits to customers on the premises where it manufactures spirits and has not applied for an On-Premises Tasting Room Permit; however, applicants will still need to comply with any local ordinances specific to manufacturing operations.
- **License & Permit Fees** – The initial and annual renewal fee for a Distiller license is \$1,000.00 and for a Small Distiller license the initial and annual renewal fee is \$100.00. Additional fees will vary based upon whether additional licenses and permits are requested in conjunction with a Distiller or Small Distiller license. If the Distiller or Small Distiller license applicant plans to sell its spirits at retail on its manufacturing premises in a tasting room, it must also apply for an On-Premises Tasting Room Permit, for which the initial and annual renewal fee is \$100.00.
- **Livescan Fingerprints** – Applicants that have never been licensed through the Michigan Liquor Control Commission must submit fingerprints through the Livescan fingerprinting process - [Livescan Fingerprint Background Request Form](#).
- **Property Document** – Applicants must provide documentation that demonstrates they will have control over the property that comprises the proposed licensed premises. Property documents include deeds, land contracts, and lease agreements.
 - A provision to reassign the license in the event of a default on a land contract or termination of a lease agreement may be included, but may only provide for the reassignment subject to Commission approval.
 - If the applicant is a company and its members or stockholders own the real estate as individuals or under another company, a lease agreement is needed.
 - If the applicant is an individual and he or she owns the real estate with a spouse or someone else who will not be named on the license, a lease between the applicant and the owners of the real estate is needed.
- **Federal Basic Permit** – Applicants must provide a copy of the federal Basic Permit issued by the federal Alcohol and Tobacco Tax and Trade Bureau (TTB) prior to issuance of the Distiller or Small Distiller license. This is not required to be submitted at the time of application with the Commission, but should be applied for through the TTB as soon as possible, as the TTB process may take longer to complete than the Michigan licensing process.
- **Purchase Agreement** – Applicants requesting to transfer a license from another licensee must submit an executed purchase agreement or other documentation

signed by both the applicant and the current licensee, which details the sale of the liquor license(s) and other business assets.

- Purchase agreements must specifically indicate that the liquor license is being sold and provide the purchase price and terms of the sale.
- Purchasers of on-premises licenses must have at least 10% of the purchase price of the business, excluding real estate.
- Purchase agreements that are not for cash only sales and include real estate must list the personal property, including the licenses, and real estate with the terms and price for each.
- If the personal property and real estate are being purchased by separate people or entities, the purchase agreement must indicate those names and who is purchasing which items.
- If the applicant will not pay the full purchase price at closing, the balance due may be covered by a security agreement or promissory note. Alcoholic beverage inventory cannot be included on a security agreement or promissory note.

In addition to the documents required by all applicants:

Corporations must submit the following information per Administrative Rule R 436.1109:

- Copy of current, filed Articles of Incorporation.
- Current Certificate of Good Standing from the state where incorporated and Certificate of Authority to Do Business in Michigan, if incorporated outside of this state.
- Certified copy of the minutes of a meeting of its board of directors or a statement signed by an officer of the corporation naming the persons authorized by corporate resolution to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Limited Liability Companies (LLC) must submit the following information pursuant to Administrative Rule R 436.1110:

- Copy of Articles of Organization and copies of any amendments to the Articles of Organization.
- Current Certificate of Authority to Do Business in Michigan, if the LLC is a non-Michigan LLC.
- Copy of Operating Agreement entered into by members.
- Copy of most recent annual statement filed with the Corporations Division, if an existing LLC.
- Statement signed by a manager of the limited liability company or by at least 1 member if management is reserved to the members naming the person authorized to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Partnerships must submit the following information per Administrative Rule R 436.1111:

- Partnership Agreement, if a Limited Partnership.
 - [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)
-

Licensing Process

- The Licensing Division reviews the application and corresponding documents for completeness and verifies the appropriate fees have been received. If additional documents, fees, or corrections to documents are needed, Licensing will notify the applicant.
- Once all the necessary documents have been received Licensing will submit the request to the Enforcement Division for its investigation.
- The Enforcement Division will contact the applicant to schedule an interview with the applicant (and current licensee for license transfers). At this meeting an investigator will review with the applicant documents, including:
 - purchase agreement
 - financial documents
 - property documents
 - other items pertaining to the application
- After the interview, the investigator will prepare a report for the Commission regarding the investigation and submit the request back to Licensing for further processing.
- Licensing reviews the report from Enforcement and any additional documents received during the interview process. The request is prepared for the Commission to consider and placed on a docket for an upcoming licensing meeting.
- The Commission considers the request, including:
 - the liquor license operating history of the applicant (if a current or prior licensee)
 - the arrest and conviction record of the applicant
 - whether the applicant meets the requirements for a license
 - the applicant's financial information
 - opinions of the local legislative body or police department, if received.
- The Commission will approve or deny the request based on these factors. Occasionally, the Commission will request more information from the applicant before making a final decision.
- After the Commission makes a decision on the request, the file is returned to Licensing for final processing.
 - Approval orders are sent to the applicant requesting any final items before the issuance of the license.

- Denial orders are sent to the applicant and the applicant may appeal the decision.
 - When all the final items are received by Licensing, the completed request is forwarded to the Renewal Unit for the issuance of the physical license documents.
 - Any changes in financial provisions at the time of closing which do not conform to the terms previously indicated and investigated may require submission of new forms and possible additional investigation.
-

Permits, Permissions, and Authorizations

On-Premises Tasting Room Permit – This permit allows the Distiller or Small Distiller license to sell spirits it manufactures to customers for consumption on or off in an approved tasting room located on the manufacturing premises. If the licensee is also licensed to manufacture beer, spirits, or mixed spirit drink products at the same location where it is licensed with a Distiller or Small Distiller license, it may also sell those products in the approved tasting room that is issued this permit.

A licensee issued an On-Premises Tasting Room Permit must maintain Proof of Financial Responsibility, or liquor liability insurance, as required by MCL 436.1536(7)(e) and MCL 436.1803 [see [Proof of Financial Responsibility form \(Form LC-95\)](#)], and must comply with the minimum [server training requirements](#) for retail sales as required by MCL 436.1535(7)(d) and MCL 436.1906.

On-Premises Tasting Room Permit limits for Distiller or Small Distiller licenses:

- A Distiller or Small Distiller licensee must manufacture spirits on the premises where they are sold in an On-Premises Tasting Room Permit location.
- May sell spirits for consumption off the premises.
- May sell and serve full size drinks.
- No size or number limit on tasting samples.
- May serve food or have a restaurant in conjunction with the On-Premises Tasting Room Permit.

Sunday Sales Permit (A.M.) - A permit that allows the sale of spirits on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

Sunday Sales Permit (P.M.) - A permit that allows the sale of spirits on Sundays after 12:00 noon, if allowed by the local unit of government.

Specific Purpose Permit - A permit that allows specific types of activities (such as the service of food, sporting activities, meetings, etc.) to occur on the licensed premises outside the legal hours for the sale of alcohol. A specific purpose permit does not allow the sale of alcohol outside of the legal hours of sale.

Dance Permit - Allows dancing by patrons of a business with an on premises license. Often combined with an Entertainment Permit.

Entertainment Permit - Permits certain types of live entertainment at a business with an on premises license. An entertainment permit does not allow topless activity. Often combined with a Dance Permit.

Extended Hours Permit - A permit held in conjunction with a Dance or Entertainment Permit (or both) that allows dancing or entertainment on the licensed premises outside the legal hours for the sale of alcohol. An Extended Hours Permit does not allow the sale of alcohol outside of the legal hours of sale.

Catering Permit - Authorizes a holder of a Distiller or Small Distiller license to sell, deliver, and serve spirits in the original containers at private events. A licensee must have a food service establishment license or retail food establishment license to qualify for this permit.

Living Quarters Permit - Allows living quarters to be directly connected to the licensed premises.

Direct Connection permission - Allows connections from the licensed premises to unlicensed premises.

Outdoor Service authorization - Authorization granted by the Commission for a license to sell alcohol outdoors in an area controlled by the licensee. This can be a patio area next to the licensed premises or a space as large as a golf course

Off-Premises Tasting Room License or Joint Off-Premises Tasting Room License

A Distiller or Small Distiller licensee may have an approved tasting room at a location off its licensed manufacturing premises where it may sell spirits it makes under an Off-Premises Tasting Room License. Two or more Distiller or Small Distiller licensees may also operate a joint tasting room together off their licensed manufacturing premises under Joint Off-Premises Tasting Room Licenses. If the Distiller or Small Distiller licensee also holds a Wine Maker or Small Wine Maker license at a different location, it may also sell wine it manufactures at the Off-Premises Tasting Room licensed location. See the [Off-Premises Tasting Room License & Permit Application \(Form LCC-150a\)](#) or the [Joint Off-Premises Tasting Room License & Permit Application \(Form LCC-150b\)](#) for details on the requirements for off-premises tasting room licenses.

A Distiller or Small Distiller licensee that also holds a Mixed Spirit Drink Manufacturer license may sell mixed spirit drink products it manufactures under its Mixed Spirit Drink Manufacturer license at a location where it holds an Off-Premises Tasting Room License or Joint Off-Premises Tasting Room License.

Consumer Sampling Event License

A Distiller or Small Distiller licensee may obtain a Consumer Sampling Event license which allows spirit samplings to be conducted on the licensed premises of Specially Designated Distributor (SDD) licensees. There is a one-time \$70.00 inspection fee for this license. The [Consumer Sampling Event License Application \(LCC-256\)](#) contains details on the requirements for this license.

Notification of spirit sampling events must be received at least 10 days prior to the event on the [Consumer Sampling Event Notification \(LCC-258\)](#). A Salesperson licensee representing the Distiller or Small Distiller licensee that is conducting the spirit sampling event must have successfully completed a server training program approved by the Commission.

Churches & Schools

A new application to sell alcoholic beverages at retail under an On-Premises Tasting Room Permit, or a request to transfer location of an existing license that intends to sell alcoholic beverages under an On-Premises Tasting Room Permit, may be denied if the contemplated location is within 500 feet of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school does file an objection, the Commission shall hold a hearing before making a decision on the issuance of the license.

Michigan Department of Agriculture & Rural Development Requirements

Facilities that manufacture alcoholic products in Michigan must be licensed through the Michigan Department of Agriculture & Rural Development (MDARD) in addition to licensure through the Commission. You may contact MDARD regarding the licensing requirements for the type of establishment for which you are applying by calling, toll-free, 800-292-3939 or visiting www.michigan.gov/mdard.

Michigan Spirit Distribution System

Michigan operates as a control state for the sale of spirits, which means the Commission acts as the wholesaler for all spirit products. A Vendor of Spirits sells spirits to the Commission. The Commission then resells the spirits to both on-and-off-premises retailer licensees.

Spirit products are warehoused and delivered to retail licensees by Authorized Distribution Agents (ADA). An ADA is required to be certified by the Commission and is

also required to have a contract with each Vendor of Spirits they represent to deliver their particular spirit products. Spirit products that are sold to consumers for off-premise consumption by licensed Specially Designated Distributors (SDD) are sold statewide at uniform prices set by the Commission. The uniform price set by the Commission is determined by the cost of the spirit product to the Commission plus a 65% mark-up, plus a combination of specific taxes.

Vendor of Spirits

A Distiller or Small Distiller licensee must also register with the Commission as a Vendor of Spirits in order to sell their spirit products to the Michigan Liquor Control Commission. The Commission purchases spirits from Vendors of Spirits. The Vendor of Spirits is responsible for registering product lines and filing quotations with the Commission. The Commission then adds the statutory mark-up (currently 65%) and specific taxes (currently totaling 12%) and sells the spirits to licensed retailers who in turn may sell to consumers. There is no fee for registering as a Vendor of Spirits. There is also no licensing investigation for registering as a Vendor of Spirits. However, Vendors of Spirits are required to license an individual as a Vendor Representative who will represent them in transactions with the Commission. The Vendor Representative license fee is \$50.00 for a three-year period.

Additional information on registering as a Vendor of Spirits, applying for a Vendor Representative license, and the what is required to list spirits with the Commission to be distributed through the ADAs may be found at the Commission's Website at: https://www.michigan.gov/lara/0,4601,7-154-89334_10570_13127---,00.html.

Self-Distribution of Spirits Products by Small Distiller Licensees

- A Small Distiller licensee may self-distribute spirits products that it manufacturers to retailer licensees in Michigan if it does not sell more than 3,000 gallons of spirits to retailers, whether in Michigan or another state, in a calendar year.
- The licensee cannot self-distribute spirits products that are listed in the Commission's price book.
- The licensee must register the spirit products in [EQuote](#) the same way that it registers products it sells exclusively in its tasting room. The licensee will choose "MI. SMALL DISTILLERS" from the ADA drop-down box in EQuote to register products for self-distribution. Any products that are already registered under "MI. SMALL DISTILLERS" for tasting room only sales, may also be self-distributed without registering them again.
- The licensee must comply with the uniform pricing set by the Commission for spirits products. The Commission will send the licensee the minimum shelf price after the products are registered through EQuote.

- The licensee must report and pay the applicable taxes on the products sold. After products are registered through EQuote, the Commission will send the licensee the tax rate schedules to use for calculating the taxes. The licensee must file, on a monthly basis, the [Michigan Small Distiller Monthly Self-Distribution Monthly Report of Sales \(LCC-820\)](#) for all self-distributed sales. If the licensee has no self-distributed sales, it must check the box listed on the [Michigan Small Distiller Monthly Tax Report \(LC-804\)](#) that says the licensee had no self-distributed sales for that month. If the box for no-self-distributed sales is checked, form LCC-820 does not need to be submitted with the tax form, LC-804.
 - The deliveries must be made by the licensee's own employees. The employees must be individually licensed with a Salesperson license, unless otherwise exempt under the law. Please visit the [Salesperson License Information webpage](#) on the MLCC website for more details on Salesperson license requirements.
 - The deliveries must be made in vehicles owned by the licensee. These vehicles must have been issued a delivery vehicle decal by the MLCC. The licensee may apply for vehicle decals using the [Delivery Vehicle Decal Application \(LCC-351\)](#).
 - A new Small Distiller licensee must obtain a Vendor Representative license, become a Vendor of Spirits, and obtain credentials to access EQuote. All new items must be quoted in EQuote and they will be taken to the Commission for consideration to list in Michigan.
-

Manufacturing & Labeling

Spirits must be manufactured, identified, and labeled in accordance with federal spirit regulations published in Code of Federal Regulations Title 27, part 19 and Title 27, part 5. pursuant to R 436.1707 and R 436.1708.

All spirit products must be registered with the Commission prior to their introduction in Michigan. All spirits are now registered on-line through the Commission's [E-Quote system](#). For more information on Michigan's on-line E-Quote spirit product registration system, visit the Commission's E-Quote information webpage at https://www.michigan.gov/lara/0,4601,7-154-89334_10570_66993---,00.html or contact the Commission's Financial Management Division at (517) 284-6260.

Mandatory label information, pursuant to TTB regulations:

- Brand name.
- Class, type or, in lieu of, a truthful & adequate statement of composition shall appear on the brand label of the product.
- Name and address of bottler or packer where bottled or packed.
- Net contents.
- Government Warning Statement.
- Alcohol content.

For federal labeling information contact the TTB at 866-927-2533 or www.ttb.gov.

Salesperson Licenses

Any person employed by a Distiller or Small Distiller licensee to sell, deliver, promote, or otherwise assist in the sale of alcoholic liquor in this state is required to hold a Salesperson license issued by the Commission. Employees who work exclusively at the brewery premises and have no contact with wholesalers, retailers, or consumers off the licensed premises do not need a Salesperson license. Salesperson licensees must be at least 18 years of age and are prohibited from being employed by a retailer-tier licensee on a paid or any other basis. For more details on Salesperson licensee requirements and exceptions to the requirements for certain employees please visit the Commission's webpage for Salesperson licensing information: https://www.michigan.gov/lara/0,4601,7-154-89334_10570_16941-456243--,00.html.

Record Retention and Inspection of Premises and Records

All licensees are required to maintain all sales, purchase, and Salesperson licensee expense records for a minimum of four years. Records may be maintained electronically or otherwise as long as a hard copy of the record can be created upon demand.

A licensee must make the licensed premises available for inspection and search by a Commission Investigator or any law enforcement officer empowered to enforce the Commission's rules and code during regular business hours or when the premises is occupied. The Commission or its duly authorized agent may examine the books, records, or papers of a licensee.

From: [Farzan Rafieyan](#)
To: [Planning](#)
Subject: BBS Distilleries L.L.C
Date: Saturday, November 6, 2021 8:44:58 AM

To whom it may concern,

When I received a letter from city of Livonia regarding petition for BBS distilleries, I thought it would be beneficial for the area, but it would be an area of concern for residents who their houses would be in the vicinity of this small business. This small business will be 3 blocks down back of my house, and from I have seen, it would be troublesome for me to know people who may use this business, may have impaired judgment after exiting from this venue. What's this small business plan for securing the area? Do they plan to install surveillance cameras around it? What's their traffic plan for amount of traffic that comes to this parking lot? Does it impact traffic around Inkster and Schoolcraft?

I would feel safe if the city agrees to block the alley behind all businesses, and redirect them to bring their products from the front.

Regards,

Farzan Rafieyan

Resident at 27705 Buckingham Ave.

UNAPPROVED MINUTES

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MINUTES OF THE 1,178th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, November 9, 2021, the City Planning Commission of the City of Livonia held its 1,178th Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present: David Bongero Sam Caramagno Glen Long
Carol Smiley Peter Ventura Ian Wilshaw

Members absent: Betsy McCue

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #2 PETITION 2021-10-02-20 BBS Distilleries, L.L.C.

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast ¼ of Section 24.

Mr. Taormina: This request seeks approval to utilize a small distiller license in connection with the operation of a distillery and tasting room. The location is the Buckingham Village Shopping Center located at the northwest corner of Schoolcraft and Inkster Roads. The zoning of the property is C-2 (General Business), which treats microbrewers, brewpubs, and distilleries as a waiver-use. Buckingham Village is a multi-tenant complex that is made up of four different parcels with three different owners. The combined land area, not including the corner gas station and the former Frank's Nursery properties, is 7.53 acres. Altogether, there are over 20 tenant spaces. I apologize, I have the wrong plan being shown here. There we go. Altogether, there are 20 tenant spaces occupying about 78,000 square feet of retail space. The majority of the storefronts face Schoolcraft Road. The proposed distillery would be near the west end of the plaza, which is immediately adjacent to Snookers Pool and Pub. Abutting the site to the north are single-family homes that are part of the Buckingham Village Subdivision. The Michigan Liquor Control Commission rules as applied to the holder of a small distiller license allows the licensee to manufacture spirits, offer free samples to consumers, and sell spirits to consumers for both consumption on premises and off premises. The licensee may not sell spirits directly to Michigan retailers, but they can sell them to the Commission, who then resells those products to retailers throughout pursuant to their spirit distribution system. The proposed tenant space where the distiller would go was previously occupied by a Subway sandwich shop. This unit measures 28 feet by 100 feet for a total of approximately 2,800 square feet and it provides the necessary area and depth for the distiller's various business operations. These include the front part of the unit, which would consist of the tasting room. The middle section, which includes the distilleries prep and assembly area, as well as a bottling room, cold storage, and restrooms. The rear portion of the unit would house the distilling manufacturing operations. This includes the stills, the fermentation tanks, as well as storage racks. The floor plan for the tasting room shows a bar along with tables and chairs with a capacity to accommodate 40 customers. There would be no kitchen and no food preparation. Only pre-packaged food and snacks would be served. Access in parking at the shopping center are shared between the several businesses that make up the overall complex. Records show that the former Subway restaurant was limited to 30 seats, and although the proposed distillery would have 10 more customer seats, parking at the center should be adequate. That is because of the shared

parking arrangement. The Zoning Ordinance does prohibit brewers, microbrewers, brew pubs, and distilleries from operating within 100 feet of any other such licensed establishment. This requirement applies to the on-premises consumption of alcohol, including businesses that operate with a Class-C license, like Snookers Pool and Pub, which is located immediately adjacent to the proposed distillery and tasting room. Thus, the 1000-foot separation requirement, in this case, would have to be waived by City Council. The Zoning Ordinance also prohibits on-premises licensed establishments from operating within 400 feet of churches and school buildings. In this case, no church or school buildings exist within 400 feet of the subject location. There are no proposed exterior modifications to the unit. Signage has not been reviewed, but they would be entitled to one sign that would be limited to one square foot of sign area for each one foot of unit frontage. In this case, 20 square feet would be the limit. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated October 19, 2021, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the range of addresses of #27450 to #27650 Schoolcraft Road and #14019 to #14021 Inkster Road, with the address of #27600 Schoolcraft Road being assigned to the overall parcel. The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems. It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation (MOOT) or Wayne County, should any work occur within the 1-96 or Inkster Road right-of-way's."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated October 25, 2021, which reads as follows: *"We have no objections to this proposal with the following stipulations: Note: The Livonia Fire Department, Fire Prevention Division utilizes the 2015 versions of the International Fire Code (IFC), Michigan Building Code (MBC) and National Fire Protection Administration, Fire Code (NFPA) for all inspections, enforcements and project plan reviews. When considering planning for this project, this*

location will be considered a "mixed-use" facility and will apply the appropriate codes (see above) during plan review and zoning compliance inspections." The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated October 15, 2021, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Division of Police dated October 25, 2021, which reads as follows: " We reviewed the plans submitted by BBS Distilleries, L.L.C. requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance. It is the intent of the applicant to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room. The proposed location is 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast quarter of Section 24. The proposed site is one of the units of the Buckingham Village Shopping Center. The submitted plan does not comply with prior separation requirement guidelines. The proposed establishment is inside the separation requirement distance of at least one thousand (1,000) feet from any existing Class C licensed establishment. Snooker' s Pool & Pub at 27630 Schoolcraft (MLCC Business ID 237355) currently has a Class C li cense and is directly next door to the proposed establishment. We would recommend that the Planning Department and City Council maintain separation requirement guidelines. It is our opinion that this guideline is good for local established businesses and maintains Livonia's family atmosphere." The letter is signed by Jeff Ronayne, Special Services Bureau. The next letter is from the Inspection Department, dated October 26, 2021, which reads as follows: *"Pursuant to your request, the above referenced Petition has been reviewed. 1. The petitioner's proposal is a change in use. This would require that the proposed space must conform to all current barrier free codes, building codes and all mechanical codes and standards. This will be addressed further at time of plan review if this project moves forward. This Department has no further objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated October 13, 2021, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department,

dated October 22, 2021, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. Lastly, we did receive an email correspondence from a resident who gives their name as Farzan Rafieyan, dated November 6, 2021, and it reads as follows: *"To whom it may concern, When I received a letter from city of Livonia regarding petition for BBS distilleries, I thought it would be beneficial for the area, but it would be an area of concern for residents who their houses would be in the vicinity of this small business. This small business will be 3 blocks down back of my house, and from I have seen, it would be troublesome for me to know people who may use this business, may have impaired judgment after exiting from this venue. What's this small business plan for securing the area? Do they plan to install surveillance cameras around it? What's their traffic plan for amount of traffic that comes to this parking lot? Does it impact traffic around Inkster and Schoolcraft? I would feel safe if the city agrees to block the alley behind all businesses, and redirect them to bring their products from the front. Regards, Farzan Rafieyan"* and he gives his address as 27705 Buckingham, Livonia, MI. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? Is the petitioner here this evening? We will need your name and address for the record please.

Jason Mitchell, 9919 Merriman, Livonia, MI 48150.

Mr. Wilshaw: We talked a little bit about your petition at the study meeting, but this is your opportunity to get everything on record and tell us about why you are looking to move your business to this location.

Mr. Mitchell: Currently we are operating in Livonia. Our current location...we are all industrial. We do not have a tasting room. It is something that helps us promote our product and help us get sales out there. It is not so much that we are looking to operate like a Class-C bar type venue. We do allow free samples. The State allows us to give those out. Again, all the personnel that we do have serve customers, clients coming in, they all go through training that a bartender would receive. Like to look out for issues before they happen when it comes to people

becoming intoxicated and also knowing how to serve them properly so that doesn't happen. That is the opportunity there. We do realize that it is close to Snookers. We do know that there is some issue there. We have spoken with Snookers, and they aren't really opposed to us being there. They feel like we might actually bring different clientele there. It may be beneficial that way. We are limited where we can go to stay in Livonia. We have been looking and there is very few spots for us. Like many of our other co-tenants in our building, we have been pushed out for other businesses that are willing to pay drastically more on rent than we can afford. Other than that, we would like to stay in Livonia. I have been here for quite some time now. I like the community. I like helping the community. When we did the distillery and we were starting up, we were in the middle of COVID we helped out anyone we could. We donated hand sanitizer that we were producing. We donated it to the city here for everyone. Garden City as well, and Westland. We don't want to leave Livonia, but we are at that point of where we are either looking at being closed down in this building...it's nice but not perfect or having to go somewhere else. That is the point really where we are. I don't know what else to do to stay around here and be a part of it still. I don't know what else I can say.

Mr. Wilshaw: I think that is a very good start, Mr. Mitchell. We will see if we have any questions from any of our commissioners for you. Maybe we can find out more about your business along the way.

Ms. Smiley: Can you tell us a little bit about your products? What is it that you make?

Mr. Mitchell: Right now, our predominant products are unaged corn whiskey and we do label them with the special name Moonshine. We also have a Vodka that we are coming out with that is also made with corn. It is just a little bit higher proof so we can get the Vodka. That is what another gentleman that has a business in Redford...we kind of network with them. We also have another product called Heat, which is something kind of new. It is a capsaicin infused product. It is new on the market. It took quite a while to get it FDA approved and then they had just made capsaicin more of a medicine for arthritis and muscle aches and things at that time. With our moonshine they are available in varying degrees of proofage from 45 to 150. We have ones that are made with fruits. We have straight ones. We have ones that are synthetically aged, I guess, with

electrolysis in the wood to age it quicker. We are also working on a couple of products with a few other local businesses around Livonia. It takes a little time to get the formulas down and get them all approved.

Ms. Smiley: Okay. The distillery is your primary business. You aren't really looking to open a bar? It is more of a tasting kind of thing.

Mr. Mitchell: At that point we are allowed to sell bottles to general public which is...we get a lot of people that want to come in and want to see what is going on and see what we are doing. At the same time at this point we do not have that ability. Here we would. We have to turn them away. Here we could actually allow them to come in and see our products and see what is going on. Allow them to try different ones and eventually purchase from us which we make a bit more percentage than having to send it through the State system. The three-tier system with the State is...it works, it is just...it is hard on us because we are small. The State may hold our money 30 days, or they may hold our money 90 days depending on how their pay schedules work out. At the same time, we are depending on a third-party to deliver our products and also get the orders in for us. Many times...we have several products now, actually four of them which our customers can order but can't receive due to technical issues with our distributor. They are just sitting there. They have been sitting there in a warehouse for almost four months. With the tasting room we are able to move our own products instead of just letting them sit.

Ms. Smiley: So, you have a distributor that goes to ...

Mr. Mitchell: The State allows you to pick one distributor. There are three distributors in the State of Michigan.

Ms. Smiley: So, you picked a distributor, and they take it to the Wine Castle or whatever?

Mr. Mitchell: Yeah. They go to the retail locations at that point.

Ms. Smiley: The liquor stores around the city. Are you...do you just distribute in Livonia or are you outside of Livonia?

Mr. Mitchell: We are throughout the State of Michigan.

Ms. Smiley: Okay. Thank you.

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- Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions?
- Mr. Bongero: Just a couple questions. What hours would you have? What hours of operation?
- Mr. Mitchell: Like back on the distillery side we will have like a 9 a.m. to maybe 9 p.m. would be operating. It may vary depending on what is going on, what processes. Out front we don't want to open up that early. Maybe 2 or even possibly 4 p.m. start time, mimicking a few of the other distilleries. In closing up...we aren't trying to stay open all night to compete with the bars or nothing like that. I like to get home and go to sleep myself.
- Mr. Bongero: One of the neighbors behind you there had a concern about surveillance and the alley in the back. Is there...you probably haven't given much thought to that. If it would have to be something that you would have to cooperate with the other tenants there but...
- Mr. Mitchell: We already planned on putting on surveillance system canvassing throughout and outside. Security systems are required by the Federal as well. As far as danger of actually transporting it through the back of the building, we have an area back there. There is a kind of pad that is not in the alley way. We can unload trucks and everything and at the same we can move through that alley. As I know the...for the safety and everything I know the area. It has a little bit a decan going on, but I used to be a tenant in that building back in like 2012 to 2014. It is kind of familiar to me. I am not too worried about it. Everyone...some of the landlords are still there. It is like three different landlords that own that little plaza.
- Mr. Bongero: So, deliveries and stuff won't be going on late at night or...
- Mr. Mitchell: No. Actually, what we do now...our distributor is on Eckles Road, and we just drive it to them. We drive our truck and take a pallet there. Yeah. We are not bringing in...sometimes we get...when they ship stuff to us, they will have R & L Carriers so they will bring a full semi-truck in there, but for our products and stuff we are still moving in small vehicles and everything. We are not getting semi-truck loads of alcohol back there.
- Mr. Bongero: Sounds good. Thank you.
- Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions from anyone on the Commission?

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Mr. Taormina: Thank you. It is really a follow-up on Commissioner Bongero's question. Shipping and receiving would all be handled through the back?

Mr. Mitchell: We would prefer that. That way we are not in the parking lot.

Mr. Taormina: What would be the largest vehicle that you would bring back there?

Mr. Mitchell: I mean there is potential for full-size semi-trucks. 52-foot trailer.

Mr. Taormina: You think that would work in that space?

Mr. Mitchell: We have brought them in before when I was there before.

Mr. Taormina: Okay. Again, it looks like you may have the room, although it would be tight.

Mr. Mitchell: It is tight, but they can do it. The same way that the Dollar Store brings in their trucks as well.

Mr. Taormina: Any overnight storage of vehicles on the premises?

Mr. Mitchell: There may be. We do have delivery vans, but they are just Dodge Caravans.

Mr. Taormina: It would be just a couple vans in the back?

Mr. Mitchell: Yeah.

Mr. Taormina: Thank you.

Mr. Wilshaw: Thank you, Mr. Taormina. Any other questions for our petitioner? Is there anybody in the audience that wishes to speak for or against this item? Seeing no one coming forward. I know you have your team here, so I am sure they are in support of that. If there is no other questions, is there any closing comments you would like to make before we make our decision?

Mr. Mitchell: No. I went over everything, I guess. I appreciate you guys spending the time talking with me. Hopefully, we can make things work here.

Mr. Wilshaw: Thank you, Mr. Mitchell. I just wanted to say that I appreciate you telling the background of your business because that all goes into our minutes and the City Council will have an opportunity to also read that and understand your business. Mr. Caramagno?

Mr. Caramagno: The question that I have got is, I would like to dial in...what would be the hours for the tasting room that you would like?

Mr. Mitchell: Ideally, it would be like 4 to 10.

Mr. Caramagno: 4 p.m. to 10 p.m.?

Mr. Mitchell: Yup. Monday...we wouldn't do anything on Sunday and probably like a Tuesday through Saturday and closed on Sunday's and Monday's. Distiller operations would be different because depending on when we are batching and everything, we may work on a Sunday to make sure that things aren't going sour, so to speak.

Mr. Caramagno: Okay, thank you.

Mr. Wilshaw: Alright, thank you, Mr. Caramagno. Any other questions? If not, I am going to close the Public Hearing and a motion would be in order.

On a motion by Long, seconded by Bongero, and unanimously adopted, it was

#11-61-2021 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on November 9, 2021, on Petition 2021-10-02-20 submitted by BBS Distilleries, L.L.C., requesting waiver use approval pursuant to Section 6.09 of the Livonia Vision 21 Zoning Ordinance to utilize a Small Distiller license (manufacturer of no more than 60,000 gallons of spirits per year) in connection with the operation of a distillery and tasting room at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast $\frac{1}{4}$ of Section 24, the Planning Commission does hereby recommend to the City Council that Petition 2021-10-02-20 be approved subject to the following conditions:

1. That the use of a Small Distiller license at this location shall be permitted only under the circumstances that the Zoning Ordinance standard set forth in Section 6.09(2)(A) requiring that there be at least one thousand feet (1,000')

separation between any other licensed establishments is waived by the City Council.

2. That the aerial site plan submitted on October 12, 2021, is hereby approved and shall be adhered to.
3. That the maximum customer seating count for the tasting room shall not exceed a total of forty (40) seats.
4. That the hours of operation for public entry into the facility, including the tasting room and any other retail operations, shall be limited from noon to 10:00 p.m. Sunday thru Thursday, and from noon to 11:00 p.m. Friday and Saturday.
5. That the facility shall adhere to the International Fire Code (IFC), Michigan Building Code (MBC) and National Fire Protection Administration, Fire Code (NFPA) for all inspections, enforcements and project plan reviews.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
7. That no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
8. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for, and
9. Pursuant to Section 13.13 of Livonia Vision 21 Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.



Local Government Approval For On-Premises Tasting Room Permit
(Authorized by MCL 436.1536)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new On-Premises Tasting Room Permit application.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)

Moved by _____ and supported by _____
that the application from BBS Distilleries LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for a **NEW ON-PREMISES TASTING ROOM PERMIT**

to be located at: 27600 Schoolcraft RD Livonia MI 48154

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____
(regular or special) (date) (township, city, village)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933

Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906

Fax to: 517-763-0059

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

8

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

14. REQUEST TO AMEND SITE PLAN PETITION: Kroger/Northridge Commons, re: Petition 2021-07-08-04, requesting to amend site plan and conditions previously approved by the City Council on September 20, 2021, to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4. (CR 289-21)

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a site plan amendment that's in connection with the recently approved expansion of the Kroger grocery store at the Northridge Commons Shopping Center. It involves the relocation of one of the tenants, Scrappy Chic, and just to cut through the chase, actually Scrappy Chic is located in a part of the building that is being demolished so the owners of the complex are trying to accommodate Scrappy Chic by providing a space for them, there is one space available a little bit further to the east, unfortunately this space is a little bit smaller than what they would like to operate with and to make up some of the difference, they're proposing a small expansion off the back of the shopping complex. That addition measures, I believe, 20-feet by roughly 50-feet, it would extend into the drive aisle and in order to accommodate traffic at the rear of the property, some of the parking spaces would be removed. This was discussed at the Planning Commission Meeting; it's been analyzed by the architect in terms of the turning dimensions and radius. The Planning Commission is recommending approval and it would keep Scrappy Chic at Northridge Commons which is the objective here.

Councilmember Toy stated this site is in need of some help, that Kroger store is a nice store but it just needs to be updated and I applaud the Petitioner for bringing this forward and investing in our community, this looks like it's going to be a great place to shop and attract great business over that way and with what is it, a nursing center going over there I think in that one lot, so you'll have a lot of various things going on

and hopefully that will fill up some of that empty space as well. So, I'm going to ask for an approving because I think they've done a terrific job and I applaud them and wish them success.

President McIntyre thanked the Petitioner and stated we're very excited about this project and as a customer, I haven't been there for a while, but Scrappy Chic did a really nice job and so it's great that we could find a way to keep them in that space, so thank you.

DIRECTION:	APPROVING (12/1 meeting)	CONSENT
------------	--------------------------	---------



LETTER TO THE LIVONIA CITY COUNCIL

8.

Planning
November 23, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Sara Kasproicz, Council Office Manager,

AGENDA ITEM

REQUEST TO AMEND SITE PLAN PETITION: Kroger/Northridge Commons, re: Petition 2021-07-08-04, requesting to amend site plan and conditions previously approved by the City Council on September 20, 2021, to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4. (CR 289-21)

BACKGROUND

RECOMMENDATION

At the 1,178th Public Hearing and Regular Meeting held by the City Planning Commission on November 9, 2021, the following resolution was unanimously adopted:

#11-64-2021 RESOLVED, That the City Planning Commission does hereby recommend to City Council the request to amend the plans of Petition 2021-07-08-04 Kroger/Northridge Commons, which received approval by the City Council on September 20, 2021 (CR 289-21) to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4, be approved subject to the following conditions::

1. That the Site Lease Plan identified as Sheet SP-1, dated September 30, 2021, as revised, prepared by Rogvoy Architects, is hereby approved, and shall be adhered to.
2. That the building materials of the addition shall match the building materials of the existing building, and
3. That all other conditions imposed by Council Resolution #289-21, which granted approval to redevelop portions of the commercial shopping center (Northridge Commons), shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

FISCAL CONSIDERATION

ATTACHMENTS

1. S112221 LTC Item 14
2. 2021-07-08-04_Kroger_Revision_E-COUNCIL Pkt
3. R092021 Approval of Petition 2021-07-08-04 CR 289-21 (Item 6)
4. S090921 2021-07-08-04_Kroger_E-COUNCIL Pkt

APPROVED BY



Date: November 16,
2021

Mark Taormina, Planning and Economic Development
Director



Date: November 17,
2021

Maureen Miller Brosnan, Mayor



LETTER TO THE LIVONIA CITY COUNCIL

14.

Planning
November 16, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

REQUEST TO AMEND SITE PLAN PETITION: Kroger/Northridge Commons, re: Petition 2021-07-08-04, requesting to amend site plan and conditions previously approved by the City Council on September 20, 2021, to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4. (CR 289-21)

BACKGROUND

RECOMMENDATION

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1. That the Site Lease Plan identified as Sheet SP-1, dated September 30, 2021, as revised, prepared by Rogvoy Architects, is hereby approved, and shall be adhered to.
2. That the building materials of the addition shall match the building materials of the existing building, and
3. That all other conditions imposed by Council Resolution #289-21, which granted approval to redevelop portions of the commercial shopping center (Northridge Commons), shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-07-08-04_Kroger_Revision_E-COUNCIL Pkt

APPROVED BY



Date: November 16, 2021

Mark Taormina, Planning and Economic Development Director



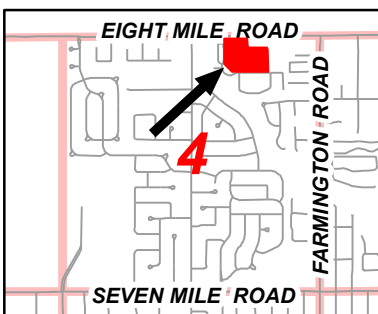
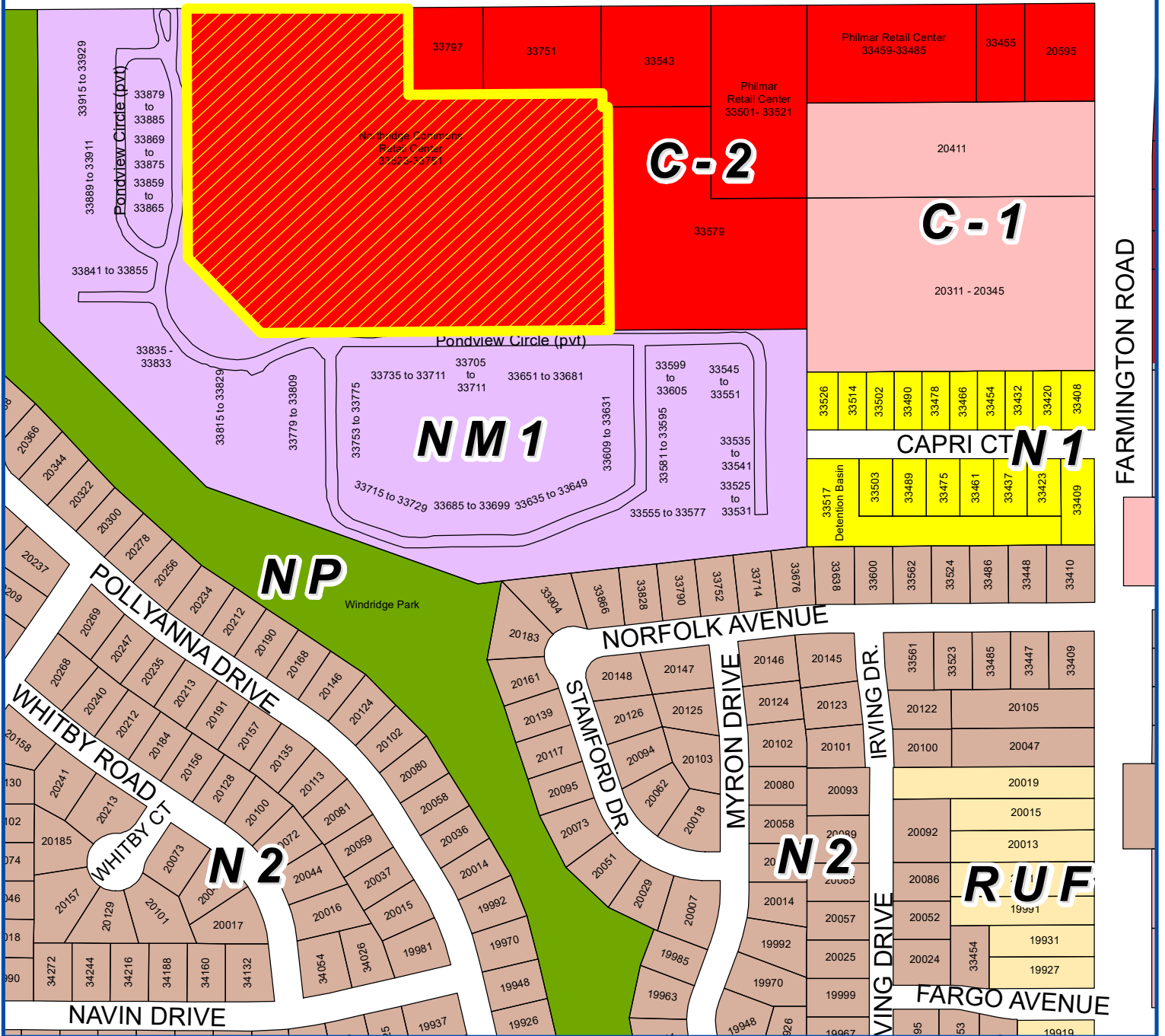
Date: November, 16, 2021

Maureen Miller Brosnan, Mayor

Request to amend the plans of Petition 2021-07-08-04 Kroger/Northridge Commons, which received approval by the City Council on September 20, 2021 (CR 289-21) to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

Farmington Hills

EIGHT MILE (BASELINE) ROAD



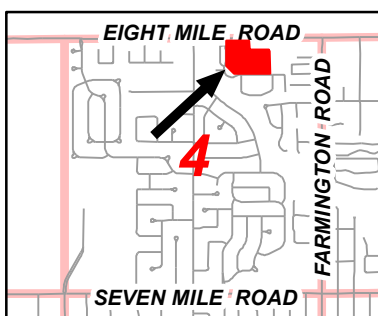
Address & Zoning Map

Petition 2021-07-08-04
The Kroger Company of Michigan
33523-33751 Eight Mile Road
re-develop Northridge Commons



Not to Scale

City of Livonia
Planning Department



Aerial Map

Petition 2021-07-08-04
The Kroger Company of Michigan
33523-33751 Eight Mile Road
re-develop Northridge Commons



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

OTHER BUSINESS

ITEM 4

Request to amend the plans of Petition 2021-07-08-04 Kroger/Northridge Commons, which received approval by the City Council on September 20, 2021 (CR 289-21) to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

October 26, 2021: Study Meeting:

This site plan amendment is in connection with the recently approved expansion of the Kroger grocery store located at Northridge Commons Shopping Center. The project involves the relocation of one of the tenants, Scrappy Chic, currently located in the southwest corner of the shopping center complex. This part of the plaza is scheduled to be removed as part of the expansion of the Kroger store. The plan would have Scrappy Chic moving a few units to the east in the part of the building that will be in the only remaining vacant unit that can accommodate them. Note that although Burn Fitness recently vacated the same building and this space is empty, it remains fully finished and furnished as a gym and is being marketed for occupancy as such.

Unfortunately, the unit that Scrappy Chic is moving into is not currently large enough to meet their needs. The unit they are currently in is over 6,000 square feet: whereas the unit they're moving into totals only around 4,029 square feet. To make up some of the difference, the landlord is proposing to construct an addition on the south end of the unit, thus increasing the unit size to 4,957 square feet. The 20-foot extension along the rear of the shopping center would impact a portion of the drive aisle and about nine (9) parking spaces. To maintain the movement of traffic along the rear of the building and shopping complex, including trucks exiting the docks at the Kroger store, the nine (9) parking spaces would be eliminated, and the drive aisle shifted further south. Adjacent to the realigned drive aisle is an approximate five foot (5') wide landscape strip and a six foot (6') high masonry screen wall. On the other side of the wall are attached condominium homes located approximately 65-70 feet from the common property line.

OTHER BUSINESS

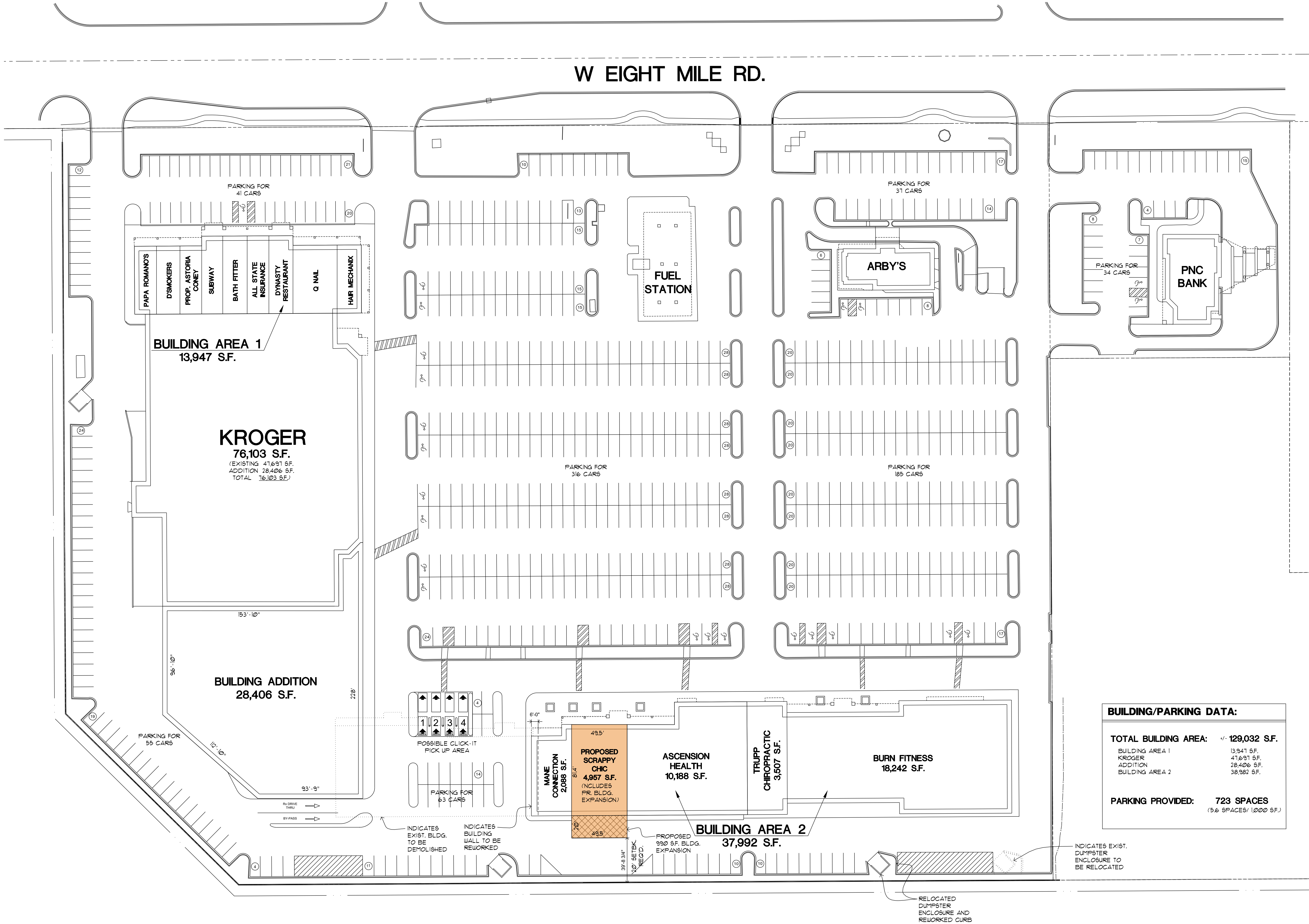
ITEM 4 Petition 2021-07-08-04– Kroger

Page 2

November 9, 2021: Regular Meeting:

Approving Resolution: That the request to amend the plans approved by City Council on September 20, 2021 (CR 289-21) involving the redevelopment of portions of the commercial shopping center (Northridge Commons) at 33523-33751 Eight Mile Road is hereby approved, subject to the following conditions:

1. That the Site Lease Plan identified as Sheet SP-1, dated September 30, 2021, as revised, prepared by Rogvov Architects, is hereby approved, and shall be adhered to.
2. That the building materials of the addition shall match the building materials of the existing building, and
3. That all other conditions imposed by Council Resolution #289-21, which granted approval to re-develop portions of the commercial shopping center (Northridge Commons), shall remain in effect to the extent that they are not in conflict with the foregoing conditions.



BUILDING/PARKING DATA:	
TOTAL BUILDING AREA: +/- 129,032 S.F.	
BUILDING AREA 1	13,947 S.F.
KROGER	41,631 S.F.
ADDITION	28,406 S.F.
BUILDING AREA 2	38,982 S.F.
PARKING PROVIDED: 723 SPACES	
(5.6 SPACES/1,000 S.F.)	

issued for:
OWNER REVIEW: 26 APR. 16
OWNER REVIEW: 28 APR. 16
OWNER REVIEW: 27 JAN. 17
OWNER REVIEW: 15 SEPT. 17
OWNER REVIEW: 21 NOV. 17
OWNER REVIEW: 04 JUN. 18
OWNER REVIEW: 21 NOV. 18
OWNER REVIEW: 28 FEB. 2019
OWNER REVIEW: 09 JUN. 2020
OWNER REVIEW: 23 JUL. 2020
OWNER REVIEW: 23 SEPT. 2021
OWNER REVIEW: 29 SEPT. 2021
OWNER REVIEW: 30 SEPT. 2021

project:

Northridge Commons
33523 East 8 Mile Rd.
Livonia, Michigan



32500 TELEGRAPH ROAD
SUITE 250
BINGHAM FARMS, MICHIGAN
48025-2404
PH 248.540.7700 FX 248.540.2710
www.rogvoy.com

drawing:

Site
Lease Plan

DO NOT SCALE DRAWING

issue date: 15 SEPT. 17
drawn: KC
checked: MD
approved: MD

file number: 16001

sheet:

SP-1

 SITE LEASE PLAN

SCALE: 1"=40'-0"

© COPYRIGHT 2015 ROGVOY ARCHITECTS, P.C.

issued for:

OWNER REVIEW: 05 NOV, 2019
OWNER REVIEW: 13 NOV, 2019
OWNER REVIEW: 26 AUG, 2021
TENANT REVIEW: 03 SEPT, 2021
TENANT REVIEW: 13 SEPT, 2021
OWNER REVIEW: 22 SEPT, 2021
OWNER REVIEW: 27 SEPT, 2021
OWNER REVIEW: 30 SEPT, 2021

project:

Renovation For
Northridge Commons

33523 E. 8 Mile Rd.
Livonia, Michigan



32500 TELEGRAPH ROAD
SUITE 250
BINGHAM FARMS, MICHIGAN
48025-2404

PH 248.540.7700 FX 248.540.2710
www.rogvoy.com

drawing:

Proposed
Lease Floor
Plan

DO NOT SCALE DRAWING

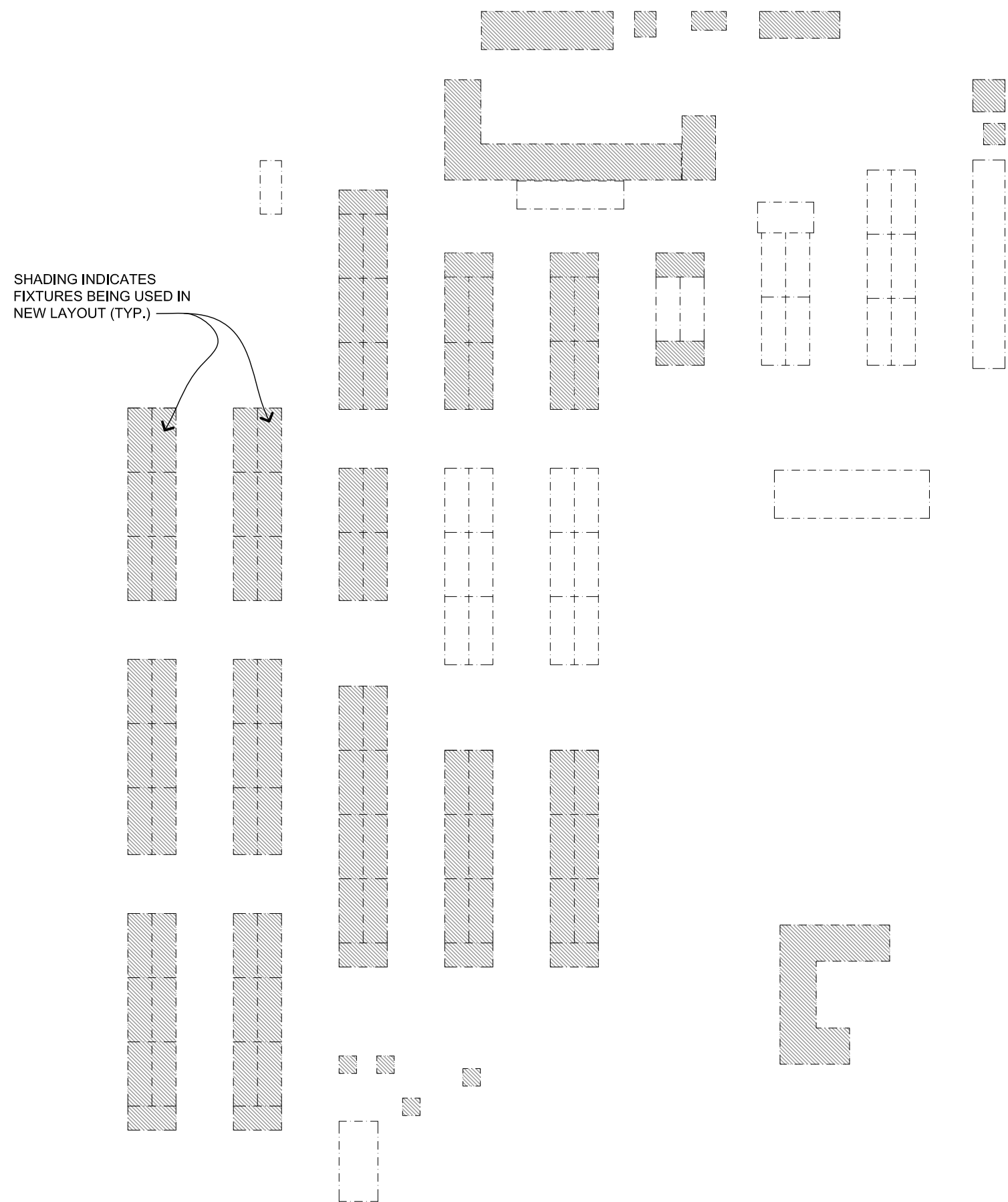
issue date: 05 NOV. 19
drawn: KS/KL
checked: MD
approved: MD

file number: 16001

sheet:

LOD

EXISTING FIXTURES



EXISTING FIXTURES:

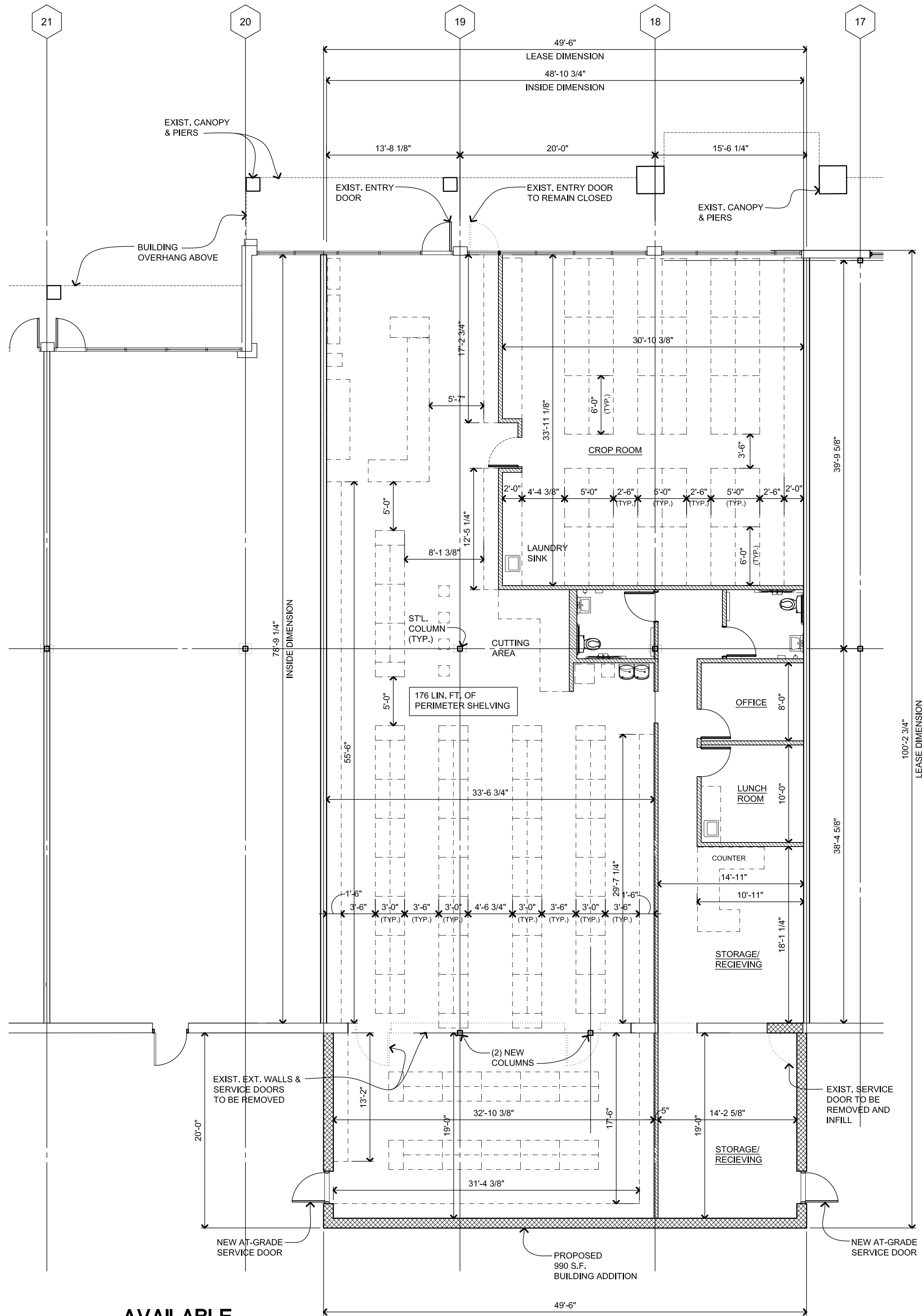
1. SHELF UNITS (18"x48") : 98 UNITS
2. PERIMETER SHELVING : 138 LIN. FT.
3. END UNITS (18"x36") : 10 UNITS

PROPOSED FIXTURES:

1. SHELF UNITS (18"x48") : 82 UNITS
2. PERIMETER SHELVING : 176 LIN. FT.
3. END UNITS (18"x36") : 10 UNITS

GENERAL NOTES

1. THIS IS A SCHEMATIC DRAWING AND THE DRAWING IS TO BE USED FOR LEASING PURPOSES ONLY. REFER TO CONSTRUCTION PLANS AND FIELD VERIFICATION TO CONFIRM ACTUAL DIMENSIONS AND LOCATIONS FOR DOORWAYS, MASONRY OPENINGS, COLUMNS, WALLS, MECHANICAL & ELECTRICAL METERS, AND TRASH ENCLOSURES.
2. ALL DIMENSIONS ARE APPROXIMATE.
3. EXIT DOOR LOCATIONS AND SIZES TO BE DETERMINED PER TENANT AND CODE REQUIREMENTS. ADDITIONAL EGRESS DOORS MAY BE REQUIRED PER BUILDING CODE EGRESS REQUIREMENTS.
4. UTILITY LOCATIONS ARE TO BE COORDINATED WITH SITE SPECIFIC ENGINEERING AND TENANT REQUIREMENTS.



AVAILABLE
LEASE AREA
+/- 4,957 S.F.
(INCLUDES 990 S.F. ADDITION)

North
Floor Plan
Scale: 1/8" = 1'-0"

















**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
SEPTEMBER 20, 2021**

Petition 2021-07-08-04 - Kroger

#289-21 RESOLVED, that having considered a communication from the City Planning Commission, dated August 23, 2021, which transmits its resolution #08-43-2021, adopted on August 17, 2021, with regard to Petition 2021-07-08-04, submitted by The Kroger Company of Michigan, requesting approval to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2021-07-08-04 is hereby approved and granted, subject to the following conditions:

1. That the Overall Layout Plan identified as Sheet No. C1.2.1 and the Layout Plan identified as Sheet No. C1.2.2, both dated July 13, 2021, as revised, prepared by Atwell Group, are hereby approved, and shall be adhered to;
2. That the drive-up lane for the pharmacy drop-off/pick-up window shall be at least ten feet (10') in width;
3. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required;
4. That the Landscape Plan identified as Sheet No. LS1.0, dated July 13, 2021, as revised, prepared by Atwell Group, is hereby approved, and shall be adhered to;
5. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
6. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
7. That the Exterior Elevation Plan for the Kroger store, dated June 29,

2021, prepared by CR Architecture & Design, is hereby approved, and shall be adhered to;

8. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible character, material, and color to other exterior materials on the building;

9. That all new pole-mounted light fixtures shall not exceed a height of twenty feet (20') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;

10. That only conforming wall signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;

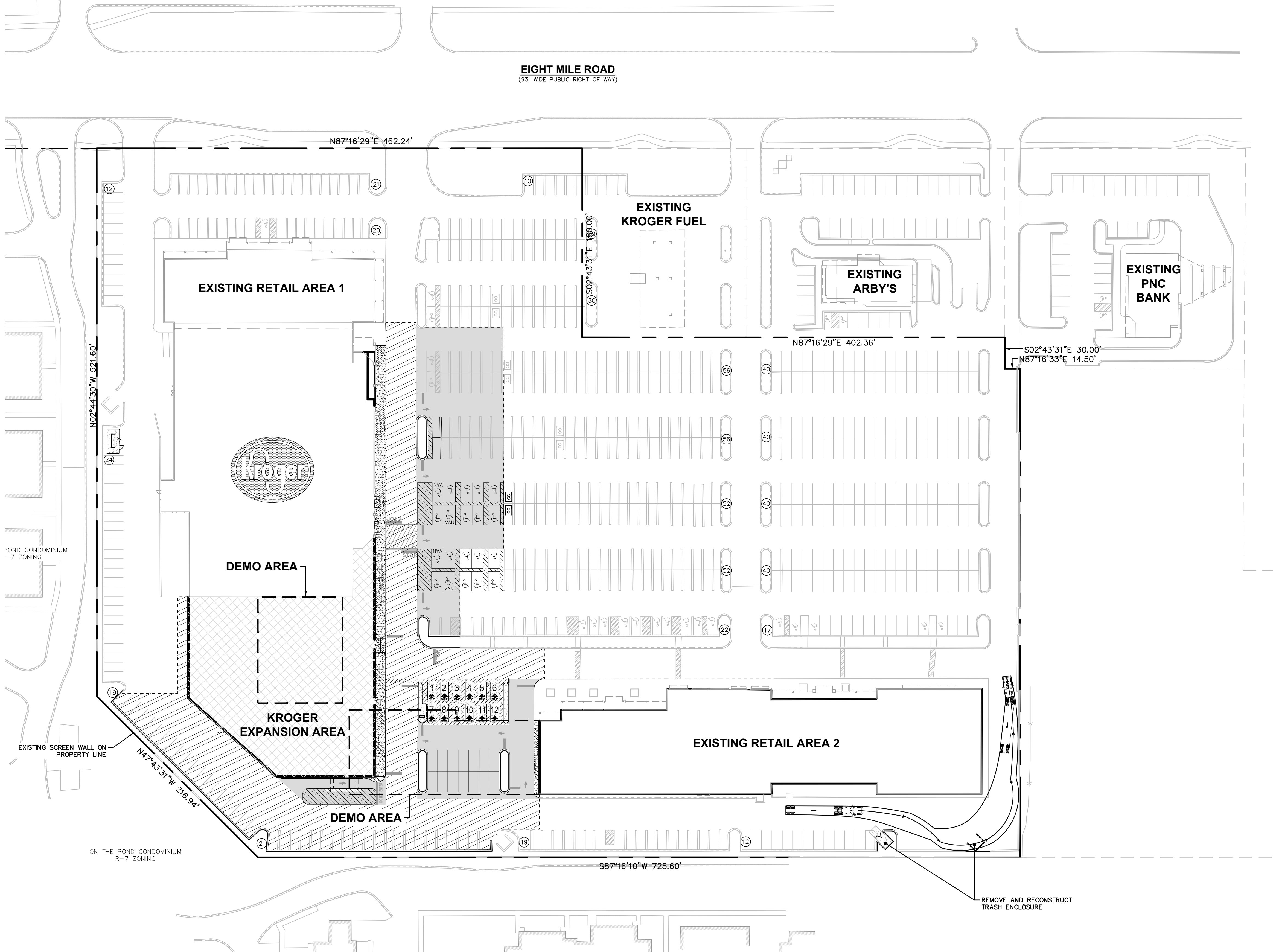
11. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;

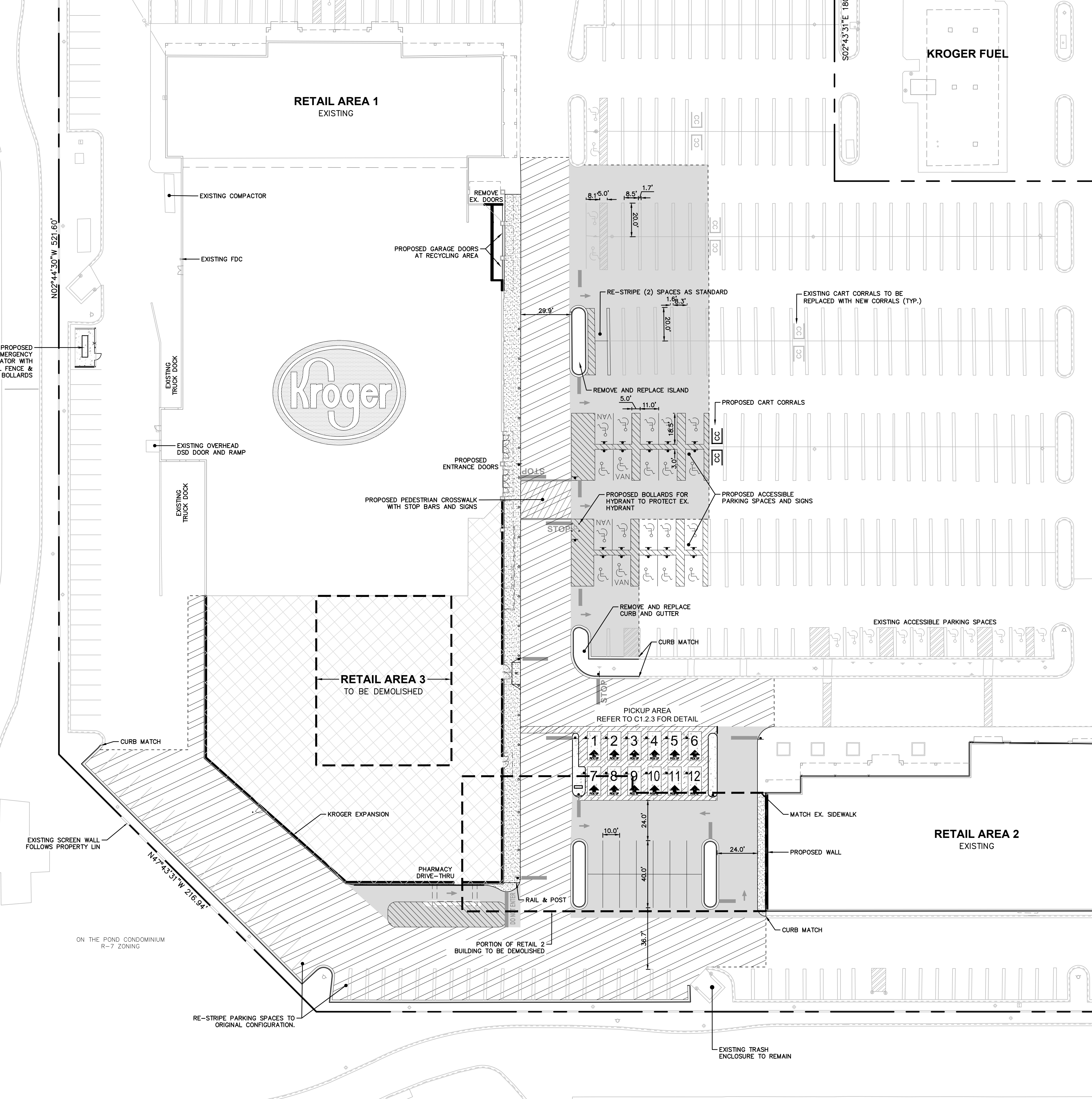
12. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited;

13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

14. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one (1) year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

EIGHT MILE ROAD
(93' WIDE PUBLIC RIGHT OF WAY)





RETAIL AREA 1
EXISTING

KROGER FUEL

EXISTING COMPACTOR

EXISTING FDC

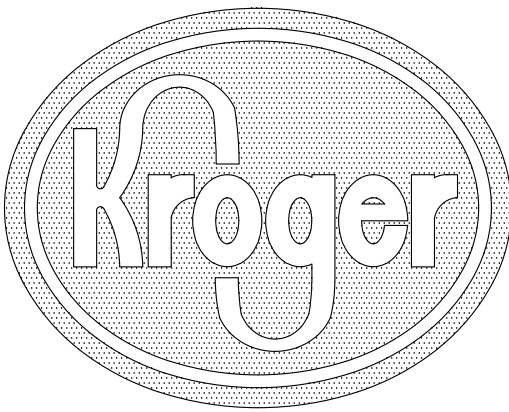
PROPOSED GARAGE DOORS
AT RECYCLING AREA

REMOVE
EX. DOORS

8.1' 5.0' 8.5' 1.7'

RE-STRIPE (2) SPACES AS STANDARD

EXISTING CART CORRALS TO BE
REPLACED WITH NEW CORRALS (TYP.)



EXISTING
TRUCK DOCK

EXISTING OVERHEAD
DSD DOOR AND RAMP

EXISTING
TRUCK DOCK

PROPOSED
ENTRANCE DOORS

PROPOSED PEDESTRIAN CROSSWALK
WITH STOP BARS AND SIGNS

REMOVE AND REPLACE ISLAND

PROPOSED CART CORRALS

PROPOSED ACCESSIBLE
PARKING SPACES AND SIGNS

REMOVE AND REPLACE
CURB AND GUTTER

CURB MATCH

EXISTING ACCESSIBLE PARKING SPACES

RETAIL AREA 3
TO BE DEMOLISHED

CURB MATCH

PICKUP AREA
REFER TO C1.2.3 FOR DETAIL

1 2 3 4 5 6
7 8 9 10 11 12

KROGER EXPANSION

PHARMACY
DRIVE-THRU

RAIL & POST

MATCH EX. SIDEWALK

RETAIL AREA 2
EXISTING

PROPOSED WALL

CURB MATCH

PORTION OF RETAIL 2
BUILDING TO BE DEMOLISHED

RE-STRIPE PARKING SPACES TO
ORIGINAL CONFIGURATION.

EXISTING TRASH
ENCLOSURE TO REMAIN

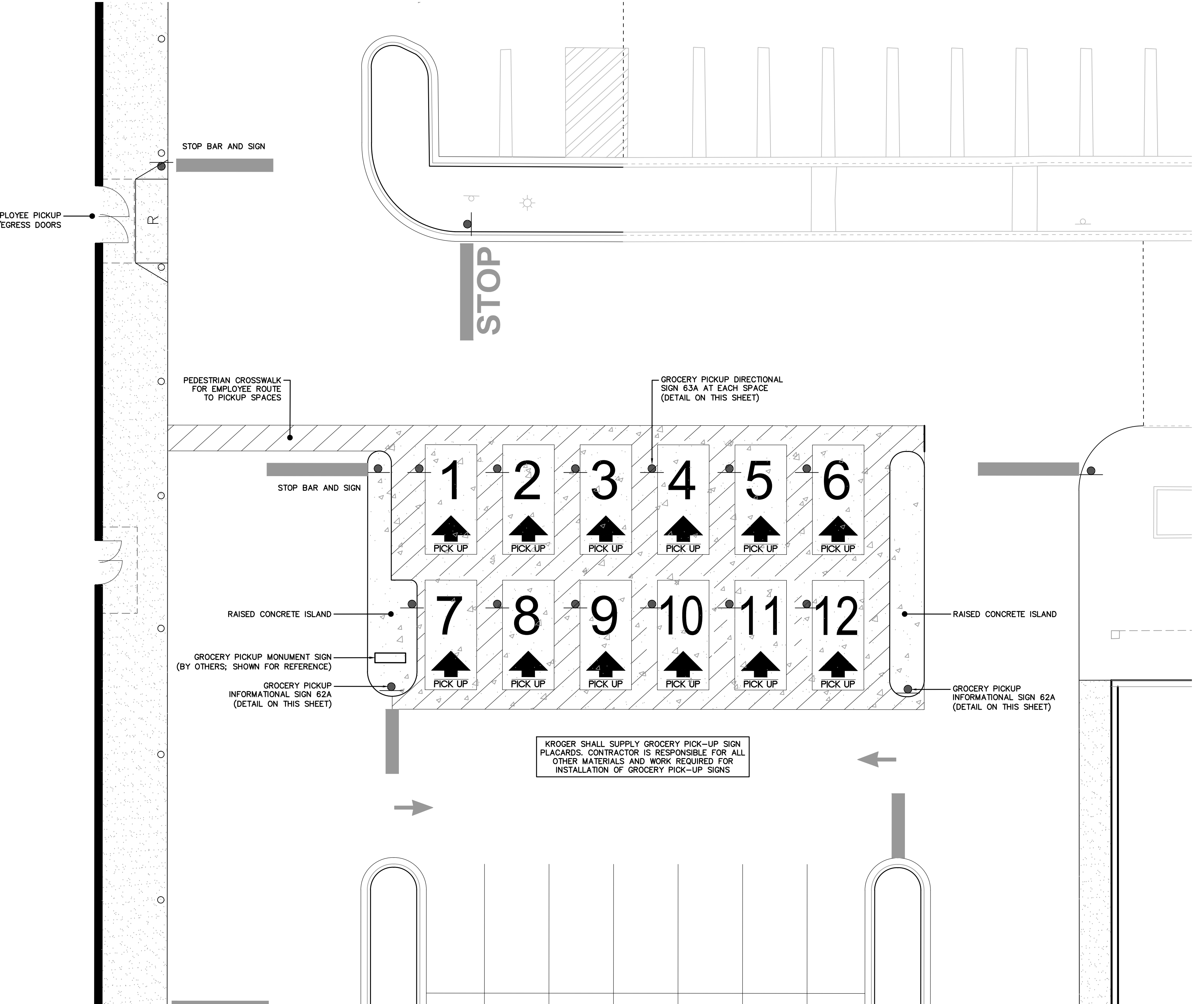
N02°44'30"W 521.60'

S02°43'31"E 180'

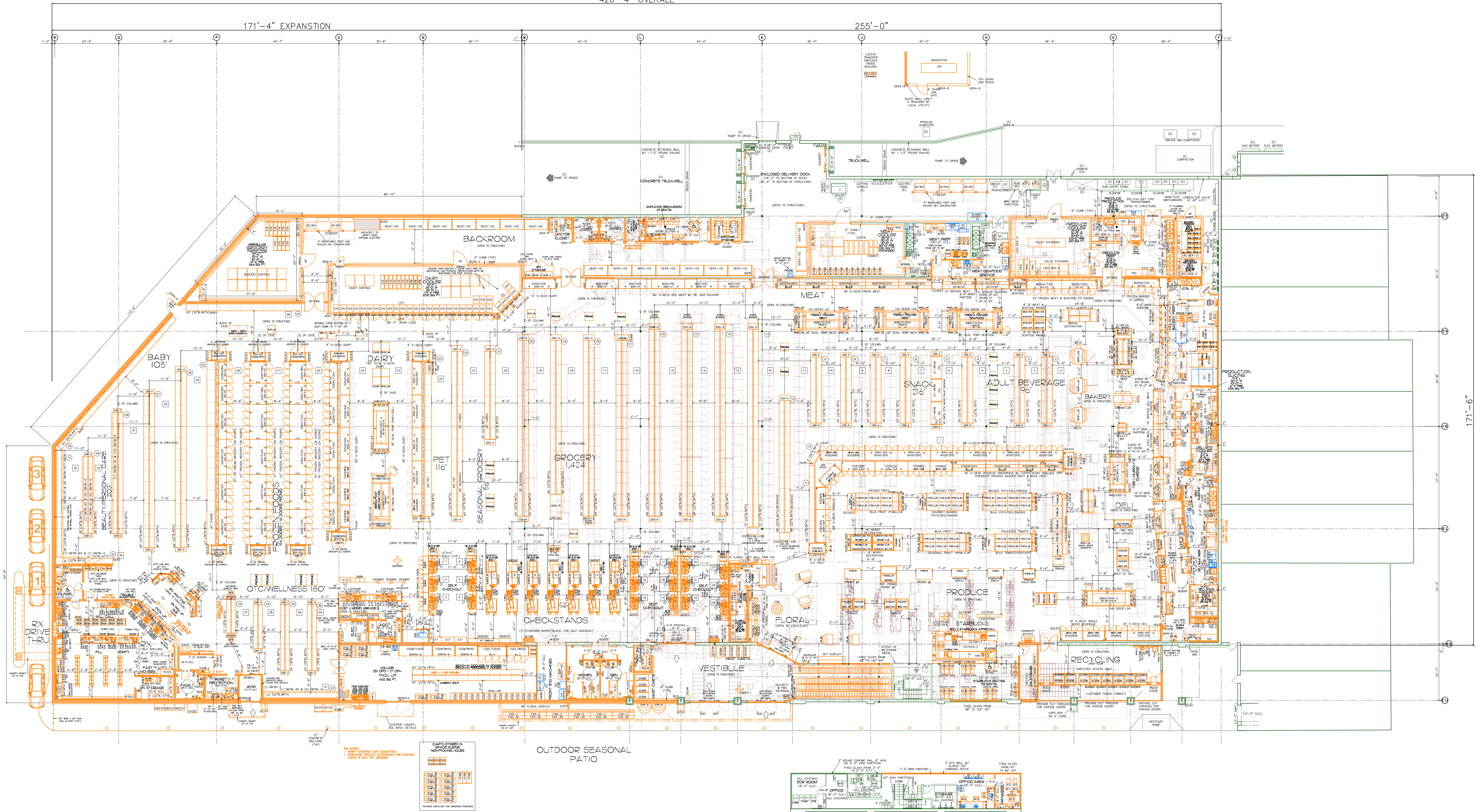
EXISTING SCREEN WALL
FOLLOWS PROPERTY LIN

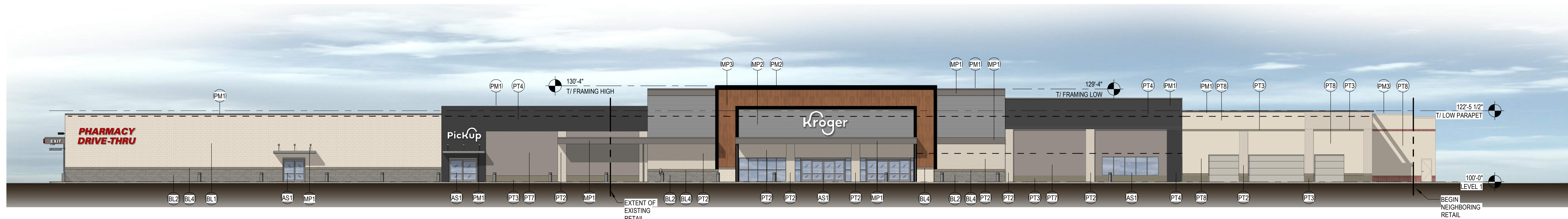
N47°43'31"W 216.94'

ON THE POND CONDOMINIUM
R-7 ZONING

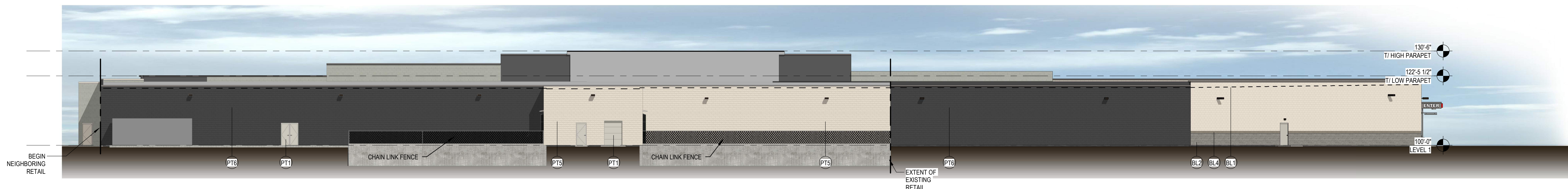


KROGER SHALL SUPPLY GROCERY PICK-UP SIGN PLACARDS. CONTRACTOR IS RESPONSIBLE FOR ALL OTHER MATERIALS AND WORK REQUIRED FOR INSTALLATION OF GROCERY PICK-UP SIGNS

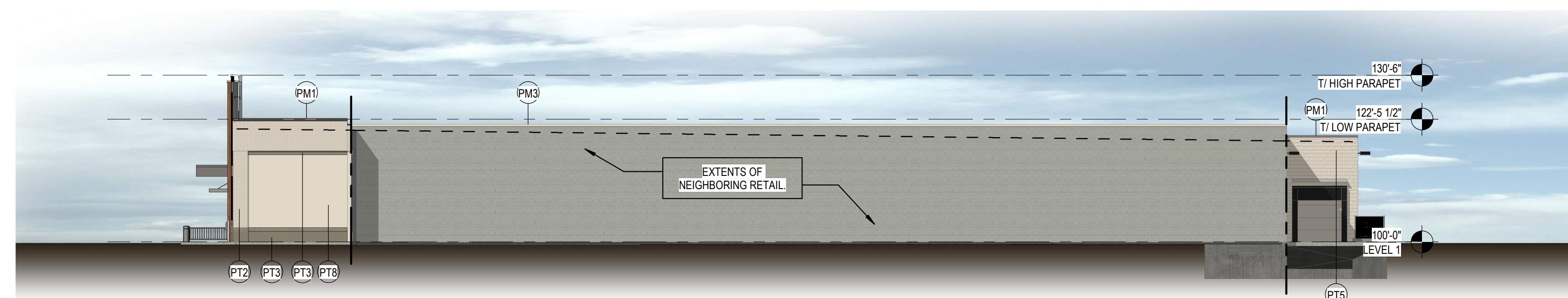




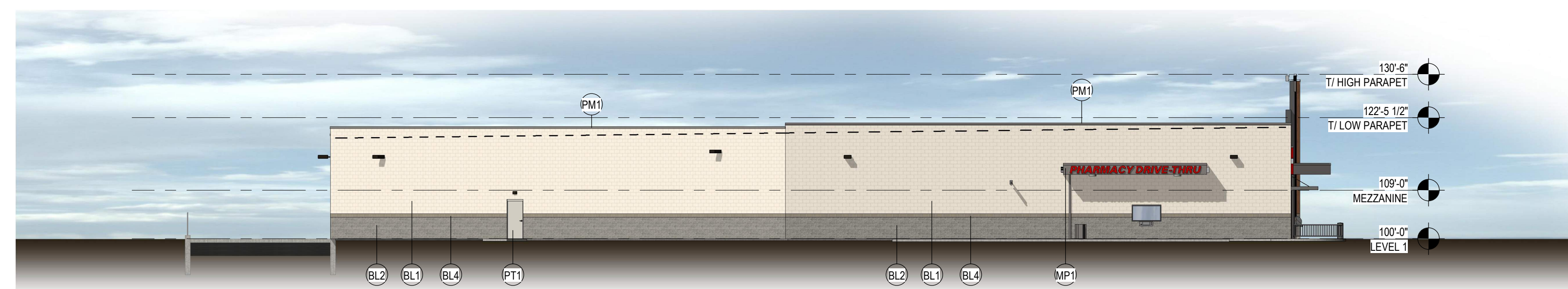
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

EXTERIOR MATERIAL LEGEND

- (BL1) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Pearl
- (BL2) Decorative, Integrally Colored CMU - Split face
Color: Lee Brick & Block, Winter Sea
- (BL3) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Breckenridge
- (BL4) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Dark Buff
- (MP1) Metal Panel - Smooth
Color: Slate Gray
- (MP2) Metal Panel - Corrugated
Color: Silversmith
- (MP3) Aluminum Metal Panel - Wood Finish
Color: Light Cherry
- (PM1) Prefinished Metal
Color: Slate Gray
- (PM2) Prefinished Metal
Color: Matte Black
- (PM3) Prefinished Metal
Color: Match SW7036 "Accessible Beige"
- (AS1) Prefinished Aluminum Storefront
Color: Clear Anodized
- (PT1) Painted Metal
Color: SW7016 Mindful Gray
- (PT2) Painted Brick
Color: Match SW7036 "Accessible Beige"
- (PT3) Painted Brick
Color: Match SW7513 "Sanderling"
- (PT4) Painted Brick
Color: Match SW7674 "Peppercorn"
- (PT5) Painted CMU
Color: Match SW7036 "Accessible Beige"
- (PT6) Painted CMU
Color: Match SW7674 "Peppercorn"
- (PT7) Painted EIFS
Color: Match SW7018 "Dovetail"
- (PT8) Painted EIFS
Color: Match SW7036 "Accessible Beige"

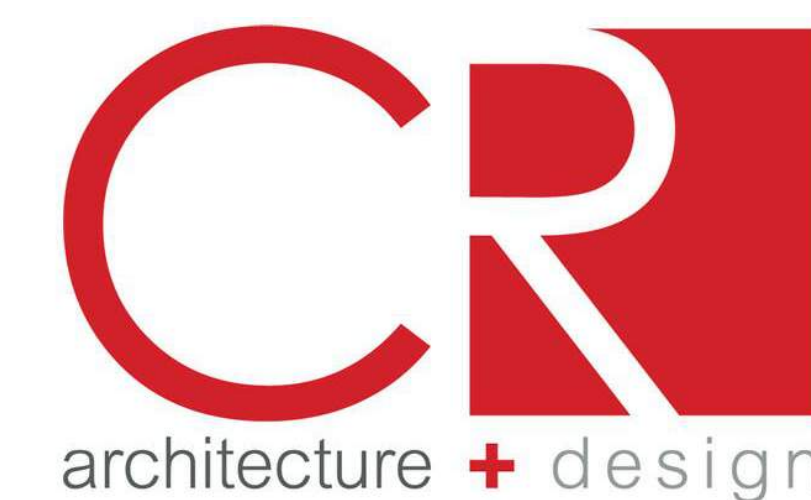


EXTERIOR ELEVATIONS

06/29/2021

KROGER STORE D615

33523 Eight Mile Rd.
Livonia, MI 48152



**OTHER ITEMS
RELATED TO THE
PETITION**

UNAPPROVED MINUTES

1

MINUTES OF THE 1,178th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, November 9, 2021, the City Planning Commission of the City of Livonia held its 1,178th Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present: David Bongero Sam Caramagno Glen Long
 Carol Smiley Peter Ventura Ian Wilshaw

Members absent: Betsy McCue

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #4 PETITION 2021-07-08-04

Kroger

Mr. Caramagno, Secretary, announced the next item on the agenda, Request to amend the plans of Petition 2021-07-08-04 Kroger/Northridge Commons, which received approval by the City Council on September 20, 2021 (CR 289-21) to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road,

located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

Mr. Taormina: Thank you. This request involves changes to the site plan in connection with the recently approved expansion of the Kroger grocery store located at Northridge Commons Shopping Center. It involves the relocation of one of the tenants, Scrappy Chic. They are currently located in a part of the shopping center that is scheduled to be removed as part of the larger project. The plan is to move Scrappy Chic a few units to the east of their current location. However, the unit that Scrappy Chic would move into is not currently large enough to meet their space requirements. The unit that they are currently in is about 6,000 square feet. Whereas the unit they are moving into totals only 4,000 square feet. To help make up some of the difference, the landlord is proposing to construct an addition on the south end of the unit that would increase the size to just under 5,000 square feet. It would increase it about 1,000 square feet. Not quite as large as they have now, but enough to meet their needs. It would be a 20-foot extension at the rear of the building, and it would impact a portion of the service drive. In order to maintain traffic movement, the plan proposes shifting the drive aisle to the south and removing nine parking spaces. This impacted area lies adjacent to the south property line where there is a five-foot landscape strip, as well as a six-foot high masonry screen wall that separates the shopping complex from On the Pond Condominiums. On the other side of the wall are attached condominium homes that are located approximately 65 to 70 feet from the common property line. Mr. Chairman, we do not have any new correspondence related to this item. With that I would be happy to answer any questions you might have.

Mr. Wilshaw: Are there any questions of the Planning Director?

Ms. Smiley: We talked about taking out...you said there are no new plans, are we going to take out some of those parking places behind?

Mr. Taormina: Yes. The plan has not changed from what you looked at during the study meeting. It is nine parking spaces. The petitioner indicated that they performed a turning analysis or an analysis of truck movement. They feel confident that the number of spaces they are showing being removed is adequate to accommodate the traffic. What I would say to that is that it is highly flexible. If for any reason it is felt that it is not sufficient, it is easily corrected by removing one or two additional parking

UNAPPROVED MINUTES

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spaces. They feel confident, however, that the current plan is sufficient.

Ms. Smiley: They certainly don't need them in that mall, do they?

Mr. Taormina: In the back, no. There are employees of Ascension Health that park at the back, but there would seem to be ample spaces to the rear of the shopping center.

Ms. Smiley: Okay. I myself wouldn't park there and I wouldn't even attempt to drive there, but it might be a good idea to get rid of them. Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. Mr. Long?

Mr. Long: Just to follow-up on that, Mark. By who's determination...you said that if it is determined to need to take more out, is that the Traffic Bureau or is that from us?

Mr. Taormina: It would not be the Traffic Bureau. I would say probably the first to react would be the landlord. Once they find out there is a problem, that they would have to fix to the benefit of their tenants.

Mr. Long: I have no doubt that the trucks can get through there. I am not worried about traffic and blind spots. I can still get behind it. It isn't a deal killer for me.

Mr. Taormina: It is a little unique. I think that once it is done, they will take a look at it and decide how to mark the corners of the building and whether or not additional protection is needed in the form of bollards or some type of high visibility painting in that area.

Mr. Long: Thank you.

Mr. Wilshaw: I was actually thinking the same thing, maybe a painted bollard right at the corner would help protect them and make them stand out. Any other questions for our staff?

Mr. Caramagno: For Mark, what I don't see and maybe my dimension is off a little bit. Isn't there a power box right behind that addition that further encroaches on this space here?

Mr. Taormina: Yes, during our meeting on site, Mr. Eisenberg indicated that it will require the relocation of one of the service panels.

UNAPPROVED MINUTES

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Mr. Caramagno: I can't imagine moving that power box, but you are going to have to protect it somehow. It is going to be a fortune to move that box.

Mr. Taormina: I think there is at least one that has to be relocated as part of the overall project and maybe a second one to accommodate this project, but I will let Mr. Eisenberg reply to that.

Mr. Wilshaw: Any other questions for Mr. Taormina? If not, Mr. Eisenberg is here. Good evening, sir.

Bill Eisenberg, Grand Sakwa Properties, 28470 13 Mile Road, Farmington Hills, MI. Thank you for entertaining our proposal tonight. As you are probably aware part of the Kroger expansion requires the relocation on the Scrappy Chic. They are currently in about 6,000 square feet. We tried to move them into the one remaining space with about 4,000 square feet, which proved to be just a bit too small. It wouldn't accommodate all of her fixtures. Hence, we came upon the concept of doing a small bump out on the back. 20 by 50 bump out to gain about a little under 1,000 square feet. As far as the truck movements, we put a auto-turn program on it and we modeled a wide body 67 foot truck trailer and we had no issues with maneuvering through the back end of it.

Mr. Wilshaw: Questions or comments? Oh, the electrical panel.

Mr. Eisenberg: There is going to be some utility relocations that are necessary for the Kroger expansion. I think the one transformer that you are referring to will be...it is going to stay, but it will be protected.

Mr. Caramagno: I think it is important to get something around that. I can see somebody hitting that and it would be a big problem.

Mr. Eisenberg: We actually don't get a lot of traffic back there. Most of the tenant's load from the front. Scrappy Chic loads from the front. The UPS/ FedEx. Kroger does maneuver their trucks back there, but all in all not a lot of traffic at all.

Mr. Wilshaw: Any questions or comments for our petitioner?

Mr. Bongero: It looks like you came to maybe an agreement with Astoria. Moved them up front there, is that what I am seeing?

Mr. Eisenberg: We have developed a plan for to relocate Astoria. We are trying to finalize that.

Mr. Bongero: Good. Thank you.

Mr. Wilshaw: Any other questions or comments? There isn't anyone in the audience left to speak for or against this. I don't think this is terribly controversial. If there are no other questions or comments from anybody, a motion would be in order.

On a motion by Ventura, seconded by Long, and unanimously adopted, it was

#11-64-2021 **RESOLVED**, That the City Planning Commission does hereby recommend to City Council the request to amend the plans of Petition 2021-07-08-04 Kroger/Northridge Commons, which received approval by the City Council on September 20, 2021 (CR 289-21) to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4, be approved subject to the following conditions::

1. That the Site Lease Plan identified as Sheet SP-1, dated September 30, 2021, as revised, prepared by Rogvov Architects, is hereby approved, and shall be adhered to.
2. That the building materials of the addition shall match the building materials of the existing building, and
3. That all other conditions imposed by Council Resolution #289-21, which granted approval to re-develop portions of the commercial shopping center (Northridge Commons), shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with a approving resolution.

On a motion by Bahr, supported by Jolly, it was:

#289-21 RESOLVED, that having considered a communication from the City Planning Commission, dated August 23, 2021, which transmits its resolution #08-43-2021, adopted on August 17, 2021, with regard to Petition 2021-07-08-04, submitted by The Kroger Company of Michigan, requesting approval to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast $\frac{1}{4}$ of Section 4, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2021-07-08-04 is hereby approved and granted, subject to the following conditions:

1. That the Overall Layout Plan identified as Sheet No. C1.2.1 and the Layout Plan identified as Sheet No. C1.2.2, both dated July 13, 2021, as revised, prepared by Atwell Group, are hereby approved, and shall be adhered to;
2. That the drive-up lane for the pharmacy drop-off/pick-up window shall be at least ten feet (10') in width;
3. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required;
4. That the Landscape Plan identified as Sheet No. LS1.0, dated July 13, 2021, as revised, prepared by Atwell Group, is hereby approved, and shall be adhered to;
5. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
6. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
7. That the Exterior Elevation Plan for the Kroger store, dated June 29, 2021, prepared by CR Architecture & Design, is hereby approved, and shall be adhered to;
8. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible

character, material, and color to other exterior materials on the building;

9. That all new pole-mounted light fixtures shall not exceed a height of twenty feet (20') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;

10. That only conforming wall signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;

11. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;

12. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited;

13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

14. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one (1) year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

A roll call vote was taken on the foregoing resolutions with the following result:

AYES: McCullough, Donovic, Jolly, Toy, Bahr, White and McIntyre

NAYS: None

The President declared the resolutions adopted.

<i>CONSENT AGENDA ITEM 6 (Regular Meeting of September 20, 2021)</i>
--

Motion by: Bahr

Seconded by: Jolly

ROLL CALL:

Ayes: McCullough, Donovic, Jolly, Toy, Bahr, White, McIntyre

Nays: None

Absent: None

Petition 2021-07-08-04 submitted by The Kroger Company of Michigan requesting approval of all plans required by Section 18.47 and Section 18.58 of the City of Livonia Zoning Ordinance No. 543, as amended, in connection with a proposal to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

**CITY OF LIVONIA, MICHIGAN
APPLICATION FOR SITE PLAN REVIEW & APPROVAL**

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee = \$600.00 plus \$20.00 for each 1,000 square feet of gross floor area of new construction, not to exceed a total of \$1,500.00.**

Date Filed: _____ Petition 2021-07-08-04
Site Address: 33523 Eight Mile Road Sidwell 46-013-99-0032-007
Requesting Approval to Site Plan approval
Applicant: Garett Foley Business/Company: The Kroger Co. of Michigan
Applicant's Address: 40393 Grand River Ave. City: Novi State: MI Zip Code: 48375
Applicant's Phone # (567) 204-8518 Applicant's Email garett.foley@kroger.com
Contact Person: Mike McPherson Business/Company: Atwell, LLC
Contact's Address: 12745 23 Mile Rd, Suite 200 City: Shelby Twp State: MI Zip Code: 48315
Contact's Phone # (568) 786-9800 Contact's Email mmcpherson@atwell-group.com

Please provide the following information:

- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs (if proposed must submit separate sign application)
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), **a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us**
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) One (1) completed application form & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION

28,616 sq. ft. of new construction x \$20.00 per 1,000 sq. ft. **\$600.00**
(NOTE: Round off to nearest 1,000) + 573.00
Total Amount Due \$ 1173.00

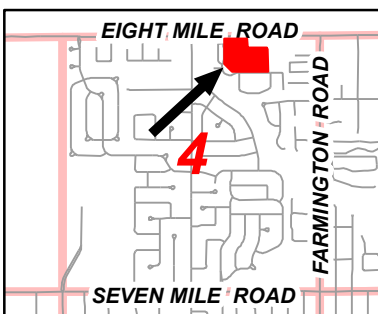
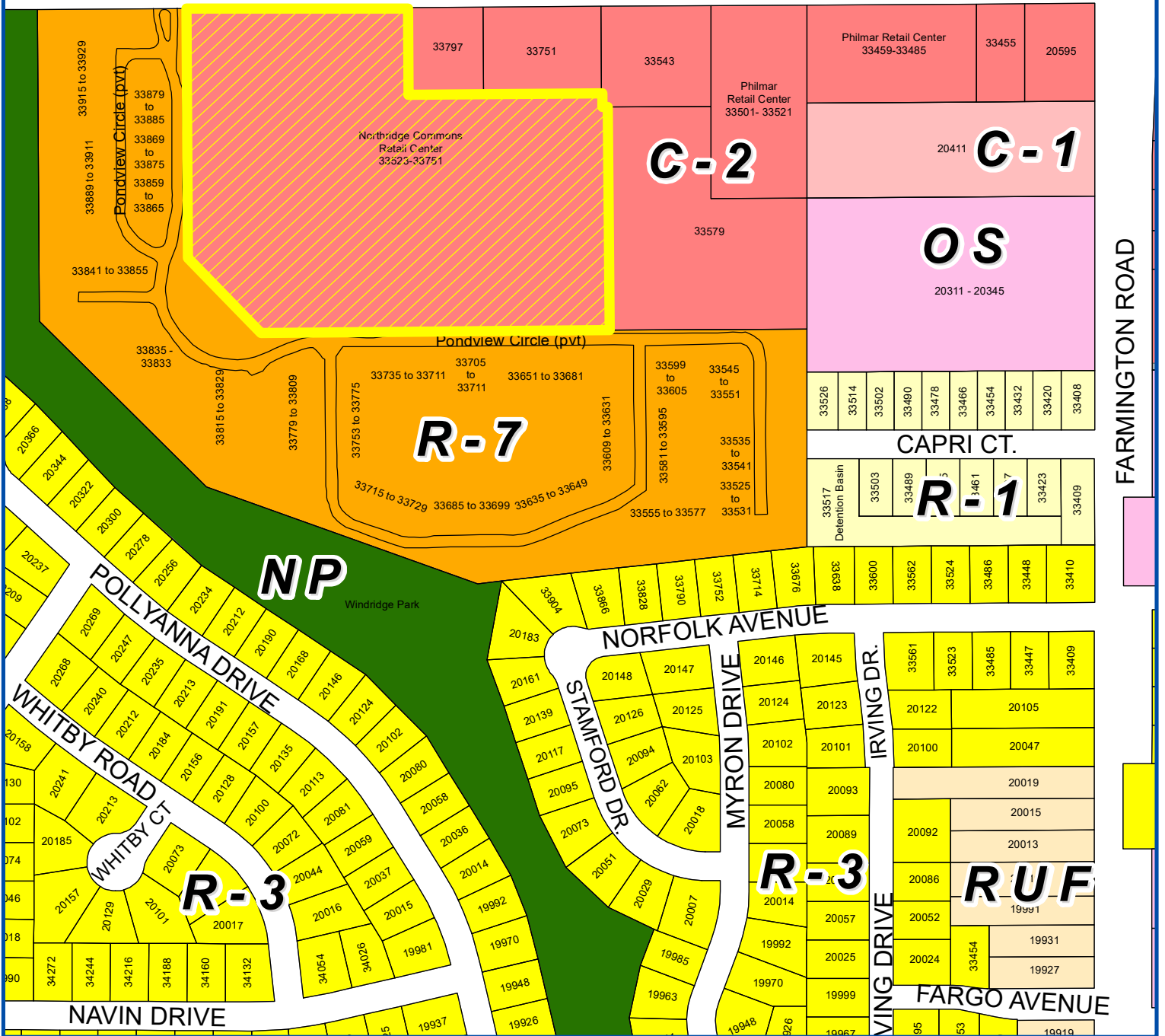
Owner of Property: Northridge Livonia, LLC
Owner's Address: 28470 Thirteen Mile Rd. - suite 200 City: Farmington Hills State: MI Zip Code: 48334
Owner's Phone # (248) 538-6363 Owner's Email weisenberg@grandsakwa.com
Signature of Owner: [Signature] Print Name: William Eisenberg

RECEIVED
JUL 14 2021
CITY OF LIVONIA
PLANNING COMMISSION

PAID
JUL 14 2021
TREASURER'S OFFICE
CITY OF LIVONIA

Farmington Hills

EIGHT MILE (BASELINE) ROAD



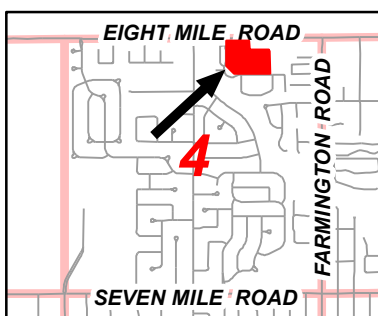
Address & Zoning Map

Petition 2021-07-08-04
The Kroger Company of Michigan
33523-33751 Eight Mile Road
re-develop Northridge Commons



Not to Scale

City of Livonia
Planning Department



Aerial Map

Petition 2021-07-08-04
The Kroger Company of Michigan
33523-33751 Eight Mile Road
re-develop Northridge Commons



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 4

Petition 2021-07-08-04 submitted by The Kroger Company of Michigan requesting approval of all plans required by Section 18.47 and Section 18.58 of the City of Livonia Zoning Ordinance No. 543, as amended, in connection with a proposal to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

August 10, 2021: Study Meeting:

This petition involves changes to the Northridge Commons shopping center. Portions of the existing retail center would be demolished to make room for an expansion of the Kroger grocery store. Northridge Commons consists of four (4) separate buildings and a gas station located on the south side of Eight Mile Road just west of Farmington Road. The overall complex is divided into seven (7) parts: 1) Retail Area 1 on the north side of Kroger along Eight Mile Road (13,947 sq.ft.); 2) the Kroger store (47,545 sq.ft.); 3) Retail Area 2 at the south end of the complex (51,543 sq.ft.); 4) Retail Area 3 located on the south side of the Kroger (8,134 sq.ft.); 5) the Kroger fuel facility; 6) a freestanding Arby's restaurant; and 7) a PNC bank. The existing retail complex, not including the gas station and outlot buildings, contains approximately 121,169 square feet of gross leasable floor area (GFA), with Kroger as the largest single tenant. The total land area of the shopping center is approximately 14.4 acres. And the zoning is C-2, General Business.

Expansion of the Kroger will require the removal of approximately 21,913 square feet of existing retail space located in the southwest corner of the shopping center. The demo areas include 13,779 square feet at the west end of Retail Area 2 and all of Retail Area 3. Replacing these areas would be a 28,616 square foot addition to the Kroger. Once completed, the grocery store would total 76,161 square feet and the overall size of the retail complex would increase to about 127,872 square feet. To maximize the amount of new floor space, the contour of the expanded store would follow the angled contour of the property. The south end of the addition would contain the store's pharmacy where a drop-off/pick-up window has been added. The store's main service area, including the truck docks and receiving area, would remain where they currently exist on the west side of the building.

Both the interior and exterior of the store would be completely remodeled. The main customer entrance would be located near the middle of the storefront. Next to the main entrance and vestibule, the plan shows a 1,432 square foot "Pick Up" room that would be used to organize and store items for customer pick-up. In the parking lot just outside of this room, there would be twelve (12) marked and signed parking spaces that would be devoted solely to grocery pick-up.

The remodeled exterior includes a variety of materials, including wood finish and silver corrugated metal panels that would frame the store's main entrance, dark grey prefinished metal panels and black-colored painted brick located above the bottle-return and pick-up rooms on either side of the main entrance, and a mix of grey and beige painted brick, EIFS, masonry block, and metal panels that would go on the lower parts of the façade.

Under the proposed Livonia Vision 21 Zoning Ordinance, required parking for a planned commercial shopping center is computed based on a ratio of one (1) parking space for each 250 square feet of GFA, plus one (1) parking space for every seventy-five (75) square feet of GFA devoted to full services restaurants. For Northridge Commons, the minimum required parking equals the sum floor area of the shopping center and PNC bank, but not including the Arby's and Coney Island restaurants, divided by 250 (130,040 sq.ft. ÷ 250 = 521 spaces), plus the floor area of the Arby's and Coney Island restaurants divided by 75 (4,564 sq.ft. ÷ 75 = 61 spaces), for a grand total of **582 required parking spaces**. The site plan indicates there would be **646 available parking spaces** for a surplus of 64.

The proposed project represents only a slight increase (5.2%) in the size of the overall shopping center: from 127,901 sq.ft. to 134,604 sq.ft., including the Arby's and PNC bank. Under the current parking standards, the existing shopping center requires 640 parking spaces which conforms with the ordinance. But with the expansion under the current parking standards, would require no fewer than 674 spaces and fall shy of this amount, thus requiring a variance. However, as previously demonstrated, under the LV21 parking standards, a variance is no longer needed.

August 17, 2021: Regular Meeting:

Approving Resolution: That the request to redevelop portions of the commercial shopping center (Northridge Commons) at 33523-33751 Eight Mile Road is hereby approved, subject to City Council approval and the following conditions:

1. That the Overall Layout Plan identified as Sheet No. C1.2.1 and the Layout Plan identified as Sheet No. C1.2.2, both dated July 13, 2021, as revised, prepared by Atwell Group, are hereby approved, and shall be adhered to.
2. That the drive-up lane for the pharmacy drop-off/pick-up window shall be at least ten feet (10') in width.
3. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.
4. That the Landscape Plan identified as Sheet No. LS1.0, dated July 13, 2021, as revised, prepared by Atwell Group, is hereby approved, and shall be adhered to.

MISCELLANEOUS

ITEM 4 Petition 2021-07-08-04– Kroger

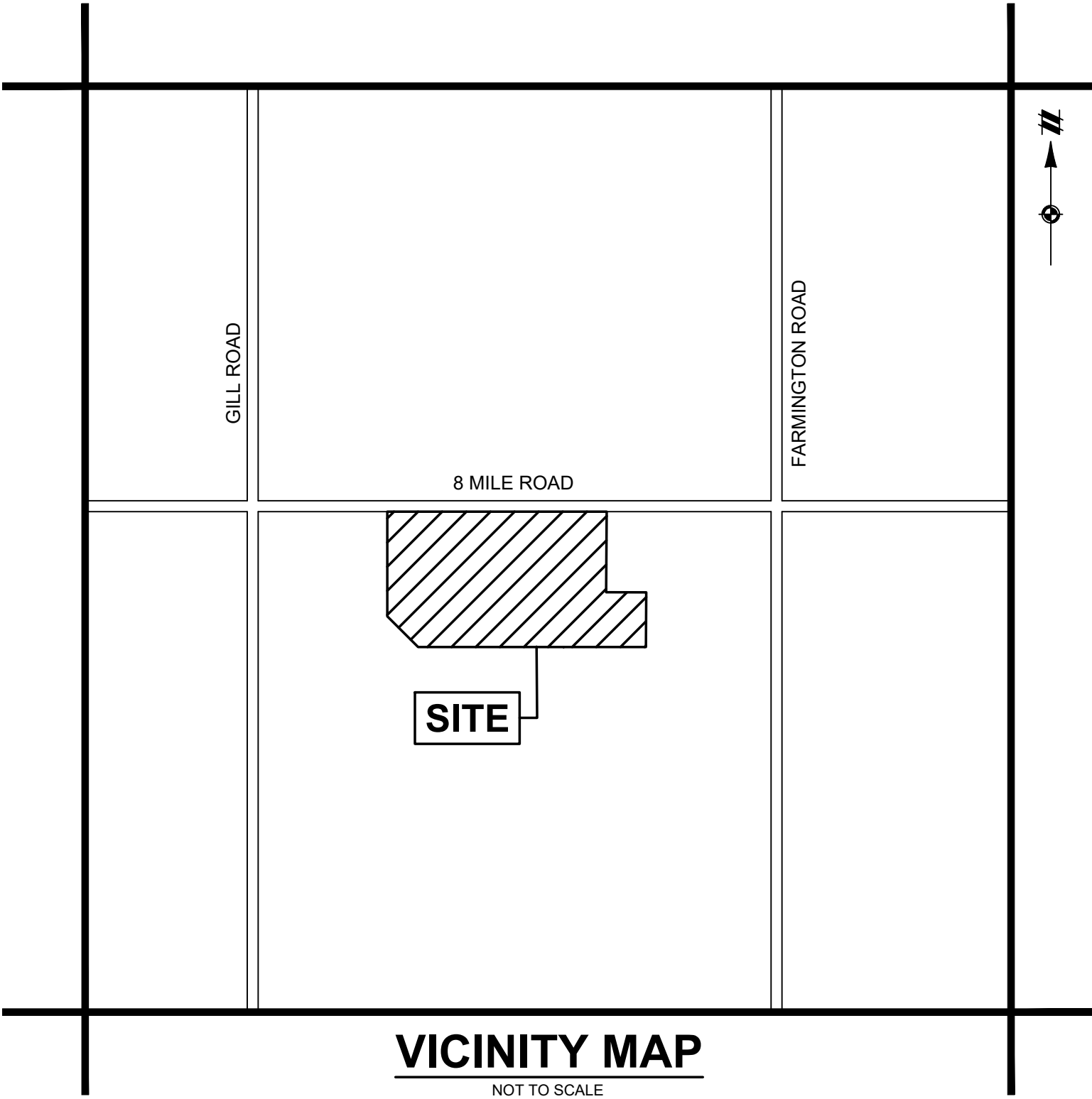
Page 3

5. That all disturbed lawn areas shall be sodded in lieu of hydroseeding.
6. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. That the Exterior Elevation Plan for the Kroger store, dated June 29, 2021, prepared by CR Architecture & Design, is hereby approved, and shall be adhered to.
8. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible character, material, and color to other exterior materials on the building.
9. That all new pole-mounted light fixtures shall not exceed a height of twenty feet (20') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.
10. That only conforming wall signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
11. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows.
12. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
14. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one (1) year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.



STORE D-615 EXPANSION
33523 EIGHT MILE ROAD
LIVONIA, MI 48152

SITE PLANS



Know what's below.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTORS. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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866.850.4200 www.atwell-group.com
12745 23 MILE ROAD | SUITE 200
SHELBY TOWNSHIP, MI 48315
(586) 786-9600

DEVELOPMENT TEAM

APPLICANT THE KROGER CO. OF MICHIGAN 40393 GRAND RIVER AVE. NOVI, MI 48375 CONTACT: GARETT FOLEY PHONE: 567-204-8518 EMAIL: garett.foley@kroger.com	OWNER NORTHBRIDGE LIVONIA, LLC 28470 THIRTEEN MILE ROAD, STE 200 FARMINGTON HILLS, MI 48334 CONTACT: WILLIAM EISENBERG PHONE: 248-538-6363 EMAIL: weisenberg@grandsakwa.com
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CIVIL ENGINEER
ATWELL, LLC
12745 23 MILE ROAD, SUITE 200
SHELBY TWP., MI 48315
CONTACT: MICHAEL McPHERSON
PHONE: (586) 786-9800
EMAIL: mmcperson@atwell-group.com

ARCHITECT
CR ARCHITECTURE & DESIGN
600 VINE STREET, SUITE 2210
CINCINNATI, OH 45202
CONTACT: ANTHONY FREY
PHONE: (513) 721-8080
EMAIL: a.frey@cr-architects.com

GOVERNING AGENCIES / UTILITY CONTACTS

PLANNING
CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154
CONTACT: MARK TAORMINA
PHONE: 734-466-2292
EMAIL: mtaormina@ci.livonia.mi.us

ENGINEERING
CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154
CONTACT: LOUAI YOUKHANNA
PHONE: 734-466-2574
EMAIL: lyoukhanna@ci.livonia.us

8 MILE ROAD R.O.W.
WAYNE COUNTY DPS
CONSTRUCTION PERMITS
33809 MICHIGAN AVENUE
WAYNE, MI 48184
CONTACT: HIKMAT KASSEM
PHONE: 734-595-6504
EMAIL: hkassem@waynecounty.com

PARCEL DESCRIPTION

SCHEDULE A EXHIBIT "A" LEGAL DESCRIPTION PER COMMITMENT FOR TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO.: GLT1800451, COMMITMENT DATE: NOVEMBER 15, 2018

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE AND STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PARCEL 1:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60.00 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 680.42 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF EIGHT MILE ROAD (93 FOOT WIDE) FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 89 DEG. 41' 00" EAST 462.24 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID EIGHT MILE ROAD; THENCE SOUTH 00 DEG. 19' 00" EAST 180.00 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 402.36 FEET; THENCE SOUTH 00 DEG. 19' 00" EAST 30.00 FEET; THENCE NORTH 89 DEG. 41' 04" EAST 14.50 FEET; THENCE SOUTH 00 DEG. 19' 19" EAST 464.94 FEET; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE NORTHERLY AND EASTERLY LINES OF ON THE POND CONDOMINIUM, W.C.C.P. NO. 593, MASTER DEED RECORDED AT LIBER 33127, PAGE 556, WAYNE COUNTY RECORDS: SOUTH 89 DEG. 40' 41" WEST 725.60 FEET (RECORDED AS SOUTH 89 DEG. 41' 00" WEST 725.99 FEET), NORTH 45 DEG. 19' 00" WEST 216.94 FEET, AND NORTH 00 DEG. 19' 59" WEST 521.60 FEET (RECORDED AS SOUTH 00 DEG. 19' 00" EAST 521.59 FEET) TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST 1/4 OF SAID SECTION 4, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.

PARCEL 2:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60.00 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 1142.66 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF EIGHT MILE ROAD (93 FOOT WIDE) FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 89 DEG. 41' 00" EAST 156.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID EIGHT MILE ROAD; THENCE SOUTH 00 DEG. 19' 00" EAST 180.00 FEET; THENCE SOUTH 89 DEG. 41' 00" WEST 156.00 FEET; THENCE NORTH 00 DEG. 19' 00" WEST 180.00 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST 1/4 OF SAID SECTION 4, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.

PARCEL 3:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60.00 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 1298.67 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF EIGHT MILE ROAD (93 FOOT WIDE) FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 89 DEG. 41' 00" EAST 246.36 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID EIGHT MILE ROAD; THENCE SOUTH 00 DEG. 19' 00" EAST 180.00 FEET; THENCE SOUTH 89 DEG. 41' 00" WEST 246.36 FEET; THENCE NORTH 00 DEG. 19' 00" WEST 180.00 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST 1/4 OF SAID SECTION 4.

PARCEL 4:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60.00 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 1545.03 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF EIGHT MILE ROAD (93 FOOT WIDE) FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 89 DEG. 41' 00" EAST 229.26 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID EIGHT MILE ROAD; THENCE SOUTH 00 DEG. 02' 37" WEST 210.00 FEET; THENCE SOUTH 89 DEG. 41' 04" WEST 227.94 FEET; THENCE NORTH 00 DEG. 19' 00" WEST 210.00 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST 1/4 OF SAID SECTION 4.

PARCEL 5:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60 FEET; THENCE NORTH 89 DEG. 41' 00" EAST 1559.51 FEET; THENCE SOUTH 00 DEG. 19' 19" EAST 210.00 FEET TO THE PLACE OF BEGINNING; THENCE NORTH 89 DEG. 41' 00" EAST 213.44 FEET; THENCE SOUTH 00 DEG. 02' 37" WEST 191.94 FEET; THENCE NORTH 89 DEG. 42' 08" EAST 199.96 FEET (NORTH 89 DEG. 41' 00" EAST 200.00 FEET RECORDED); THENCE SOUTH 00 DEG. 01' 48" WEST 272.91 FEET MEASURED (SOUTH 00 DEG. 03' 10" WEST 273.01 FEET RECORDED) ALONG A LINE PARALLEL WITH AND 660.00 FEET WEST OF THE EAST LINE OF SAID SECTION 4; THENCE SOUTH 89 DEG. 40' 41" WEST 410.50 FEET MEASURED (410.89 FEET RECORDED); THENCE NORTH 00 DEG. 19' 19" WEST 464.95 FEET TO THE PLACE OF BEGINNING.

PROJECT NARRATIVE

THIS PROJECT IS AN EXPANSION TO THE EXISTING KROGER STORE. THE SCOPE OF WORK INCLUDES ADDITIONAL BUILDING AREA, FACADE AND FRONT SIDEWALK IMPROVEMENTS AND PARKING LOT, UTILITY, AND STORMWATER MODIFICATIONS TO ACCOMMODATE THE PROPOSED WORK.

TO FACILITATE THE EXPANSION 8,134 SF OF THE EXISTING ADJACENT TENANT SPACE WILL BE DEMOLISHED. AN ADDITIONAL 13,779 SF OF THE RETAIL BUILDING TO THE EAST WILL BE DEMOLISHED TO ACCOMMODATE A KROGER PICK-UP AREA, PARKING SPACES, AND VEHICLAR ACCESS.

SHEET INDEX

C0.0	COVER SHEET
C1.2.1	OVERALL LAYOUT PLAN
C1.2.2	LAYOUT PLAN
C1.2.3	PICKUP AREA DETAIL
C1.3	PRELIMINARY UTILTIY PLAN
C1.4	TRAFFIC CONTROL PLAN
LS1.0	LANDSCAPE PLAN

ATTACHED PLANS
ALTA SURVEY
FLOOR PLAN
ELEVATIONS

THE KROGER COMPANY	CITY OF LIVONIA	WAYNE COUNTY, MICHIGAN
	STORE D-615 EXPANSION	
	SITE PLANS	
COVER SHEET	DATE	JULY 13, 2021
	REVISIONS/SUBMITTALS	
	07-13-2021 SUBMIT TO CITY	
NO SCALE		
DRAWN BY: EM		
CHECKED BY: EM		
PROJECT MANAGER: MMc		
JOB #: 18003949		
SHEET NO.		
C0.0		

LEGEND

	PROPERTY LINE
	PROPOSED CONCRETE CURB & GUTTER
	EXISTING CURBING
	PROPOSED SIDEWALK
	PROPOSED CONCRETE
	PROPOSED STANDARD ASPHALT
	PROPOSED HEAVY DUTY ASPHALT
	BUILDING EXPANSION AREA
	PROPOSED PAVEMENT MATCH LINE
	EXISTING OVERHEAD LINES
	GUY WIRES
	EXISTING / PROPOSED CART CORRAL
	PEDESTRIAN CROSSWALK
	PAINTED STOP BAR W/ STOP SIGN
	TRAFFIC FLOW ARROWS
	EXISTING / PROPOSED SIGN
	EXISTING / PROPOSED LIGHT POLE
	PARKING ROW COUNT
	ACCESSIBLE PARKING SPACE
	SIDEWALK RAMP
	EXISTING UTILITY POLE
	EXISTING HYDRANT

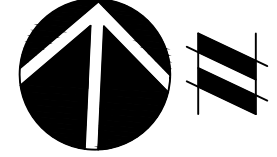
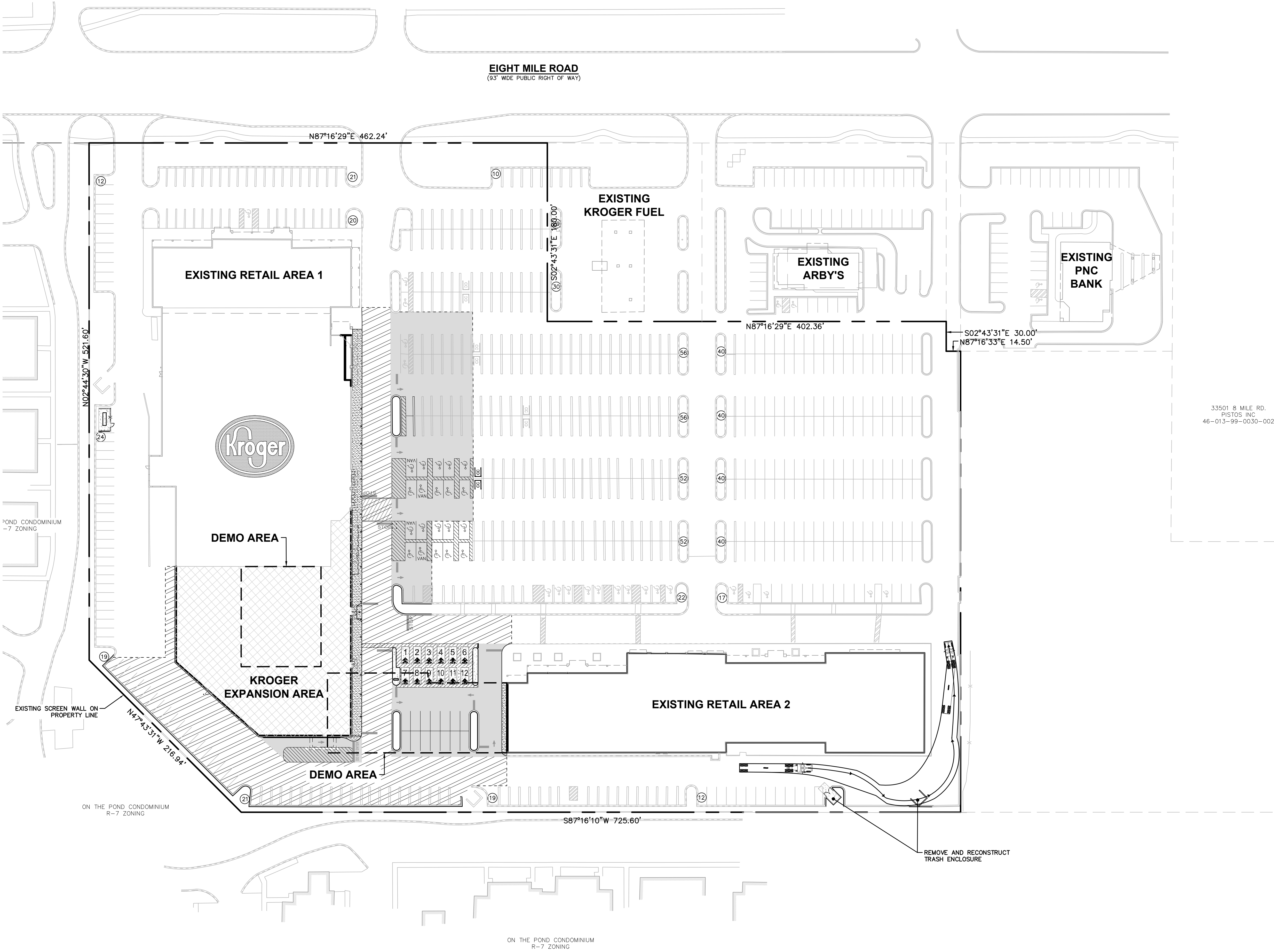
SITE DATA

PARCEL ID#	NET AREA	ZONING
46-013-99-0032-007	11,618 AC.	C-2

TENANT	EXISTING	DEMOLISHED	PROPOSED	FINAL
KROGER	47,545 SF	0 SF	28,616 SF	76,161 SF
RETAIL AREA 1	13,947 SF	0 SF	0 SF	13,947 SF
RETAIL AREA 2	51,543 SF	13,779 SF	0 SF	37,764 SF
RETAIL AREA 3	8,134 SF	8,134 SF	0 SF	0 SF
TOTAL	121,321 SF	21,913 SF	28,464 SF	127,872 SF

TENANT	PROVIDED	REQUIRED	FORMULA
KROGER	SEE TOTAL	406 SPACES	1/150 UFA
RETAIL 1	SEE TOTAL	75 SPACES	1/150 UFA
RETAIL 2	SEE TOTAL	74 SPACES	1/150 UFA
TOTAL	648 SPACES	555 SPACES	N/A
*USEABLE FLOOR AREA ASSUMED AS 80% OF GROSS FLOOR AREA			

ACCESSIBLE PARKING DATA	PROPOSED	REQUIRED	FORMULA
TOTAL	38 SPACES	13 SPACES	2% OF TOTAL
VAN	4 SPACES	3 SPACES	1/6 ACCESSIBLE SPACES



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. WHETHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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THE KROGER COMPANY
STORE D-615 EXPANSION
SITE PLANS
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

DATE
JULY 13, 2021
REVISIONS/SUBMITTALS
07-13-2021 SUBMIT TO CITY

OVERALL LAYOUT PLAN

DRAWN BY: EM
CHECKED BY: EM
PROJECT MANAGER: MMc
JOB #: 18003949
SHEET NO.

C1.2.1

CAD FILE: \\18003949\DWG\PLAN SETS\SITE PLANS\18003949-C02-L

LEGEND

	PROPERTY LINE
	PROPOSED CONCRETE CURB & GUTTER
	EXISTING CURBING
	PROPOSED SIDEWALK
	PROPOSED CONCRETE
	PROPOSED STANDARD ASPHALT
	PROPOSED HEAVY DUTY ASPHALT
	BUILDING EXPANSION AREA
	PROPOSED PAVEMENT MATCH LINE
	EXISTING OVERHEAD LINES
	GUY WIRES
	EXISTING / PROPOSED CART CORRAL
	PEDESTRIAN CROSSWALK
	PAINTED STOP BAR W/ STOP SIGN
	TRAFFIC FLOW ARROWS
	EXISTING / PROPOSED SIGN
	EXISTING / PROPOSED LIGHT POLE
	PARKING ROW COUNT
	ACCESSIBLE PARKING SPACE
	SIDEWALK RAMP
	EXISTING UTILITY POLE
	EXISTING HYDRANT

SITE DATA

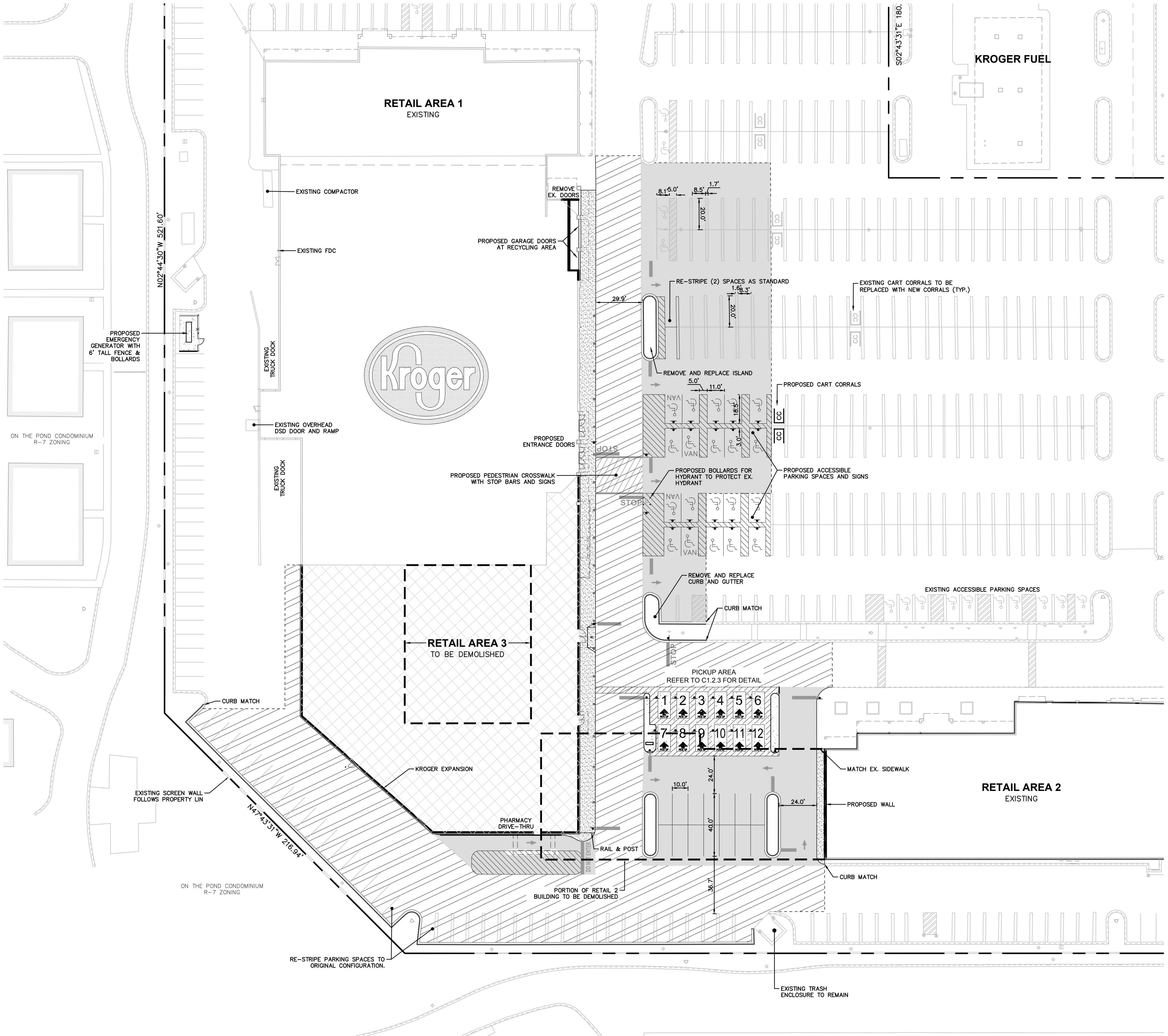
PARCEL SUMMARY				
PARCEL ID#	NET AREA		ZONING	
46-013-99-0032-007	11,618 AC.		C-2	
BUILDING SUMMARY				
TENANT	EXISTING	DEMOLISHED	PROPOSED	FINAL
KROGER	47,545 SF	0 SF	28,616 SF	76,161 SF
RETAIL AREA 1	13,947 SF	0 SF	0 SF	13,947 SF
RETAIL AREA 2	51,543 SF	13,779 SF	0 SF	37,764 SF
RETAIL AREA 3	8,134 SF	8,134 SF	0 SF	0 SF
TOTAL	121,321 SF	21,913 SF	28,464 SF	127,872 SF

PARKING SUMMARY			
TENANT	PROVIDED	REQUIRED	FORMULA
KROGER	SEE TOTAL	406 SPACES	1/150 UFA
RETAIL 1	SEE TOTAL	75 SPACES	1/150 UFA
RETAIL 2	SEE TOTAL	74 SPACES	1/150 UFA
TOTAL	648 SPACES	555 SPACES	N/A
*USEABLE FLOOR AREA ASSUMED AS 80% OF GROSS FLOOR AREA			

ACCESSIBLE PARKING DATA			
	PROPOSED	REQUIRED	FORMULA
TOTAL	38 SPACES	13 SPACES	2% OF TOTAL
VAN	4 SPACES	3 SPACES	1/6 ACCESSIBLE SPACES

NOTES

- ALL DIMENSIONS ARE TO EDGE OF BUILDING, FACE OF CURB, OR EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.
- ALL RADII ARE 5' UNLESS OTHERWISE NOTED.
- ALL ITEMS NOT IDENTIFIED AS "EXISTING" SHALL BE PROPOSED.
- ALL ON-SITE PAVEMENT NOT IDENTIFIED AS HEAVY DUTY ASPHALT OR CONCRETE PAVEMENT SHALL BE STANDARD DUTY ASPHALT PAVEMENT.



811

Know what's below.
Call before you dig.

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THE KROGER COMPANY

STORE D-615 EXPANSION
SITE PLANS

LAYOUT PLAN

DATE
JULY 13, 2021

REVISIONS/SUBMITTALS
07-13-2021 SUBMIT TO CITY

0 15 30
SCALE: 1"=30'

DRAWN BY: EM

CHECKED BY: EM

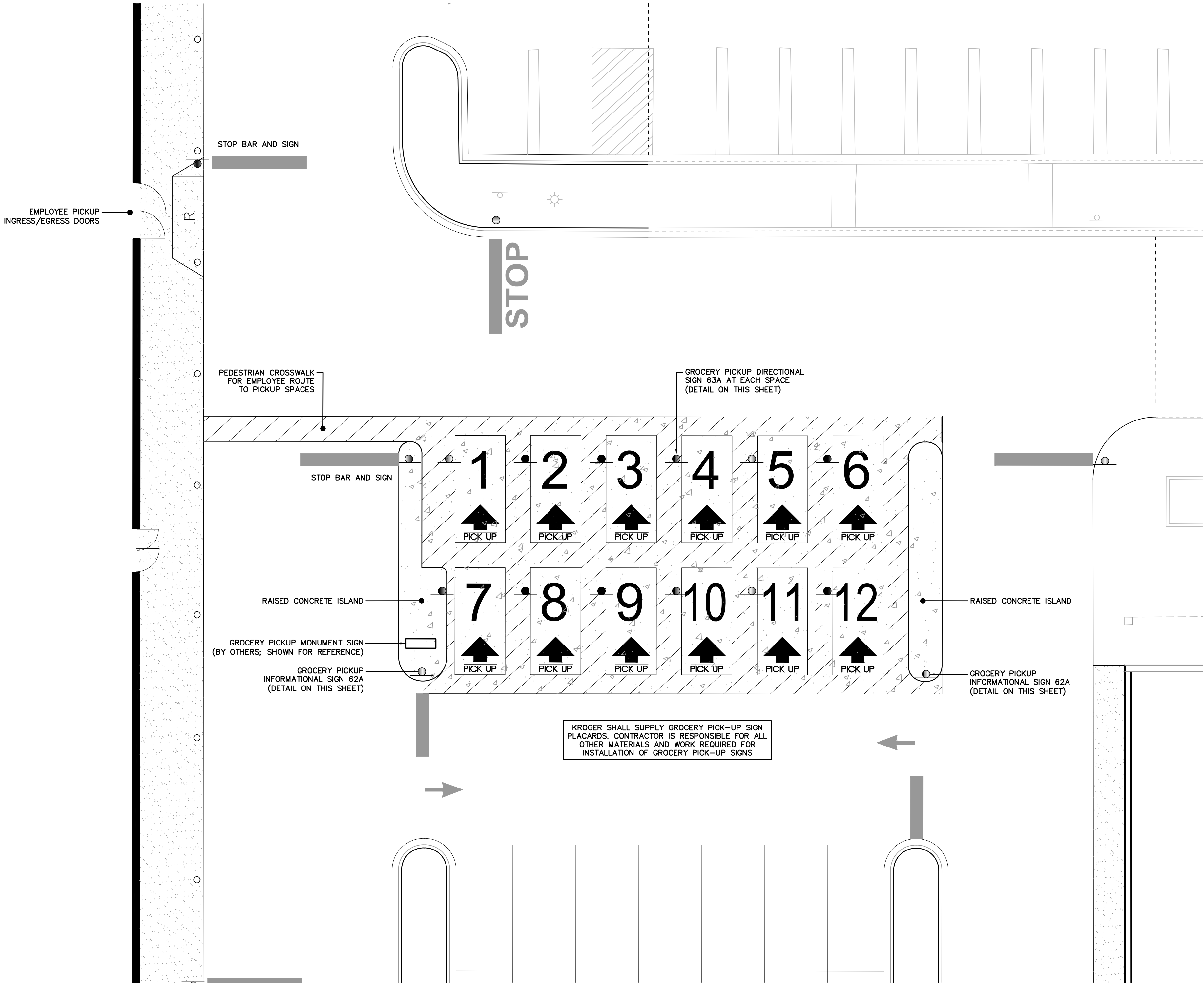
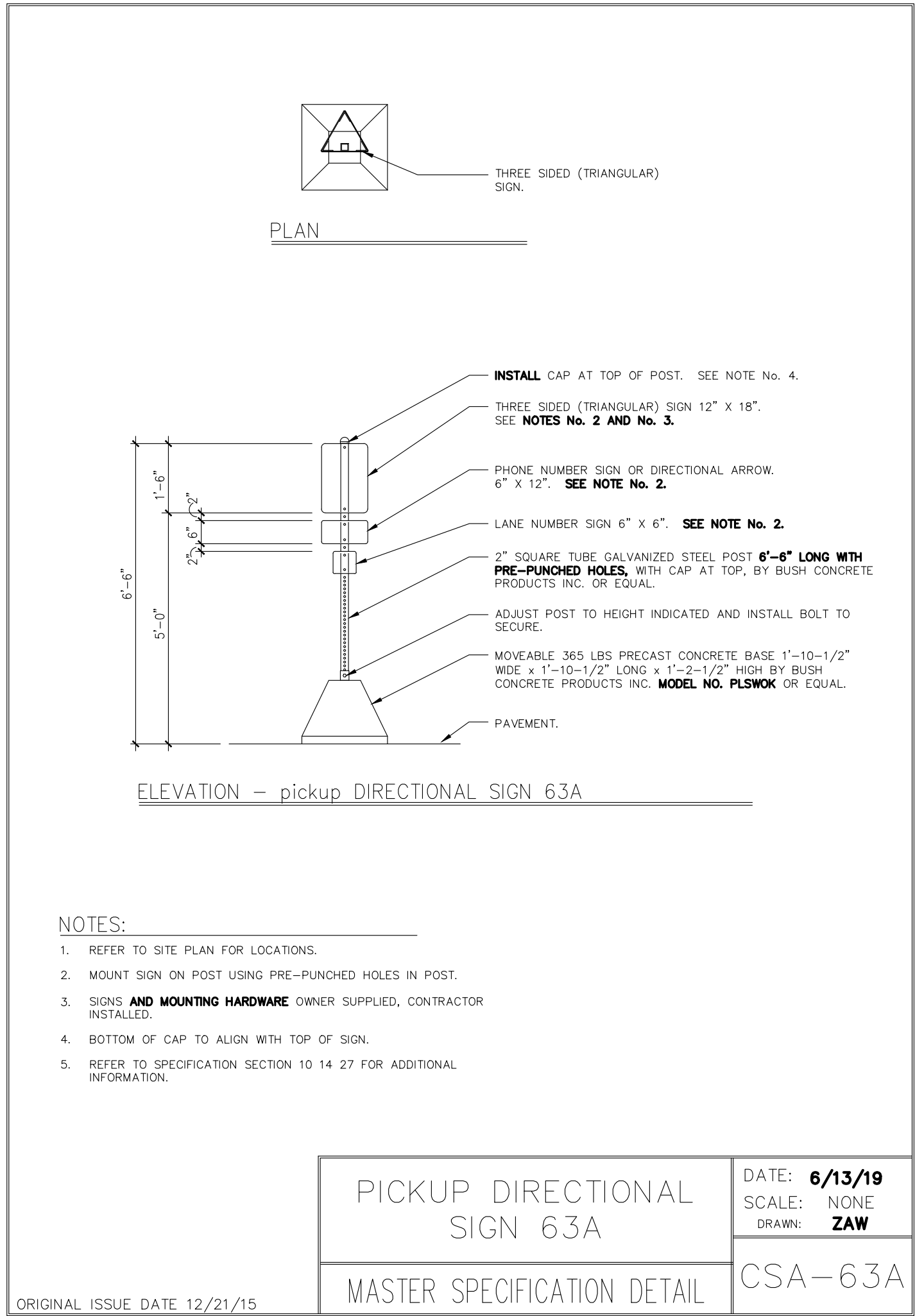
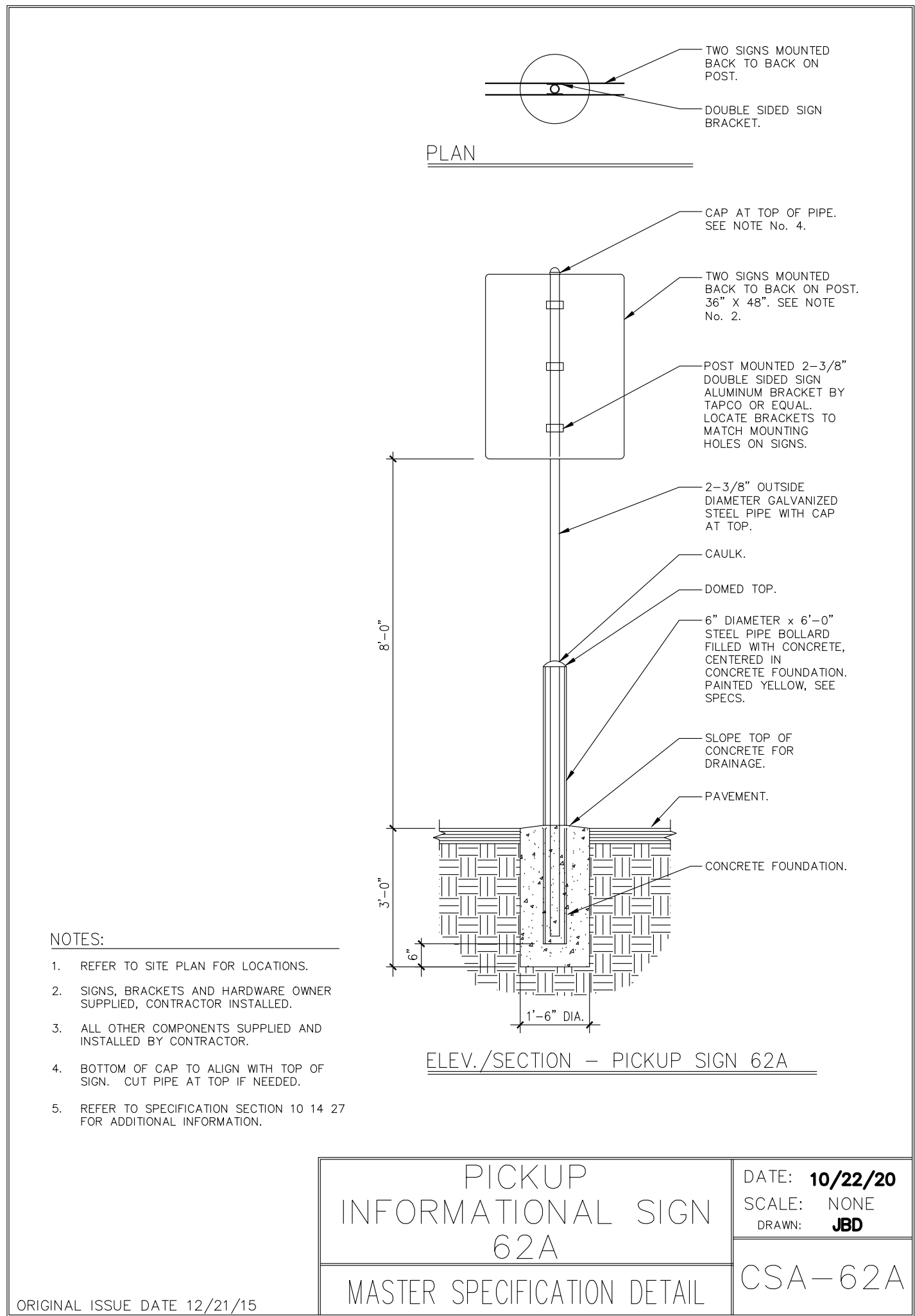
PROJECT MANAGER: MMc

JOB #: 18003949

SHEET NO.

C1.2.2

CAD FILE: \\18003949\DWG\PLAN SETS\SITE PLANS\18003949-C02-L



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CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

THE KROGER COMPANY
STORE D-615 EXPANSION
SITE PLANS
PICKUP AREA DETAIL

DATE: JULY 13, 2021
REVISIONS/SUBMITTALS
07-13-2021 SUBMIT TO CITY

0 5 10
SCALE: 1"=10'

DRAWN BY: EM
CHECKED BY: EM
PROJECT MANAGER: MMc
JOB #: 18003949
SHEET NO.

C1.2.3

LEGEND

	PROPERTY LINE		EXISTING / PROPOSED MANHOLE
	EXISTING OVERHEAD LINES		EXISTING / PROPOSED CATCH BASIN
	EXISTING STORM SEWER		EXISTING / PROPOSED HYDRANT
	EXISTING SANITARY SEWER		EXISTING / PROPOSED VALVE OR STOP BOX
	EXISTING WATER		EXISTING / PROPOSED LIGHT POLE
	PROPOSED SANITARY SEWER		PROPOSED CLEANOUT
	PROPOSED WATER		EXISTING UTILITY POLE
	PROPOSED STORM SEWER		TRANSFORMER
	PROPOSED UNDERGROUND ELECTRIC		
	PROPOSED GAS		
	PROPOSED UNDERGROUND TELEPHONE/DATA		

NOTES

- FOR ADDITIONAL INFORMATION REFERENCE THE STANDARD NOTES SHEET, STANDARD DETAIL SHEET(S), AND ANY MUNICIPALITY AND/OR JURISDICTIONAL DETAILS ATTACHED TO THIS PLAN SET.
- CONTRACTOR SHALL PAY ANY UTILITY COMPANY FEES ASSOCIATED WITH SERVICE INSTALLATION.
- CONTRACTOR SHALL CALL "MISS DIG" AT LEAST THREE (3) WORKING DAYS PRIOR TO CONSTRUCTION.
- ALL SANITARY SEWER SHALL BE PVC SDR 23.5.
- ALL STORM SEWER SHALL BE CLIV RCP.

UTILITIES NARRATIVE

STORMWATER

THE EXISTING DEVELOPMENT CONSISTS OF AN UNDERGROUND STORM SEWER SYSTEM WHICH OUTLETS SOUTH, UNRESTRICTED, VIA 36-INCH PIPE.

KROGER PROPOSES TO INSTALL UNDERGROUND DETENTION TO ACCOMMODATE A VOLUME EQUIVALENT TO THE AREA OF PROPOSED DISTURBANCE BASED ON WAYNE COUNTY DETENTION STANDARDS FOR A 10-YEAR EVENT. THE UNDERGROUND DETENTION SYSTEM WILL OUTLET AT A RESTRICTED RATE TO THE EXISTING OUTLET. STORM SEWER FROM THE EAST IS PROPOSED BE RE-ROUTED AROUND THE UNDERGROUND DETENTION SYSTEM.

SANITARY SEWER

SUFFICIENT SANITARY SERVICE IS CURRENTLY AVAILABLE TO ALL TENANTS; NO NEW SERVICES ARE PROPOSED. THE PROPOSED KROGER EXPANSION IMPACTS AN EXISTING 8-INCH SANITARY SEWER WHICH WILL BE RELOCATED AROUND THE EXPANSION AREA.

WATERMAIN

SUFFICIENT WATER SERVICE AND HYDRANT COVERAGE IS CURRENTLY AVAILABLE TO ALL TENANTS; NO NEW SERVICES ARE PROPOSED. EXISTING SERVICES FOR TENANTS WHICH ARE PROPOSED TO BE REMOVED/DEMOLISHED WILL BE CUT, CAPPED, AND ABANDONED PER CITY OF LIVONIA REQUIREMENTS.

FRANCHISE UTILITIES

GAS, ELECTRIC, DATA, AND TELEPHONE ARE CURRENTLY AVAILABLE TO ALL TENANTS. NO NEW SERVICES ARE PROPOSED. THE PROPOSED KROGER EXPANSION IMPACTS SEVERAL UTILITIES WHICH WILL BE RELOCATED AROUND THE EXPANSION AREA. EXISTING SERVICES FOR TENANTS WHICH ARE PROPOSED TO BE REMOVED/DEMOLISHED WILL BE CUT, CAPPED, AND ABANDONED PER CITY OF LIVONIA AND UTILITY COMPANY REQUIREMENTS.

BENCHMARKS

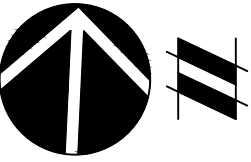
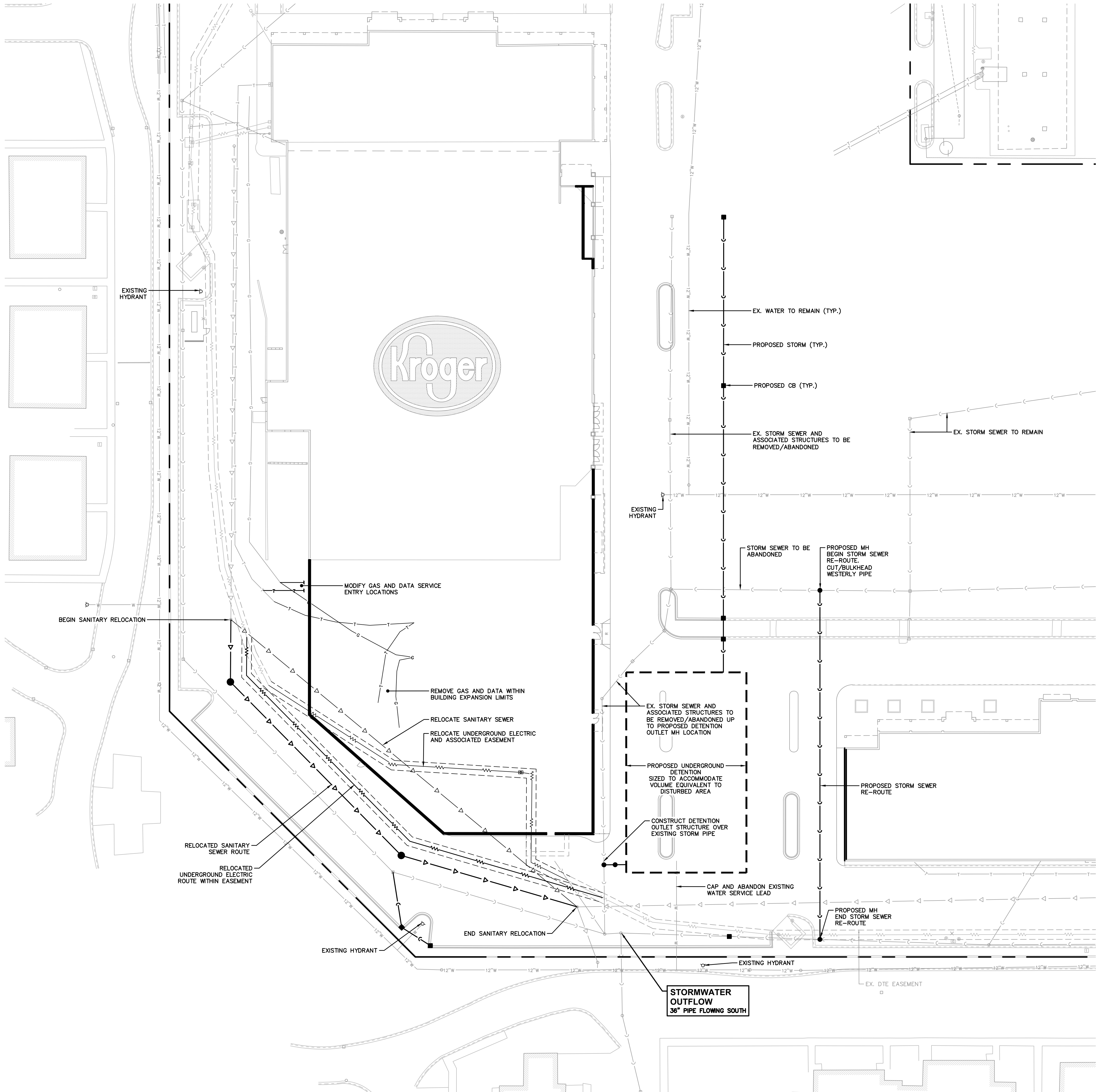
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SITE BM #1:
ARROW ON FIRE HYDRANT IN CURB ISLAND NORTH OF
SOUTHERLY BUILDING
ELEVATION: 704.36 (NAVD88)

SITE BM #2:
ARROW ON FIRE HYDRANT IN CURB ISLAND EAST OF
KROGER BUILDING
ELEVATION: 704.88 (NAVD88)

SITE BM #3:
ARROW ON FIRE HYDRANT IN CURB ISLAND AT
SOUTHWEST PROPERTY CORNER
ELEVATION: 701.22 (NAVD88)

SITE BM #4:
ARROW ON FIRE HYDRANT IN CURB ISLAND WEST OF
KROGER BUILDING
ELEVATION: 704.25 (NAVD88)



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THE KROGER COMPANY
STORE D-615 EXPANSION
SITE PLANS
PRELIMINARY UTILITY PLAN
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

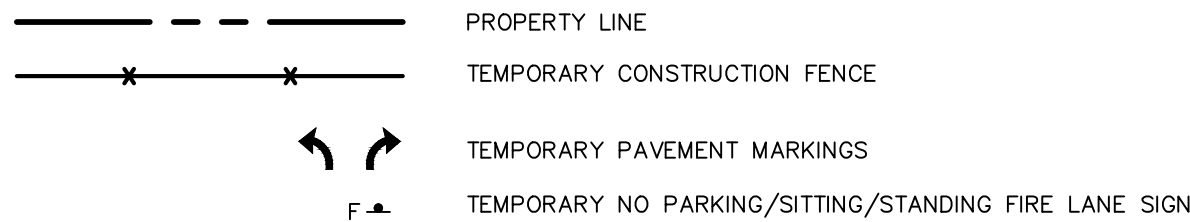
DATE
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0 15 30
SCALE: 1"=30'
DRAWN BY: EM
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PROJECT MANAGER: MMC
JOB #: 18003949
SHEET NO.

C1.3

CAD FILE: \\18003949\DWG\PLAN SETS\SITE PLANS\18003949-C04-U

LEGEND



NOTES TO CONTRACTOR

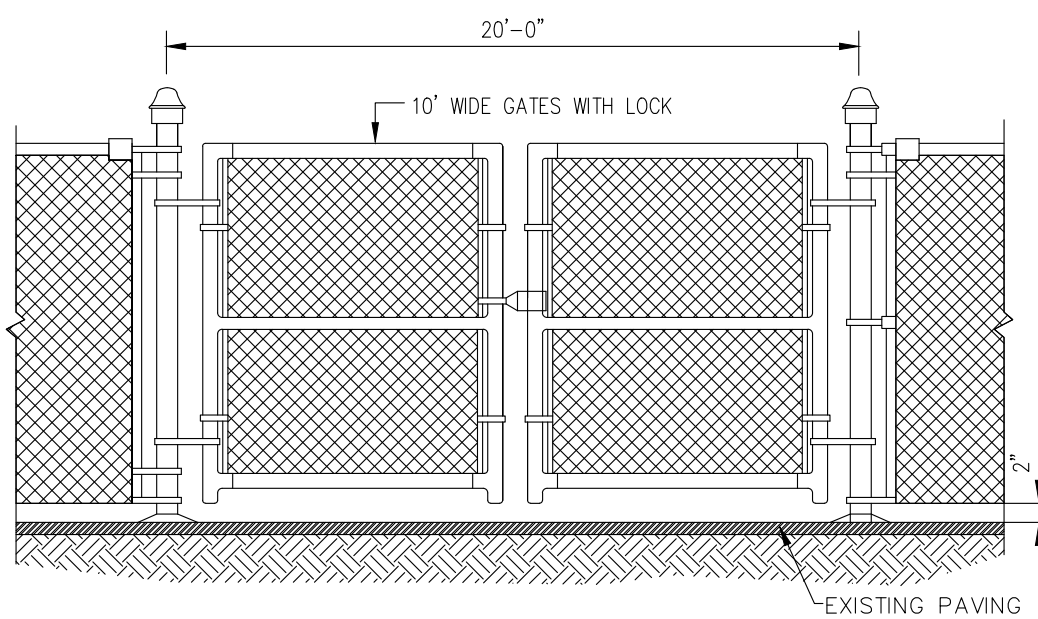
- REFER TO SWPPP PLAN FOR ALL EROSION CONTROL MEASURES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL THE APPROPRIATE BMP'S PRIOR TO COMMENCING CONSTRUCTION IN ANY PHASE.
- CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION PHASES WITH KROGER CONSTRUCTION MANAGER.

STAGING AREA NOTES

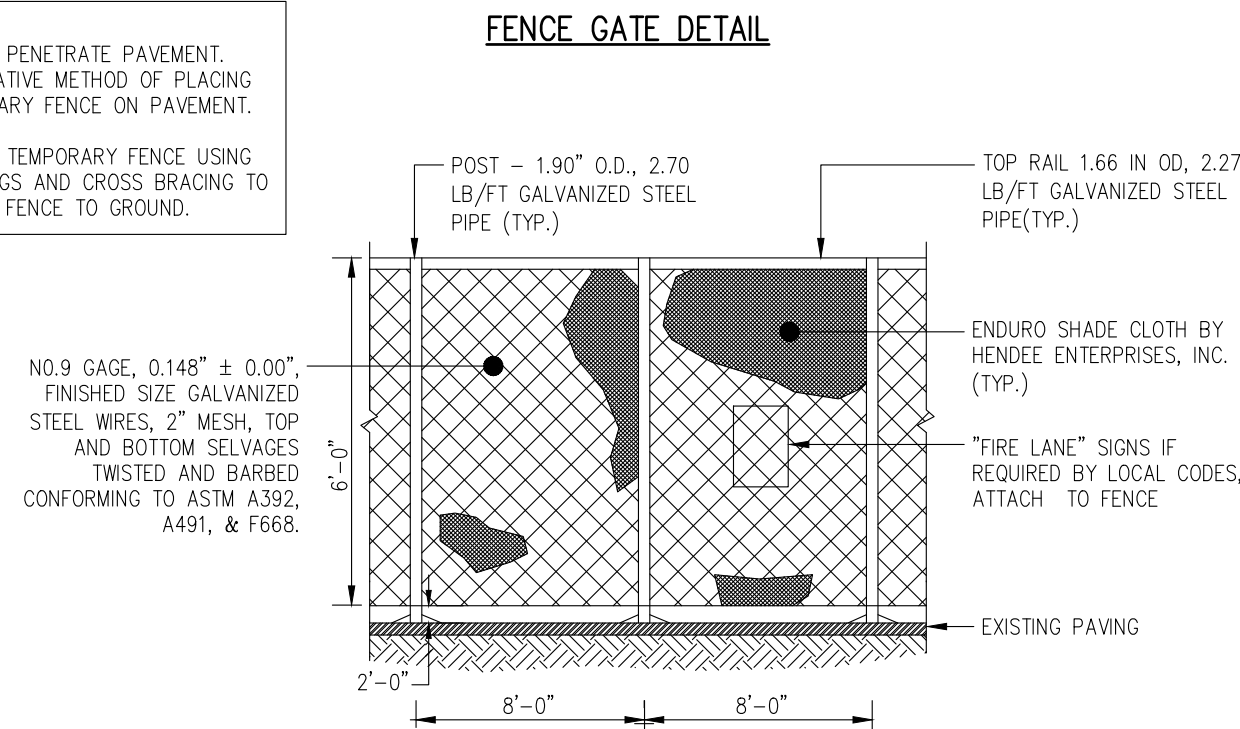
- THE STAGING AREA SHALL BE ENCLOSED WITH TEMPORARY FENCE AND ITS LOCATION IS SUBJECT TO THE CONSTRUCTION MANAGER'S APPROVAL. CONSTRUCTION TRAILERS, TEMPORARY PARKING AND ITEMS SUCH AS SOLID WASTE RECEPTACLES, SANITARY FACILITIES, CONCRETE WASTE, FUEL TANKS, CONSTRUCTION MATERIALS/SUPPLIES, AND STOCKPILES SHALL BE PLACED HERE.

PHASING NOTES

- SOME EXISTING BUSINESSES ARE TO REMAIN OPERATIONAL THROUGHOUT CONSTRUCTION. CONTRACTOR TO COORDINATE WITH OWNER ON WHICH ONES.
- CONSTRUCTION PHASES SHALL BE COORDINATED THROUGH THE CONSTRUCTION MANAGER AND STORE MANAGER.
- CONTRACTOR SHALL CONDUCT AND STAGE THE SITE WORK CONSTRUCTION IN A WAY TO MAINTAIN CONTINUOUS 2-WAY CUSTOMER ACCESS FOR BUSINESSES WHICH ARE TO REMAIN OPERATIONAL.
- CONTRACTOR SHALL INSTALL TEMPORARY FENCE TO ENCLOSE CONSTRUCTION AREA AS NECESSARY. TEMPORARY FENCE SHALL NOT OBSTRUCT THE VIEW OR ACCESSIBILITY OF PEDESTRIAN AND VEHICULAR TRAFFIC.
- CONTRACTOR SHALL SECURE ALL EQUIPMENT AND SUPPLIES WITHIN STAGING AREA AS DIRECTED BY THE CONSTRUCTION MANAGER. APPROPRIATE SIGNAGE SHALL BE DISPLAYED ALONG PERIMETER OF THE STAGING AREA DURING THE CONSTRUCTION.
- CONSTRUCTION OF PARKING LOT SHALL NOT INTERRUPT THE PARKING LOT LIGHTING SYSTEM FOR OPERATIONAL BUSINESSES. CONTRACTOR SHALL MAINTAIN PARKING LOT LIGHTING FOR OPERATIONAL BUSINESSES AT ALL TIMES.
- CONTRACTOR TO REMOVE ALL CONSTRUCTION DEBRIS, MUD, ETC, UPON COMPLETION OF FINAL CONSTRUCTION.
- REMOVE ANY TEMPORARY FENCE AND TEMPORARY SIGNAGE ONCE CONSTRUCTION IS COMPLETE.
- REMOVE ANY TEMPORARY STRIPING AND PAVEMENT MARKINGS ONCE CONSTRUCTION IS COMPLETE. RESTORE TO ORIGINAL CONFIGURATION OR PROPOSED CONFIGURATION IF IDENTIFIED ON THE SITE LAYOUT PLAN.
- FIRE ACCESS SHALL BE MAINTAINED AROUND THE BUILDING AT ALL TIMES. FIRE ACCESS CAN BE COMPACTED GRAVEL AND ANY TEMPORARY FENCES SHALL BE GATED AND UNLOCKED FOR EASY EMERGENCY ACCESS.

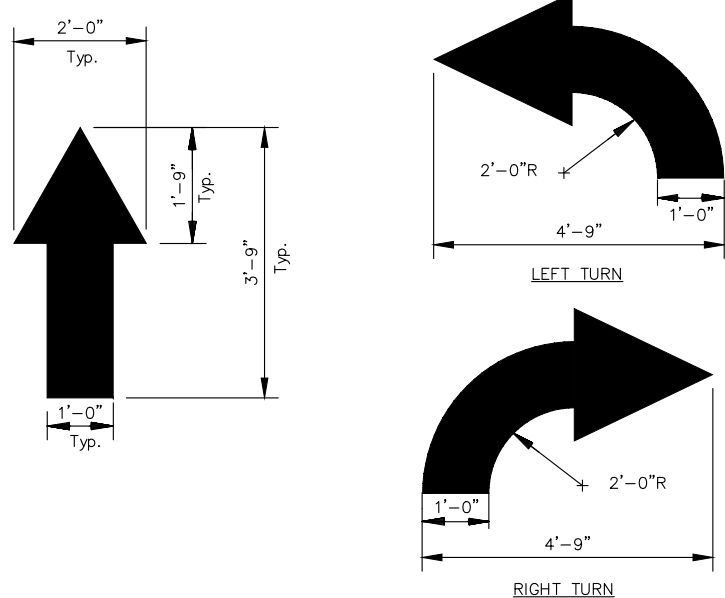


FENCE GATE DETAIL

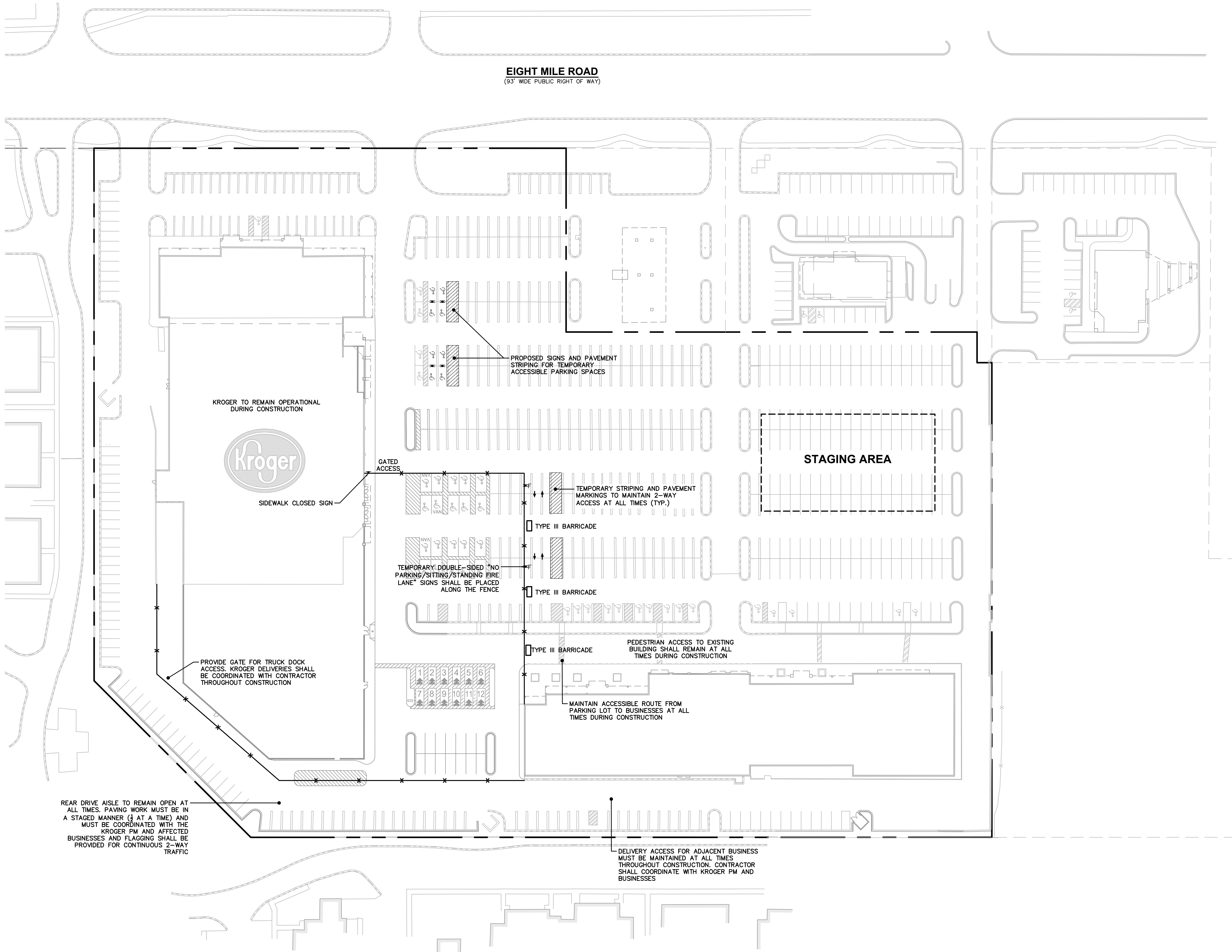


TEMPORARY CONSTRUCTION FENCE DETAIL
NOT TO SCALE

NOTE: ALL TRAFFIC FLOW ARROWS TO BE SOLID REFLECTIVE TRAFFIC PAINT PER DIMENSIONS ABOVE. SURFACE TYPES: COLORS BASED ON WHITE FOR ASPHALT AND YELLOW FOR CONCRETE.



PAVEMENT MARKING - DIRECTIONAL ARROWS
NOT TO SCALE



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY, AND ALL UNDERGROUND UTILITIES.

NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OR ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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SHELBY TOWNSHIP, MI 48315
(586) 786-9800



CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

THE KROGER COMPANY
STORE D-615 EXPANSION
SITE PLANS
TRAFFIC CONTROL PLAN

DATE
JULY 13, 2021
REVISIONS/SUBMITTALS
07-13-2021 SUBMIT TO CITY

0 25 50
SCALE: 1"=50'

DRAWN BY: EM
CHECKED BY: EM
PROJECT MANAGER: MMc
JOB #: 18003949
SHEET NO.

PROPERTY LINE
SANITARY SEWER
STORM SEWER
WATERMAIN
GAS
UNDERGROUND ELECTRIC
UNDERGROUND TELEPHONE
FENCE
PERENNIAL FLOWERS

ORNAMENTAL TREE
DECIDUOUS SHRUB
EXISTING TREE

PLANT KEY

PA (3) — PLANT QUANTITY

— PLANT KEY (REFER TO SCHEDULE)

NOTES TO CONTRACTOR

1. ALL DISEASED, DAMAGED, OR DEAD PLANTING MATERIALS SHALL BE REMOVED IN ACCORDANCE WITH STANDARDS OF THE CITY OF LIVONIA ZONING ORDINANCE.

2. ALL PLANTS SHALL CONFORM TO THE CURRENT ISSUE OF THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND SHALL HAVE PASSED INSPECTIONS REQUIRED UNDER STATE REGULATIONS.

3. ALL LANDSCAPED AREAS SHALL BE COVERED BY GRASS OR OTHER LIVING GROUND COVER. GRASS AREAS SHALL BE PLANTED IN SPECIES NORMALLY GROWN AS PERMANENT LAWNS IN THE CITY OF STERLING HEIGHTS.

4. PROVIDE SHREDDED HARDWOOD MULCH AROUND THE BASE OF ALL TREES.

5. ALL TREE STAKING IN PARKING LOT ISLANDS SHALL BE REMOVED IN AREAS OPEN TO BUSINESS.

6. SITE IRRIGATION TO BE PROVIDED FOR ALL PROPOSED LANDSCAPE IMPROVEMENT AREAS AND LAWN AREAS.

DECIDUOUS ORNAMENTAL TREE SCHEDULE

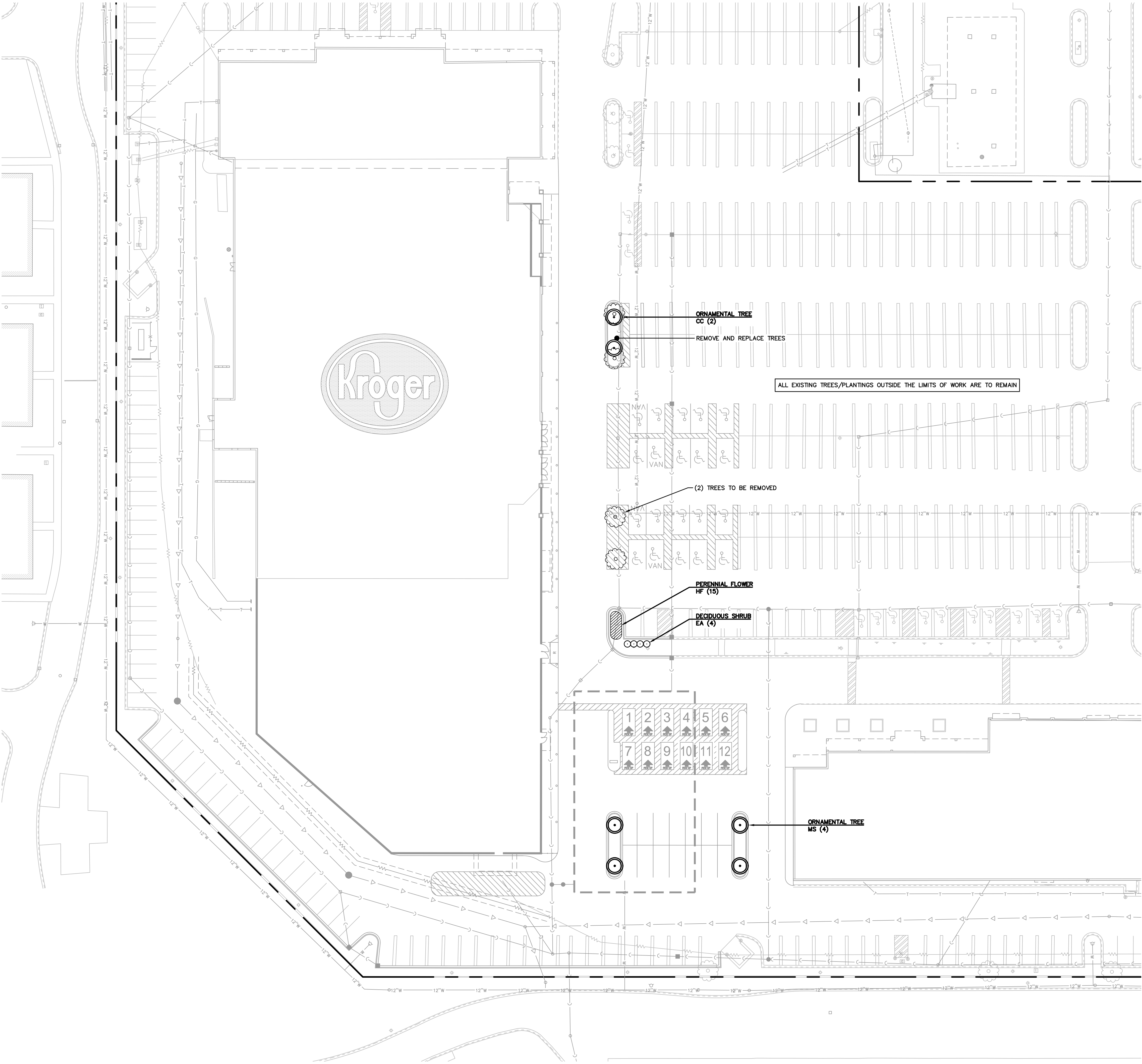
KEY_QTY	BOTANICAL_NAME	COMMON_NAME	SIZE	NOTES
CC 2	CERCIS CANADENSIS	EASTERN REDBUD	3" CAL.	B & B
MS 4	MAGNOLIA STELLATA	STAR MAGNOLIA	3" CAL.	B & B

SHRUB SCHEDULE

KEY_QTY	BOTANICAL_NAME	COMMON_NAME	SIZE	NOTES
EA 4	EUONYMUS ALATA 'COMPACTA'	COMPACT EUONYMUS	24"	CONT.

PERENNIAL FLOWER SCHEDULE

HF 15	HEMEROCALLIS FULVA	DAYLILY	1 GAL.	CONT.
-------	--------------------	---------	--------	-------



811

Know what's below.
Call before you dig.

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SHELBY TOWNSHIP, MI 48315
(366) 786-9600

CITY OF LIVONIA

WAYNE COUNTY, MICHIGAN

THE KROGER COMPANY

STORE D-615 EXPANSION

SITE PLANS

LANDSCAPE PLAN

DATE

JULY 13, 2021

REVISIONS/SUBMITTALS

07-13-2021 SUBMIT TO CITY

0 15 30

SCALE: 1"=30'

DRAWN BY: EM

CHECKED BY: EM

PROJECT MANAGER: MMc

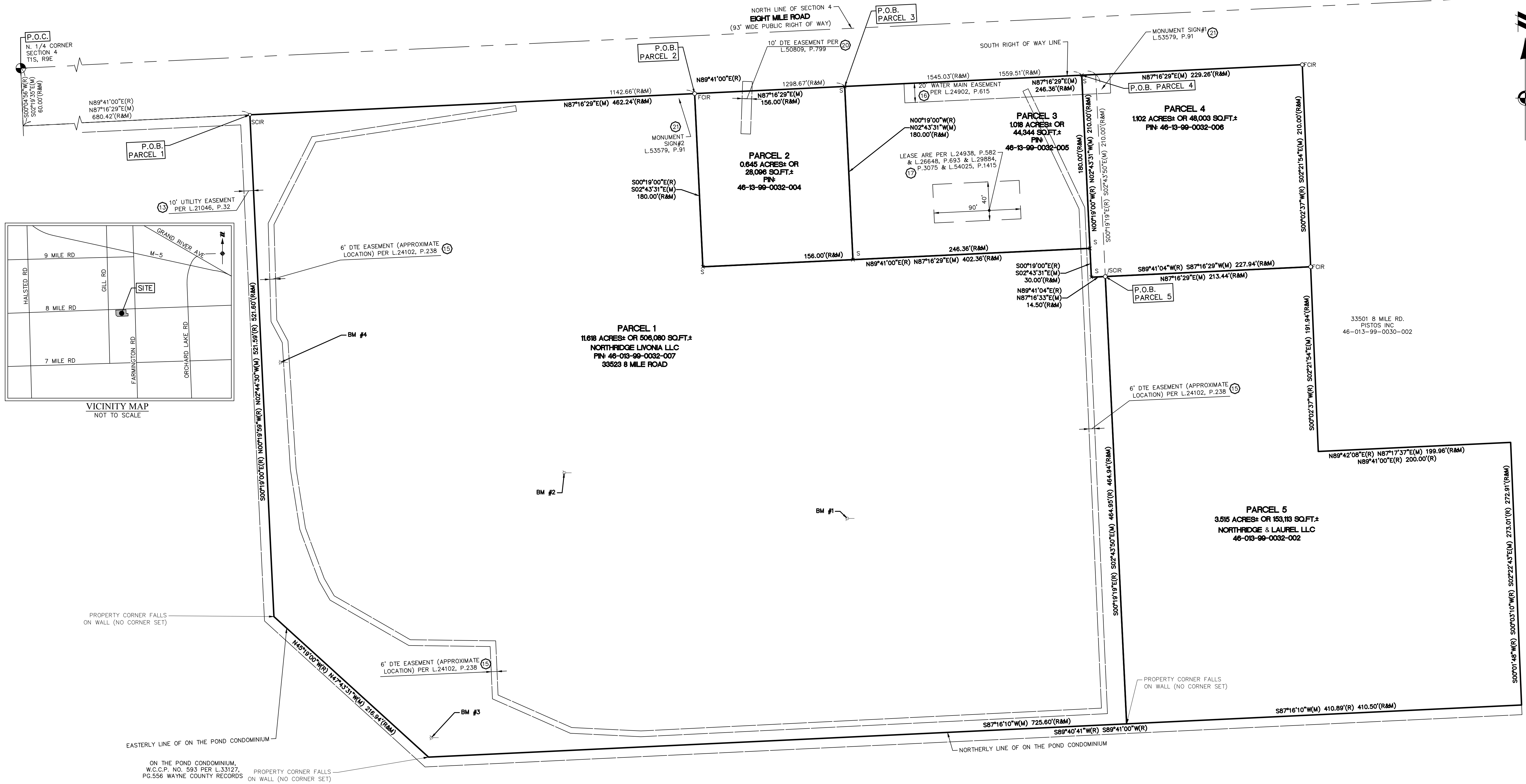
JOB #: 18003949

SHEET NO.

LS1.0

CAD FILE: \\18003949\DWG\PLAN SETS\SITE PLANS\18003949-006-LS

ALTA/NSPS LAND TITLE SURVEY



SOURCE BENCHMARK:
NGS PID: DI6221
ELEVATION: 705.42 (NAVD88)

SITE BENCHMARKS:
BM #1: ARROW ON FIRE HYDRANT IN CURB ISLAND NORTH OF SOUTHERLY BUILDING
ELEVATION: 704.36 (NAVD88)
BM #2: ARROW ON FIRE HYDRANT IN CURB ISLAND EAST OF KROGER BUILDING
ELEVATION: 704.88 (NAVD88)
BM #3: ARROW ON FIRE HYDRANT IN CURB ISLAND AT SOUTHWEST PROPERTY CORNER
ELEVATION: 701.22 (NAVD88)
BM #4: ARROW ON FIRE HYDRANT IN CURB ISLAND WEST OF KROGER BUILDING
ELEVATION: 704.25 (NAVD88)

ON THE POND CONDOMINIUM, W.C.C.P. NO. 593
PER L.33127, PG.556 WAYNE COUNTY RECORDS

SURVEYOR'S CERTIFICATE

TO: THE KROGER CO. OF MICHIGAN, A MICHIGAN CORPORATION
FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 7(a), 7(b)(1), 8, 9, 11, 13, 17, 20 AND 21 OF TABLE A THEREOF.

FIELD WORK WAS COMPLETED ON FEBRUARY 4, 2019.

MICHAEL D. EMBREE
PROFESSIONAL SURVEYOR NO. 56860
EMBREE@ATWELL-GROUP.COM
TWO TOWNE SQUARE, SUITE 700
SOUTHFIELD, MICHIGAN 48076
248.447.2000

DATE

Know what's below.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

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866.850.4200 www.atwell-group.com
TWO TOWNE SQUARE, SUITE 700
SOUTHFIELD, MI 48076
248.447.2000

CLIENT	SECTION 4
	TOWN 1 SOUTH, RANGE 9 EAST
	CITY OF LIVONIA
THE KROGER CO.	WAYNE COUNTY, MICHIGAN
ALTA/NSPS LAND TITLE SURVEY & BOUNDARY/TOPOGRAPHIC SURVEY	LOCATED IN
DATE	02/04/2019
REVISIONS	
SCALE 0 25 50 1" = 50 FEET	
DR. JR	GH. ME
P.M. J. CECIL	
BOOK NA	
JOB 18003949	
SHEET NO.	1 OF 3

CAD FILE: 18003949AS-01.DWG



81

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THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
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SOLE RESPONSIBILITY OF THE
CONTRACTOR; NEITHER THE OWNER
NOR THE ENGINEER SHALL BE
EXPECTED TO ASSUME ANY
RESPONSIBILITY FOR SAFETY OF
THE WORK, OF PERSONS ENGAGED
IN THE WORK, OF ANY NEARBY
STRUCTURES, OR OF ANY OTHER
PERSONS.

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SECTION 4

TOWN 1 SOUTH, RANGE 9 EAST

CITY OF LIVONIA

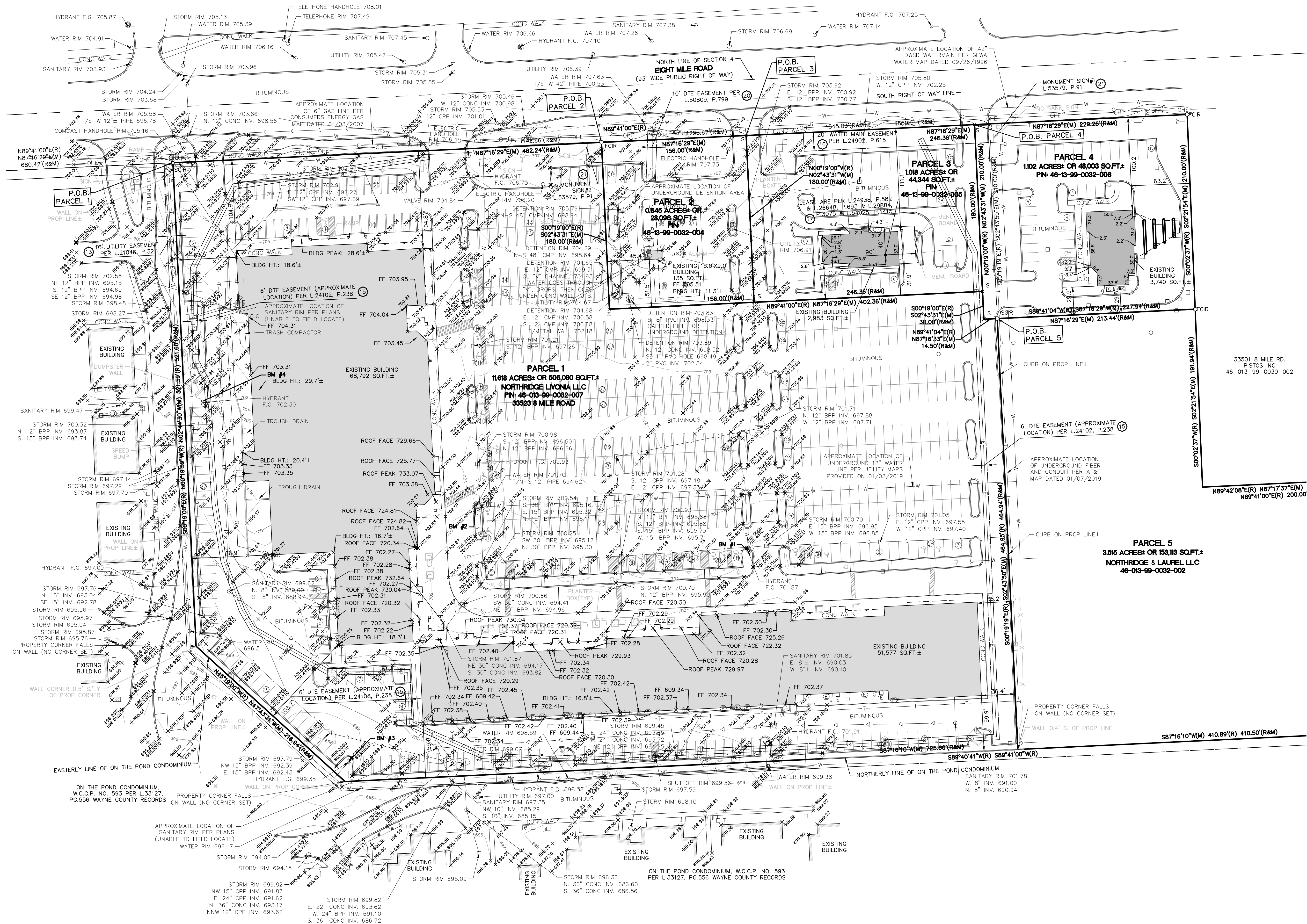
WAYNE COUNTY, MICHIGAN

CLIENT THE KROGER CO.
ALTA/NSPS LAND TITLE SURVEY
& BOUNDARY/TOPOGRAPHIC SURVEY
LOCATED IN

DATE 02/04/2019

RELIGIOUS

REVISIONS			
SCALE	0	25	50
1" = 50 FEET			
DR.	JR.	CH.	ME
P.M. J. CECIL			
BOOK	NA		
JOB	18003949		
SHEET NO.			
2 OF 3			



PARCEL 5:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 4, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA,
WAYNE COUNTY, MICHIGAN; THENCE SOUTH 00 DEG. 04' 56" WEST 60 FEET; THENCE NORTH 89 DEG. 41'
00" EAST 1559.51 FEET; THENCE SOUTH 00 DEG. 19' 19" EAST 210.00 FEET TO THE PLACE OF BEGINNING;
THENCE NORTH 89 DEG. 41' 00" EAST 213.44 FEET; THENCE SOUTH 00 DEG. 02' 37" WEST 191.94 FEET;
THENCE NORTH 89 DEG. 42' 08" EAST 199.96 FEET (NORTH 89 DEG. 41' 00" EAST 200.00 FEET RECORDED)
THENCE SOUTH 00 DEG. 01' 48" WEST 272.91 FEET MEASURED (SOUTH 00 DEG. 03' 10" WEST 273.01 FEET
RECORDED) ALONG A LINE PARALLEL WITH AND 660.00 FEET WEST OF THE EAST LINE OF SAID SECTION 4;
THENCE SOUTH 89 DEG. 04' 41" WEST 410.50 FEET MEASURED (410.89 FEET RECORDED); THENCE NORTH 00
DEG. 19' 19" WEST 464.95 FEET TO THE PLACE OF BEGINNING.

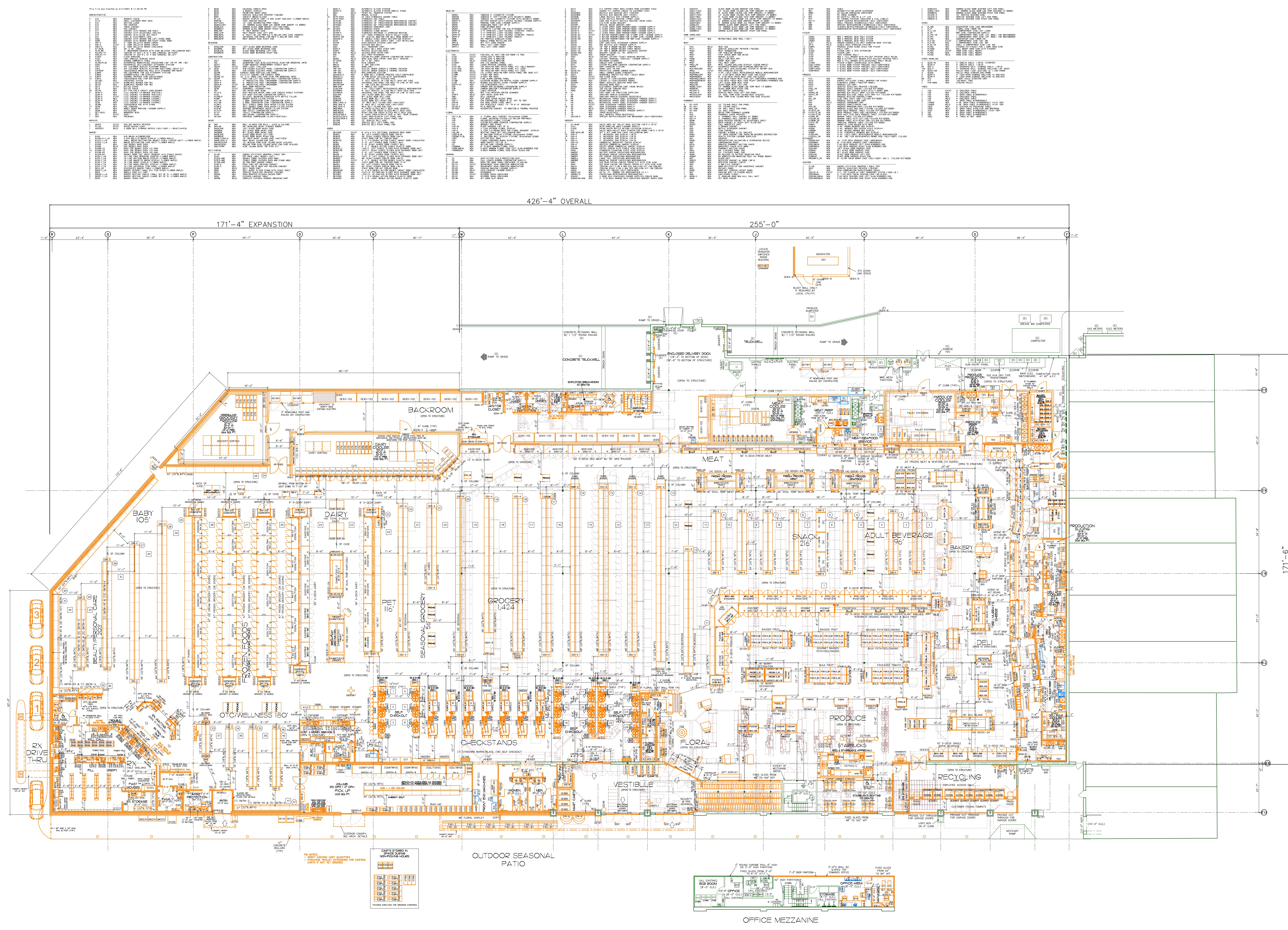
22. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN BETWEEN NORTHRIDGE PARCEL B LLC, AS LANDLORD AND PNC BANK, NATIONAL ASSOCIATION, AS TENANT, EVIDENCED OF RECORD BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED OCTOBER 25, 2017 AT LIBER 54025, PAGE 1404. (AS TO PARCEL 4)

RESPONSE: COVERS PARCEL 4.

Keywords: child sexual abuse; disclosure; social support

COLOR KEY

- EXISTING FIXTURES
- RELOCATED FIXTURES
- NEW FIXTURES
- RELOCATED FIXTURES



FINAL PLAN

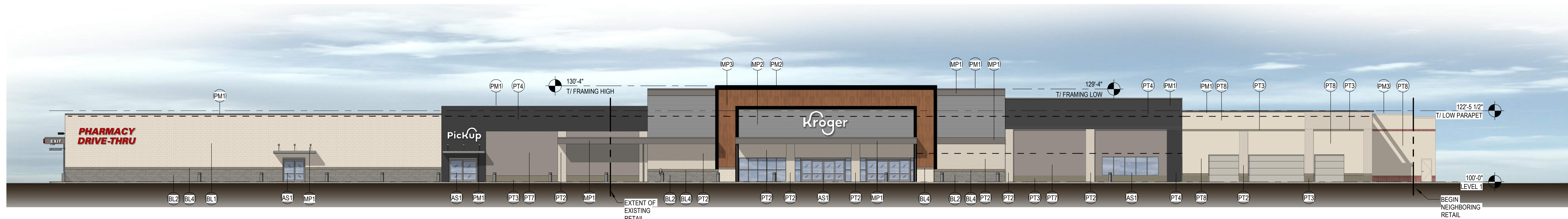
EXPANSION
D-615
33523 EIGHT MILE RD.
LIVONIA, MI

CURRENT PLAN DATE 6/17/2021	
ORIGINAL PLAN DATE 6/4/2021	
DRAWN C. KRESSER	CHECKED D. HOSKINS
REVISIONS	
STANDARD PLOTTED SCALE 1/16"=1'-0"	
BUILDING STATS	
TOTAL SHELVING	2,707 LF
SALIS AREA	53,438 SF
% OF GROSS BUILDING	70.5%
BASE STORE	74,287 SF
MEZZANINE	1,010 SF
DOCK / UTILITY	864 SF
GROSS BUILDING 76,161 SF	
FINAL FIXTURE PLAN	
STEEL PACKAGE ID Not Applicable	
D-615	
F1	
CAD FILE 0615P1.DWG	

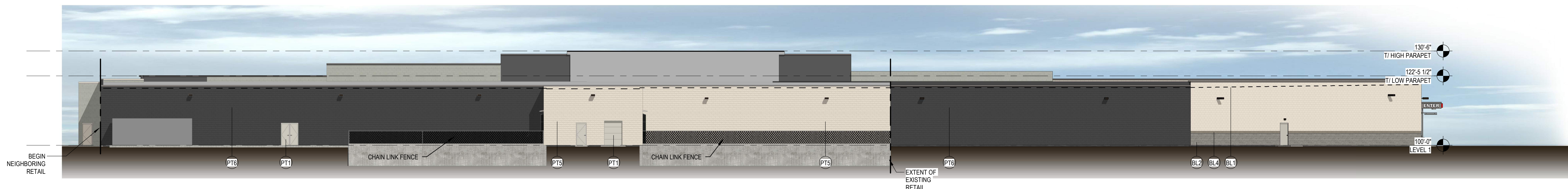
FRESH FOR EVERYONE™
Kroger
GENERAL OFFICE
FACILITY ENGINEERING
500 W. W. 87, CHICAGO, IL 60602
PH: (800) 762-4667 FAX: (800) 762-4002

MICHIGAN
(NEW) ARTISAN
40393 G2AND RIVER AVENUE
NOVI, MICHIGAN
P-OVE (248) 957-2254 FAX (248) 957-2255

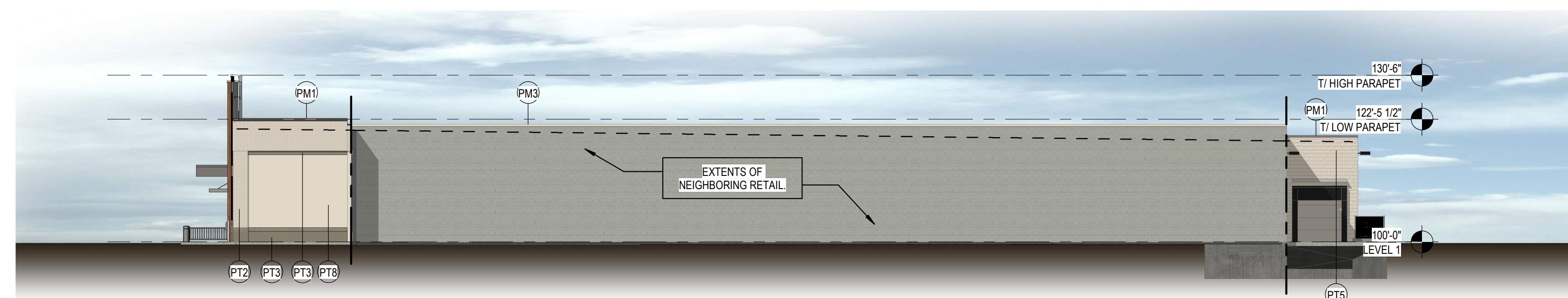
GENERAL NOTES :
ALL DIMENSIONS ARE TO BE CONSIDERED (NEW) UNLESS NOTED OTHERWISE. THE FULL EXTENT OF EXISTING, NEW, AND/OR RELOCATED FIXTURES SHALL BE THE RESPONSIBILITY OF THE PROJECT ENGINEER.
INFORMATION FOR THIS PLAN WAS TAKEN FROM ARCHITECTURAL PLANS DATED 6/4/2021. THE PROJECT ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED. THE PROJECT ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED.
NOTE: THE PROJECT ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED. THE PROJECT ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED.



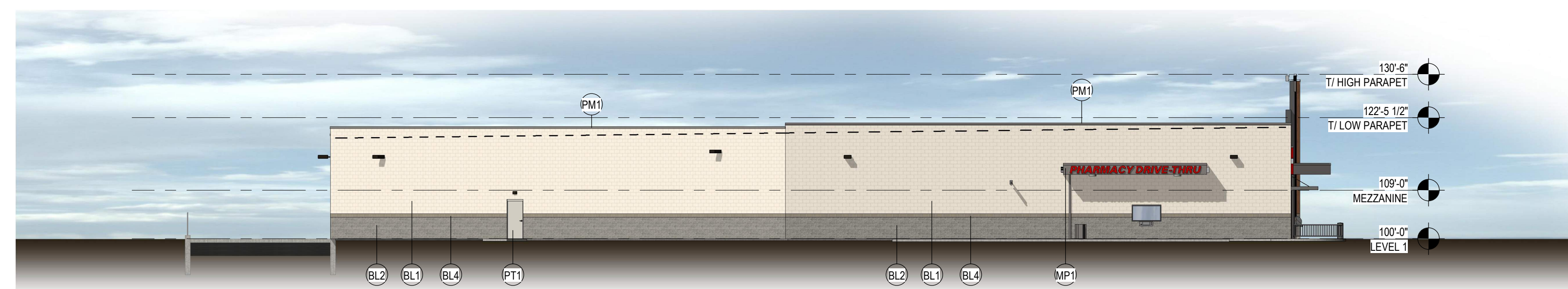
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

EXTERIOR MATERIAL LEGEND

- (BL1) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Pearl
- (BL2) Decorative, Integrally Colored CMU - Split face
Color: Lee Brick & Block, Winter Sea
- (BL3) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Breckenridge
- (BL4) Decorative, Integrally Colored CMU - Smooth face
Color: Lee Brick & Block, Dark Buff
- (MP1) Metal Panel - Smooth
Color: Slate Gray
- (MP2) Metal Panel - Corrugated
Color: Silversmith
- (MP3) Aluminum Metal Panel - Wood Finish
Color: Light Cherry
- (PM1) Prefinished Metal
Color: Slate Gray
- (PM2) Prefinished Metal
Color: Matte Black
- (PM3) Prefinished Metal
Color: Match SW7036 "Accessible Beige"
- (AS1) Prefinished Aluminum Storefront
Color: Clear Anodized
- (PT1) Painted Metal
Color: SW7016 Mindful Gray
- (PT2) Painted Brick
Color: Match SW7036 "Accessible Beige"
- (PT3) Painted Brick
Color: Match SW7513 "Sanderling"
- (PT4) Painted Brick
Color: Match SW7674 "Peppercorn"
- (PT5) Painted CMU
Color: Match SW7036 "Accessible Beige"
- (PT6) Painted CMU
Color: Match SW7674 "Peppercorn"
- (PT7) Painted EIFS
Color: Match SW7018 "Dovetail"
- (PT8) Painted EIFS
Color: Match SW7036 "Accessible Beige"

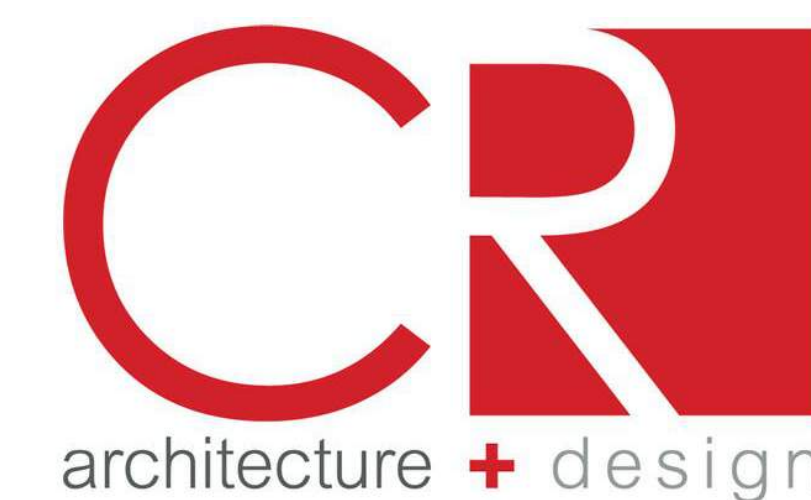


EXTERIOR ELEVATIONS

06/29/2021

KROGER STORE D615

33523 Eight Mile Rd.
Livonia, MI 48152









Google



Google

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

July 20, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-07-08-04 – Northridge Commons Shopping Center

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. The property associated with the project is assigned the address range of **#33523 thru #33751 Eight Mile Road, with #33523 Eight Mile Road being assigned to the overall parcel.** The legal description for the parcel submitted with the drawings appears to be correct, and should be used for future submittals.

We have no objections to the proposed project at this time, although the following items should be addressed prior to submitting plans for site plan approvals:

- The submitted drawings indicate relocations of existing utilities, but do not include any calculations for proposed water and sewer demands for the proposed development. Without this information, we cannot determine impacts to the existing systems, but we estimate that impacts will be minimal. It should be noted that the developer has been in contact with this office and they are aware of the Engineering requirements for the proposed project.
- Storm water detention will be required per the Wayne County Storm Water Ordinance. We will perform a full review of the utilities once full engineering drawings are submitted to this Department for permitting.

Please note that any work within the Eight Mile Road right-of-way, including excavations for service connections will require permits through the Wayne County Department of Public Services.

To: Mr. Scott Miller
Re: Petition 2021-07-08-04 – Northridge Commons Shopping Center

July 20, 2021
Page 2

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@ci.livonia.mi.us or tzilincik@ci.livonia.mi.us.

Sincerely,



David W. Lear, P.E.
Assistant City Engineer

cc: 2021 Petition File

ENGINEERING

File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: July 16, 2021
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division

RECEIVED
JUL 19 2021
CITY OF LIVONIA
PLANNING COMMISSION

SUBJECT: Petition 2021-07-08-04, Kroger, 33523-33751 Eight Mile Rd.

This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

CURTIS CAID
CHIEF OF POLICE



MAUREEN MILLER BROSNAN
MAYOR

15050 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5499
(734) 466-2470
FAX: (734) 261-2265

RECEIVED
JUL 21 2021
CITY OF LIVONIA
PLANNING COMMISSION

July 16, 2021

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Re: Petition 2021-07-08-04 - Northridge Commons Shopping Center

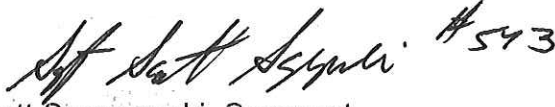
Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have no objections to the proposals.

Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE

 #543
Scott Szczepanski, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: August 16, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-07-08-04 – 33523-33751 Eight Mile Road – Northridge Commons
Shopping Center

Pursuant to your request, the above referenced Petition has been reviewed.

This Department has no objections to this Petition. I trust this provides the requested information.

Jerome Hanna
Director of Inspection

JH/kdt

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

July 19, 2021

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2021-07-08-04 - 33523 - 33751 Eight Mile Road - Northridge Commons Shopping Center

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

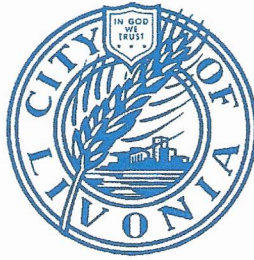
Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

July 21, 2021

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2021-07-08-04

33523 – 33751 Eight Mile Road
Northridge Commons Shopping Center

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are taxes due but they are not delinquent, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

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MINUTES OF THE 1,174th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, August 17, 2021, the City Planning Commission of the City of Livonia held its 1,174th Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present: David Bongero Sam Caramagno Glen Long
 Betsy McCue Carol Smiley Peter Ventura
 Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #4 PETITION 2021-07-08-04

Kroger Company

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2021-07-08-04 submitted by The Kroger Company of Michigan requesting approval of all plans required by Section 18.47 and Section 18.58 of the City of Livonia Zoning Ordinance No. 543, as amended, in connection with a proposal to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the

Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4.

Mr. Taormina: This is a request to redevelop portions of the Northridge Commons Shopping Center, which is on the south side of Eight Mile Road just west of Farmington Road. The site of the shopping center is about 14 ½ acres and consists of four separate buildings and a gas station. For the purpose of this review, the overall complex has been divided into seven parts. Let me show what those are. Retail Area 1 here is about 13,950 square feet and is located on the north side of the Kroger store. The Kroger store is the second component. It measures about 47,500 square feet. Retail Area 2 is comprised of the south end of the shopping complex. This area is about 51,500 square feet. Retail Area 3 is located here and is about 8,150 square feet. It is located just south of the existing Kroger store. Then there is the Kroger fueling facility located adjacent to Eight Mile Road. The other two components that are not shown on this particular plan are the Arby's restaurant and the PNC Bank, which are both outlots to the overall Northridge Commons shopping complex. So, not including the gas station or the outlots, the center contains roughly 121,000 square feet of gross floor area with Kroger being the largest single tenant. The expansion of the Kroger is going to require the removal of about 21,900 square feet of existing retail space which is located in the southwest corner of the shopping center. The demolition areas include about 13,700 square feet at the west end of Retail Area 2. It is difficult to see here, but if you look closely at these hatch lines this is part of the Retail Area 2 that would come down and all of Retail Area 3. These areas would then be replaced with an expansion of the Kroger, which is located here. You can just see the crosshatched area carefully. The area of addition is about 28,600 square feet. Once that is done, the Kroger goes from 47,540 square feet to a total of 76,160 square feet. The overall retail complex would increase slightly just under 128,000 square feet. A couple of features to point out on the site plan. The south end would contain the store's pharmacy where there would be a drop-off and pick-up window. Both the interior and exterior of the store would be completely remodeled. The main customer entrance would be centrally located along the storefront. Next to the main entrance there would be a vestibule, as well as a pick-up room that would measure about 1,400 square feet and would be used to

organize and store items for customer pick-up. Adjacent to that area, as you can see on the plan, that pick-up area is located just south of the main entrance. There are 12 parking spaces that would be marked and signed to be devoted solely for the grocery pick-up. I am going to let the petitioner and their representatives explain a little bit more what the operational components actually consist of. This view is an enlargement of the pick-up area and what it would look like. These spaces are for designated for vehicles pulling up and getting their groceries delivered, similar to what we are seeing with many new grocery developments. This is in the interior layout of the store. I am not even going to begin to try to describe this. It is extremely complex. It involves many components. Here is the pick-up window for the pharmacy. Again, the main entry is located somewhere here on the plans. There is a large bottle return area. There is a coffee shop that is located in here as well. Many different things going on. Any details can be referred to the store's representative. The exterior of the building would include a number of improvements. It includes a metal panel wood finish as well as silver corrugated metal panels that would frame the stores main entrance. What we are looking at here, and I am going to try to zoom in on this area, is the main entrance and this is that wood finish that I referred to. There are metal panels on either side of that and that would frame the main entrance. You can see the dark grey pre-finished metal panels are also shown, as well as a black colored painted brick, which is located above the bottle return and the pick-up room which are on either side of the main entrance. They continue some of the metal panels as well as painting the brick and a combination of other materials, including E.I.F.S., masonry block, metal panels that are used on the lower part of the façade, so quite a substantial change from the current architectural elevations of the building. This really continues along the entire east façade of the Kroger store. They are also showing the improvements along the west elevation which is the back side of the store, the north elevation, and the south elevation. In terms of parking, I just want to point out that under the current ordinance standards there is a deficiency of about 28 parking spaces. However, with the passage of the Livonia Vision 21 Zoning Ordinance we recalculate parking. Planned Commercial Shopping Centers would have a parking requirement of 1 parking space for every 250 square feet of gross floor area, plus one parking space for every 75 square feet of gross floor area that is devoted to a full-service restaurant. We had to factor in the Arby's and one other restaurant located within the shopping complex. When you do

the math, they are required to have 582 parking spaces under the proposed new ordinance as opposed to 674 parking spaces. They go from a deficiency, to actually having a surplus of over 64 spaces under the new zoning ordinance. We feel that this is much more in line with the parking demand for the shopping complex. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated July 20, 2021, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. The property associated with the project is assigned the address range of #33523 thru #33751 Eight Mile Road, with #33523 Eight Mile Road being assigned to the overall parcel. The legal description for the parcel submitted with the drawings appears to be correct, and should be used for future submittals. We have no objections to the proposed project at this time, although the following items should be addressed prior to submitting plans for site plan approvals: The submitted drawings indicate relocations of existing utilities, but do not include any calculations for proposed water and sewer demands for the proposed development. Without this information, we cannot determine impacts to the existing systems, but we estimate that impacts will be minimal. It should be noted that the developer has been in contact with this office and they are aware of the Engineering requirements for the proposed project. Storm water detention will be required per the Wayne County Storm Water Ordinance. We will perform a full review of the utilities once full engineering drawings are submitted to this Department for permitting. Please note that any work within the Eight Mile Road right-of-way, including excavations for service connections will require permits through the Wayne County Department of Public Services."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated July 16, 2021, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address. We have no objections to this proposal."* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated July 16, 2021, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Scott Sczepanski, Sergeant, Traffic Bureau. The

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next letter is from the Finance Department, dated July 19, 2021, which reads as follows: "*I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.*" The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated July 21, 2021, which reads as follows: "*In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are taxes due but they are not delinquent, therefore I have no objections to the proposal.*" The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? If not, we will go to our petitioner.

Mike McPherson, Atwell, 2 Town Square, Ste. 700, Southfield, MI. I have representatives from Kroger and the shopping center owner here tonight as well to answer any questions that may be more in their court. Mark did a great job introducing the project very thoroughly. We are very excited for the project. One item that I would point out and I know we talked about it at the study meeting was the building materials a little bit. We did obtain a sample board of materials.

Mr. Wilshaw: Excellent. You can pass that around.

Mr. McPherson: So, you can see better what the proposed materials would be for the new façade. As Mark explained, it is a combination of different types of metal panels, brick, CMU, and some E.I.F.S. The proposed elevation is a lot more in line with Kroger's current prototype. A more modern building. I think we mentioned a couple of them at the study meeting that were recently built that are similar. I don't know if you had a chance to look at them as they are more across town, but we feel it is a very nice-looking building when complete. I acknowledge the comments from engineering. We have spoken with them in detail. We understand what needs to be incorporated into the engineering plans and we will submit it for all the required reviews. Beyond that I will just open it up to any questions you guys may have from any standpoint.

Mr. Wilshaw: Thank you, Mr. McPherson. Thank you for the sample board. It is always helpful. It gives us something to throw if we need to. I

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don't think we will have to do any of that tonight. Is there any questions for our petitioner?

Mr. Long: So, you will be going to 76,000 square feet if this is approved. How does that compare to the Haggerty store or the Five Mile store and then what would be the differences in what is there or here?

Mr. McPherson: Haggerty and Five Mile? I am not familiar with that one so I am not sure.

Mr. Long: Six Mile and Haggerty.

Mr. McPherson: What I can say is that...if that is a new store and not an expansion the typical new stores are 90,000 square feet. There are a few that were built that were bigger. They are branded as marketplace stores, if you have seen them. They are 120,000 square feet. Most of the new stores are around 90,000 square feet, which is where Kroger wants to be to meet the current market demands and have all the items for their customers convenience they want to provide. With this expansion it gets them to just over 76,000 square feet, which is basically as big as we can fit on this particular site. As you can see, with the floor plan that was provided they are going to rearrange pretty much the entire interior. I won't pick apart this floor plan, I am not the architect, but I will say the orange is new and the green is existing. You can see that 95 – 99% of this floor plan is orange. It is going to be basically a brand-new store on the inside. All new shelving and coolers, and everything essentially to bring it inline with the more current standards.

Mr. Long: The current store...it will remain open while the renovation is taking place?

Mr. McPherson: Yes, it is. The intent is to remain open and operational and obviously we will have to do that in a carefully staged manner. It will be more detailed on the building plans and engineering documents.

Mr. Long: I am looking forward to the arrival of the new store, thank you.

Mr. Wilshaw: Thank you, Mr. Long. Another store I think that is in the area that a lot of people think of when they think of Kroger is Five and Merriman. I don't know if you know the size of that store or not.

Mr. McPherson: I do not. Sorry.

Mr. Wilshaw: Very well occupied store though. Mr. Ventura?

Mr. Ventura: I am looking at this area that Mark has up on the screen right now and the adjacent...Mark, if you could zoom out a little bit? The adjacent pharmacy pick-up window on the extreme south end of the addition. I guess my question is, or maybe you can explain to us how traffic works down there?

Mr. McPherson: Sure.

Mr. Ventura: With the cars pulling in and pulling out for pick-up and how do the parking spaces work that are south of the pick-up area? What is the traffic flow to the pick-up window and how does that work with pedestrian traffic that you would have, or would you have pedestrian traffic down there or is it your intent that people stay in their car in their parking place? I would like to kind of understand.

Mr. McPherson: So, first with the pick-up space is yes, they...when you come to do a pick-up you stay in your vehicle. You do not leave your vehicle. You will pull up into one of the designated spaces and there is either via an app or a phone number you would let the store know that you have arrived.

Mr. Ventura: So, the customer is going to stay in their car?

Mr. McPherson: The customer is going to stay in their car.

Mr. Ventura: So, then you have an employee...

Mr. McPherson: Employee comes up...you can see the designated kind of crosswalk adjacent to the numbered spaces there. Yup. They would be coming across there. There will be a designated spot and they will come, and they load the groceries into your vehicle that you have ordered via an app on your phone or tablet or whatnot. You get a designated time slot. Right? It is usually an hour long. You say you are going to pick them up on Tuesday between 2 and 3 and that is when you pull up in one of these spaces and you let them know you have arrived. They have already processed your order and they have it in that pick-up area in the building and then an employee brings it out and places it in your car and off you go. That is kind of the intent of the pick-up.

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Mr. Ventura: So, the only pedestrian traffic that you are going to have down there are going to be the Kroger employees bringing out groceries.

Mr. McPherson: Yes, that is correct. There are a few standards. Parking spaces that you pointed out that are south of that pick-up area. There is a potential that there could be a pedestrian walking from those spaces...I envision those more as probably employee spaces, things like that. Those are less desirable if you are going to be running into the store for anything, because the main entrance is obviously pushed off to the north so those will probably be the last spaces filled. Then the pharmacy, if you had a question about that...that is a single-lane drive-thru. You can see that it is on the south end of the building. A car could approach from either the front or the rear of the building. They can make either turn. If they come in and do a 180, there is plenty of room there. That is a typical drive-thru type service, like at any other Kroger or CVS or something of that affect if you have been through those. Usually there isn't a whole lot of stacking involved with those because you have obviously pre-ordered your subscriptions there to pick-up there. It is a quick transaction and you would pull up towards the front and decide which direction you are going to be heading home and either turn left or turn right.

Mr. Ventura: One fine question. Is there a walk-up window?

Mr. McPherson: For the pharmacy?

Mr. Ventura: Yeah.

Mr. McPherson: No. There is not. No walk-up. So you would have to go inside the store if you are going to walk-up to pick-up your prescription. There would be a counter inside the store, but not from the exterior.

Mr. Ventura: Mr. Wilshaw mentioned the Five Mile and Merriman has an outside one. So you are not going to have that?

Mr. McPherson: No.

Mr. Ventura: Thank you for that explanation. Again, I am with Mr. Long. I am happy to see this here.

Mr. Wilshaw: Thank you, Mr. Ventura. Mr. Bongero?

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Mr. Bongero: Just a quick question. Any determination on what is going to happen to Scrappy Chic and Astoria?

Bill Eisenberg, Grand Sakwa Properties, 28470 Thirteen Mile Road, Farmington Hills, MI. I am sorry I didn't hear the question.

Mr. Bongero: Back at the study meeting you had said that Scrappy...that you were going to relocate Scrappy Chic as an existing tenant, but you weren't sure about Astoria, if they were going to renew. I didn't know if you had heard.

Mr. Eisenberg: They did call today after they received their termination notice. They are looking at the one space that I do have available on the north side of the center. They are touring tomorrow. I would like to keep them; they are good people. We will see what happens.

Mr. Bongero: Thank you.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions for our petitioner?

Ms. Smiley: One quick one. Approximately how long would this transformation take?

Mr. McPherson: Construction will take roughly a year. About 12 months, especially since we are going to keep the existing store open. So, it will be constructed in phases. The interior of the building is going to be completely renovated. Around 12 months for construction.

Ms. Smiley: Thank you and thank you for this fantastic renovation.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions?

Mr. Taormina: This is a question for the petitioner. Actually, two questions. One is, any changes to the back store operation for the Kroger primarily related to service receiving areas and then secondly, for existing Retail area 1, any changes to the façade as it affects that portion of the retail area? That might be a question for Mr. Eisenberg.

Mr. McPherson: I can answer your first one. So, right now no. There is really no changes going on with the truck docks and delivery areas in the back other than you can see there are some elevation changes. Some painting and some other little upgrades going on. As far

as the operations, they are going to remain with the same number of truck docs in the same position. The same truck maneuvering. The compactor is going to stay in the back where it is now for trash. I will say that there is going to be, and it is noted on the plan, there will be an emergency generator added back in that area in case of a power failure. Also, we anticipate, and we are still working through it, but I think they are probably going to have to upgrade the transformer and switch cabinet that exists back there for the additional power demand and for the store. As far as functionality along the rear, nothing is planned to change. As far as Retail one...façade renovations?

Mr. Eisenberg: We have asked our architect to look at the Kroger elevation and then try to compliment that on the north side. As you are probably aware, we have been cleaning up the shopping center ever since we purchased it. This is really an exciting opportunity before us to really finish off the center. I can't tell you how excited we are about it.

Mr. Taormina: I can attest to what Mr. Eisenberg has said. He and I have been working on this for several years discussing with Kroger, opportunities for the expansion. This is great news because without them it would leave a huge hole in that shopping complex. Just one last question regarding the generator. Again, that is an emergency generator. It would operate under power failure conditions. It does require test periodically. Can you explain what that typically involves and how that noise would be handled?

Mr. McPherson: Honestly, Mark, I am not sure about the operation. I know that typically these generators a couple times a month will need to run for 30 minutes and that is a timed thing. Do you know if there is a typical time when these operate, but they are just...they need to be run periodically to make sure they are functioning. The only time they would be running for any period of time is in the event of power failure. It will be within a enclosure that will provide some sound deadening and it will obviously screen it so you don't see a generator just sitting there. I don't know if you have anymore information on the operation of the generator?

Garritt Foley, Kroger Co., 40393 Grand River Ave., Novi, MI. We exercise them once a week and then we can pick a time that isn't as impactful to the neighbors. We will have the enclosure to deaden the sound. Easily, like he said, about a half hour run time once a week.

Mr. Wilshaw: Is there any other questions from any of our commissioners?
Mr. Caramagno?

Mr. Caramagno: On the north side of the building, looking at it from the east, are those garage doors?

Mr. McPherson: Yeah, they are similar to garage doors. They are for the recycling center.

Mr. Caramagno: What is the thought behind them? You'll put them up in the summertime? What is the thought there?

Mr. Wilshaw: The east end and the north façade.

Mr. Taormina: Is it this one here?

Mr. Caramagno: From the east, Mark. Top picture.

Mr. Taormina: I will get there.

Mr. Wilshaw: Yeah, those guys.

Mr. Caramagno: So, what is the thought with the garage doors? What happens there?

Mr. Foley: So, what we are trying here is to try to test out a new concept here. Behind the garage doors there are going to be the TOMRA machines for recycling. You would open those during hours of operation to where a customer can come out there on the sidewalk and they do their recycling and all of the unloading of the TOMRA machines is done in the back. They have less impact on the customers as they are working there. So, the doors come up during the day, I don't know if you guys have seen an example of this at the Meijer in Lansing. They have a similar concept to that. We are just giving that a chance on this Kroger to see if it will be a concept that works there for our customers.

Mr. Caramagno: Where does Kroger run that now? Do they have a place that they run that or...

Mr. Foley: This will be the first one we are trying it at.

Mr. Caramagno: Will it only stay open during good weather or will it be heated in there and open in the winter?

Mr. Foley: We will put heat lamps in it for the winter, so it is open all year round.

Mr. Taormina: So, customers come in there and they access through those doors?

Mr. Foley: Yes. The door will pretty much be open throughout the whole day. It won't open and close. Open during operational hours and closed when we are closed.

Mr. Caramagno: Okay, thank you.

Mr. Taormina: I do have one more question. I apologize. Is this pick-up area restricted to employees only?

Mr. Foley: Yes.

Mr. Taormina: That is what I figured. That is what is serving the 12 spaces.

Mr. Foley: Correct.

Mr. Wilshaw: This is two, I believe, ingress and egress doors at the front now that the new vestibule will have multiple sets of doors to go in and out of, correct?

Mr. Taormina: Yes, on either side of that pick-up area. Correct.

Mr. Wilshaw: One of the issues with that store now is as that...essentially your second entrance and exit door turned into a customer pick-up staging area and it created a bottle neck for safety for people to come in and out of the building.

Mr. Foley: The pick-up area will be completely separate from the main customer entrance. The pick-up entry into the building will only be for the employees bringing the pick-up items in.

Mr. Wilshaw: Okay. Any other questions or comments from our commissioners? Just out of curiosity, do you have a cost estimate of what this project is as far as the investment that is being made? This is a pretty significant investment.

Mr. Foley: I will say it is still being finalized, but we are looking at about \$16 million.

Mr. Wilshaw: Very good. That is a very sizable investment and very significant upgrade to this property, so we appreciate that. Anyone in the audience wishing to speak for or against? Feel free to come forward. We want to hear from you as well.

Jeff Salai, owner of a unit. I am one of the ones that they guy said he was going to kick me out to the curb because he don't need me no more. I have been there 31 years. One of the oldest coney islands in Livonia besides Senate. I was there four years when they took over. They never asked me for a lease or nothing. Matter of fact, I thought I was under a lease because before they took over, the old management had me sign papers saying that I am part of the lease, otherwise they couldn't sell it to these guys. That was it. I have never met the owners. I have never met the manager in four years or none of that stuff. Recently my son is there most of the time. They have talked to him about trying to get me maybe invest in the next...in the unit next to me that moved out. I don't have enough business to get into that unit, so I told them that I am not interested. I don't have enough business the way it is, especially after COVID. So, I told them I not interested. That is where the contact between me and them is. As far as anything else, they just didn't ask me if you want to relocate here or anything except for recently they did mention that there is a half-size unit up front that I can use. They have other empty spaces ya know over there, but they have bigger plans for them. That is their business, but I just feel it is unfair that just because they don't need me, and they want to knock the building over they...I have been there 31 years. All these other people...I was there for nine years before anybody moved in. That was a dead spot like an Ohio desert. Now all those people are new and they got new things and they can't get rid of them. Me they can. They could at least offer to buy my place out or something or help me relocate or anything. 31 years. I don't really want it anymore, but I was...that was my sons future. That is all I got. I went through (inaudible) stuff, through the COVID and I asked for a little leeway, and they sent me a letter saying you got to get out. Even though the restaurant was closed by the State, so I went out and got a loan and I paid them and now two months later or three months later they send me a letter, you got 90 days. I mean I know you guys are good people. Livonia is good, but something like this is just like being in Southfield and I know Livonia is not Southfield. I have lived around here all my life. This is shyster work. I don't...big guy I know. They got the right tax revenue, more money, he needs the place, but they could have done something for me too at the same time. I just don't think it is fair. I know if you guys know of

anybody that somebody been there 31 years and never missed a payment even through hard times then you guys know a lot of people went through and gets booted in the street, just because you can. I don't think it is fair. I don't know. I think it's got a lot to do with too is because a lot of their systems is bad there. Switch system is no good. Right now, they are using sump pumps on manholes because they don't drain. I don't know...that's been going on for a long time. Undergrounds in my restaurant they are always overflowing. For years I have been complaining and they never...they said it was my fault. Finally, a couple three months ago I couldn't stand it anymore. The bathroom for women....every couple weeks for a long time. Women were mad at me because they had to use men's john. I told them they have to fix this problem. They finally sent the plumbers and they find out it was their problem the whole time. All the plumbing under the cement is bad. It was bad for years. So, I talked to the manager and he said they talked to owner and decide they gonna have to replace the bathroom and everything under the cement. Guess what, the notice to get out in 90 days was a lot easier and save money and that is exactly what happened. It hasn't even been two month since they were...they told me they were gonna fix the bathrooms before this stuff with the Kroger and now I am sorry but your place has been selected to be demolished. I am just saying...just think a little bit. I aint'...I am nobody to fight against these guys, but it ain't fair at all. It is just greed. It ain't they need it okay? Even if they need it they could move me. They got empty spaces. The gym moved out and they are holding on to it to see if anybody will bite. Me, it don't matter. Kick him out in the curb and run him over. Just doesn't seem fair. I don't know what more to say. I wish you would at least in the back of your mind think about it. It ain't gonna change nothing, but I just can't go without at least saying my piece as long as I have been part of Livonia all these years. It just doesn't make sense. Thank you.

Mr. Wilshaw: Thank you, sir, for your comments. Anyone else wishing to speak to this item? If not, I will go back to the petitioner. Anything else you would like to say before we close out? You're all set. Okay. Thank you. With nothing else to discuss at this point and I will go to the commission and look for a motion.

On a motion by McCue, seconded by Smiley, and unanimously adopted, it was

#08-43-2021 **RESOLVED**, That the City Planning Commission does hereby recommend to City Council that Petition 2021-07-08-04 submitted by The Kroger Company of Michigan requesting

approval of all plans required by Section 18.47 and Section 18.58 of the City of Livonia Zoning Ordinance No. 543, as amended, in connection with a proposal to redevelop portions of the commercial shopping center (Northridge Commons), including demolishing approximately 22,000 square feet of existing retail space, constructing an addition to the Kroger store measuring approximately 28,500 square feet, as well as other façade and parking lot improvements, at 33523-33751 Eight Mile Road, located on the south side of Eight Mile Road between Farmington and Gill Roads in the Northeast ¼ of Section 4, be approved, subject to the following conditions:

1. That the Overall Layout Plan identified as Sheet No. C1.2.1 and the Layout Plan identified as Sheet No. C1.2.2, both dated July 13, 2021, as revised, prepared by Atwell Group, are hereby approved, and shall be adhered to.
2. That the drive-up lane for the pharmacy drop-off/pick-up window shall be at least ten feet (10') in width.
3. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.
4. That the Landscape Plan identified as Sheet No. LS1.0, dated July 13, 2021, as revised, prepared by Atwell Group, is hereby approved, and shall be adhered to.
5. That all disturbed lawn areas shall be sodded in lieu of hydroseeding.
6. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. That the Exterior Elevation Plan for the Kroger store, dated June 29, 2021, prepared by CR Architecture & Design, is hereby approved, and shall be adhered to.
8. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible character, material, and color to other exterior materials on the building.

9. That all new pole-mounted light fixtures shall not exceed a height of twenty feet (20') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.
10. That only conforming wall signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
11. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows.
12. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
14. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one (1) year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

9

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

15. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to repeal Chapter 10 (Department of the Office of the City Council) of Title 2 (Administration and Personnel) and amend Section 080 (City Clerk Duties) of Chapter 04 (City Council) of Title 2 (Administration and Personnel), to abolish the current administrator position in a stand-alone department and create an identical administrative position under the direction and supervision of the City Clerk.

Paul Bernier, City Attorney, presented this request to Council. He stated this was brought to Council because Council asked the question before and wanted to --- there was some conversation about changing responsibilities of what is currently the position held by Sara Kasprowicz, to put it under the direction and leadership of the City Clerk as opposed to the City Council President. We are suggesting this as a way to do it if Council wants to do it that way. Currently it's under its own, Ms. Kasprowicz is her own department, it's a one person department that is under the direction and leadership of the City Council President. There was a question about whether or not it could be switched under the City Clerk. We looked at it and took a look at the existing ordinance, which was under Section 2.10, and it just didn't make any sense to keep it as an independent department, but have that department under the City Clerk. So, the suggestion that we had was abolishing Section 2.10 altogether, repealing it altogether, just getting rid of the department as it sits, and then under the duties of the City Clerk, under the section dealing with City Council, we created a position of Council Office Administrator. It is clear that under this position as we drafted it, it would be a Civil Service position that goes through the process of Civil Service hiring as any other Civil Service position would, and at the time when the decision is made on who to hire, that that decision would be made by whoever the Council President is if that position is open at that time. So, the unusual twist in that is although it goes through the Civil Service process, the selection, usually they give you three names, you interview them and you pick one, that wouldn't be picked by the Clerk, it would be picked by the City Council President, that position, but that position will remain a Civil Service position. I think the thought also was that if we accomplish it that way, Ms. Kasprowicz from the City Clerk's Office should and when she needs help or if she

takes a vacation or takes a day off, there's actually people who could support her and help her under the direction of that. It would also give the person somebody who could review their work and take care of things like that. So, that's the proposal we made based upon the suggestion of Council wanting to put it under the Clerk.

Councilmember Jolly said I agree for the need for this to not be a stand-alone department or a one person shop. When I read the proposed language here, though, the part that I have questions about is where it says, the third sentence of 2.04.080 City Clerk responsibilities, the position of Council Administrator is hereby created in the City Clerk's Office, the Council Administrator is assigned to the City Council Office and shall be subject to the direction and supervision of the City Clerk. I think that also has to say and the City Council President. Because the way it reads, it specifically says the Clerk can just say don't listen to that person, I mean, to be quite honest with you. And it's not about me going into the position, and this is a change that hopefully is codified and works and lasts going forward, it has to be in the ordinance that the person is to take direction from the City Council President, otherwise to be quite honest with you, there doesn't need to be a person there at all, it can be someone borrowed from the Clerk's Office.

Bernier replied I understand and I don't disagree with you, the thought that we had or I had when I drafted this, was the very last sentence which is "and functions as required by the City Council within the Council Office." That put it under the orders of the City Council when performing the duties. That was my thought. I have no issue if Council wants to add that language in there.

Jolly stated I would feel more comfortable with this. And again, it's specifically not because I have concerns in regard to current personnel or the current Clerk or anybody who might hold those positions later on, I just think it needs to be clearly directed that this is, you know, this is a person who is residing under the Clerk's Office administratively but is still taking direction from the City Council Office through the President most likely.

Bernier asked if the wording would be that you'd like to see maybe "shall be subject to the supervision of the City Clerk and under the direction of the Council President" and Jolly replied that would be perfect.

President McIntyre stated that's what I was going to suggest because the intent here was to not have the City Council President as a part-time person responsible for the administrative portion of supervisory work but at the direction of the Council President, so to me that achieves what we were trying to do here.

Councilmember Donovic said I absolutely agree with this language. I'm a little torn on this issue, however, I understand the need for our Council President, I understand there have been some changes over the course of the last year, I'm just trying to iron out the details here, so I think this move does make sense but there are some concerns. So, for the record, if this was to pass, the Clerk would not have or could not reprimand the Council Administrator, that would have to go through the Council

President.

Bernier replied no, under the supervision of the Clerk, so it would be as if she were a clerk employee, an employee of the City Clerk's Office, but the direction that the person would take on what to do would come from the Council President. But if there was a problem and there needed to be discipline or supervision or a congratulations and possible promotion and raise, that would go through the Clerk Office at the request of the Council President. The Council President would for instance say this person is doing a marvelous job, we want to have a raise for that person, we think they're worthy of a raise. And then the Clerk's Office, it would still go through the Clerk's Office through Civil Service. If, for instance, the Council President thought the person was doing a job that was substandard and needed to be disciplined or retrained, the Council President would contact the Clerk who would be responsible for that, for that issue. But it would be kind of a split hybrid situation, which is an unusual situation.

Donovic stated as long as the language is clear because years from now this Council will be gone and this Clerk will be gone and Mr. Bernier, you may still be here, who knows, but I want to make sure that the language is precise. Because I don't want an issue 15 years from now where, for example, you have a Clerk and a Council President that may be at odds and they hold for lack of a better term, the Council Administrator hostage so to speak. So, I just want to make sure that that doesn't happen because speaking to some of my colleagues, we are worried about giving away power, so to speak, so my intention is to make sure that the Council President holds all the authority because they are the Council President, they were elected by the people.

Bernier said one of our thought processes in making this very clear, that is was a Civil Service position, was the fact that even if we had a Clerk that wasn't as nice as the current Clerk, is that person would still have to go through discipline through the Civil Service process anyway, which obviously you can't just randomly discipline people because of it. So, the thought was by putting it exclusively under the Civil Service, you eliminate some of those issues.

Councilmember Jolly said for the record, too, with the change in language that we just discussed, and I think this really is to the Council President, congratulations on this move. This does leave the office in a better position, it realistically does, and I appreciate that. The thing that scares me and the reason why I bring this up, we've heard from the Council President in regard to the extra workload of being Council President, the premise of not having someone to direct/assist in that process, is why I asked the language be clarified, so thank you. I think it's an absolutely great move, I'm looking forward to working with Sara, have her teach me the job and the ways that I need to accomplish it and the lessons learned.

Councilmember Toy stated it's no big secret, I'm not real thrilled on this whole process that we're now talking about, particularly as it relates to hiring somebody else, if I'm hearing this correctly. I think that's a sad thing. We do have Marilyn in the Zoning

Board, she was always part of the Council Office, and was supposed to be part of the Council Office as well, but obviously it sounds like there's just too much work for anybody to handle, poor Sara here. And I don't want to get personal or anything, but in all honesty what is so hard about it, that's what I don't get. And if we had a problem in the legislature, it went to the Law Department. For even discipline or any corrections that needed to go on under that. I have a real problem with the Clerk, an elected Clerk, supervising over the Council Office or a person in the Council Office, I really do. I beg of that on transparency and accountability and we never know what we're going to get as the future rolls on. Somebody had said tonight we're going to have a hard time finding people to run for these offices and with some of the issues we face, and I just think we better be careful what we're doing here. Once you give something up, an elected service, whether it's positions or people or salaries or whatever, you can never get it back. People will think you can, but I really will caution this Council on anything that they're doing in regard to this. I think the Council President is perfectly capable, we're going to pay them a bit more, to call the office, make sure what's going on, Sara has been doing a great job in many respects, and if she has a problem, I think she'll reach out. But to put another body into the Council Office again, that's just silly.

Vice President Bahr said I'm just going to be candid, I'm not even sure how to unpack all of that. There's nobody being hired here. There's no change in numbers. Councilmember Toy, I'm sorry, I'm a little bit flabbergasted at whatever you just said because I can't make sense of it. And let me just say this: I'm as concerned as anybody about the checks and balances that Councilman Toy is talking about. Some history here. The history of the City of Livonia, this office, was appointed by the Mayor's Office. It was a year ago and you said we can never get it back; it was a year ago that we made an ordinance change in order to create this situation. In the twelve months of practicing this out, Sara is doing an excellent job, it has nothing to do with anybody trying to handle Sara, it simply comes to the fact that the supervisory duties of any job are part, as Councilman Jolly alluded to, are part or full-time work. We are not a full-time body and while a year ago we thought it was important and I think this gets to your concern, Councilman Toy, while a year ago while we thought it was important that the Mayor not be appointing that position for a number of reasons. Forget names and all that. Going forward, there were a number of reasons why it didn't make sense for the Mayor to be appointing that position and so we reorganized some things. One of the things we ran into in practice was the fact that we had a part-time position trying to do elements of a full-time job. I think the solution that's been put forth here, comes out of a year of learning, still accomplishes our original objectives from a year ago but is actually a very --- and I thank Councilman Jolly for starting this conversation -- because I think the language change that's coming out of this is a really positive change. And I think we have here actually a very elegant solution in order to meet the objectives that we set out a year ago, and keep the very sense of checks and balances that Councilman Toy is advocating for. This has nothing to do with performance problems, none of that. This has to do with structuring and organization so it works for the long terms, that's it, and I totally support this.

Councilman McCullough stated I'm in agreeance with Councilwoman Toy. I look at

this and we might be in a part-time role, but we also have great responsibility to the citizens and overall an elected body. I don't think the answer is to give this position up to an elected body, whether it be the Clerk, or even the Treasurer, or even the Mayor's Office, I think it should stay with the Council and I think it should be the accountability of the Council President to manage this position. And it should stay within the City Council Office. I have nothing against the City Clerk's Office, but going forward this is a permanent position and obviously elections happen and things go. And I'm not saying that there's anything or that there's any collusion or any of that kind of jazz, I just think that Council is a legislative branch of this City, there's an executive, and we should leave that full-time position under the control of the Council President that's elected by the people, so I will not be in support of this.

Councilmember Jolly stated in response to the concerns that have been raised here, listen, how are we supposed to effectively provide a good workplace for somebody who does not have the ability to have coverage, whether for a lunch hour or vacation time. If there's an increase in workload where assistance is requested, there will be an administrative support structure to request additional work. And you know what, if there's a point in time when this particular person has nothing to do in theory, they can assist in other activities in City Hall when necessary. I think it's an efficient, well-crafted response to be quite honest with you and I guess from my perspective, being used to the very capable Judy filling this role, she was not at the direction of the Council President before. She worked closely with the Council President, but was directly appointed by the Mayor and to be quite honest with you, I don't want to speak for Judy, but when somebody appoints you, you're loyalties would naturally lay with that person. So, I mean this is a very delicate response to a problem and I think it sufficiently meets the need and I'm happy to support it. I don't think it's a dereliction of duties, of responsibility, or anything like that, I think it's quite the opposite. I think it's humane and it works well to create a workplace where someone would want this job and they'll be able to reach out for assistance and be treated appropriately like other employees within City Hall. And I guess just to point this out as well, if the person was on vacation for two weeks, the Clerk's Office will be able to and I suspect that they would put somebody in the seat to answer the phone and make sure the Council Office was functioning in the meantime as well. Absent this change, I don't see that that happens. So, thank you, very much, I support it.

Councilmember Donovic asked Bernier if the Council President will still have full power and control over the Council Administrator and have full autonomy to do with the Council Administrator as they please and Bernier replied the direction of the work, absolutely. That's why we were very specific in trying to put in there what the duties of the position actually are so it couldn't be said later that the Clerk said okay, well, the duties are that you're working on the election, for instance, if the duties are in the Council's Office for that position. So, that's the reason we tried to put in specific duties, to answer the question that you're asking right now. That that person, that position would be assigned, it's a position by ordinance that is assigned to the Council's Office, selected by the Council President, but under the supervision of the Clerk.

Councilmember Toy said I always thought, and correct me if I'm wrong, that Marilyn would take and come up to the office if Sara or whoever was in that position was absent. That's the way it was always explained to me regardless if Judy was there or not or if Sara is there or not, it would be Marilyn coming in from our Zoning Board because she falls under the Council Office, unless that's been changed and I'm unaware of that, and therefore there would be a body when Sara would have other duties or something where she was absent, etc. Maybe that's changed but that's the way I always understood it. Perhaps it hasn't been used, quite frankly, I don't know, but I'm remembering from past times. Maybe I'm being old school here but in all seriousness that's what I recall so that we didn't have to hire anyone else because at one time we had Tony, if you recall, who was part-time. And then when Tony left, we didn't replace her. I was President then and we felt there wasn't a need, there wasn't that much work anymore with the advent of the computer and all the paperwork that didn't need to be done anymore, we made those changes then. So, I'm just recalling some of that history as to how we got to this point, Madam Chair.

President McIntyre stated I'd like to address a number of things that have been said this evening.

Councilmember Toy said you might want to pass the gavel then. McIntyre replied it's a Study Meeting and then passed the gavel.

(President McIntyre passed the gavel at 7:50 p.m. to speak on this issue.)

She stated I appreciate everyone's comments and everyone's concern on this. The overriding – first of all, let's back up. The points have been made for as long as anyone can remember and if somebody remembers longer, then tell me how it works. This was an appointment of the Mayor's Office. And we recognized there was an inherent conflict between having the person that worked for the City Council report to the Mayor. And there were sometimes that last year we saw conflicts and Judy was put in a difficult position and it wasn't fair to Judy to be working for the Council President but expect to have loyalty to the Mayor because it was an appointed position. And we worked extremely hard, and I worked, I got a lot of help from Vice President Bahr on this, and Cathy White as a former City Attorney helped us. And it was a tremendous amount of work for a number of months to figure out how to split those off. We were lucky enough to have LaShawn hired by the Mayor as the Director of Governmental Affairs. We were able to set that Governmental Affairs Department up and we figured out a way to split off the Council Office so you didn't have a person in that position having one boss but expecting to have loyalties to a person who appointed them. When we did that and Marilyn, the Mayor wanted Marilyn's job moved over to the Council Office and that's what we did. We have half of Marilyn's head and Inspection has half of Marilyn's head, I hate to talk about people that way, but in the budget. Marilyn sits in the Council Office full-time and is available to Sara as available. Marilyn has Zoning Board responsibilities; we've had personnel situations this year due to health issues that have revealed how difficult it is to have this office as a stand alone office with no back-up and no full-time department head. The Council President does not, and the Mayor can make a change to this, has not for the

last two years functioned as a member of the leadership staff. So, Sara has been working without having access to someone who is part of the leadership staff and they're to provide day to day direction and when there's issues with other departments, to get involved as necessary to sort out how things work out between the Council and other departments. We asked the Law Department to figure out a way to move this position and we try not to use names, sorry, but to move this position administratively to the Clerk's Office so that you wouldn't have a City Council President who by definition has a part-time job that is extremely busy with substantive legislative Council business issues dealing with the administrative burden of personnel administration. And the Clerk was amenable to taking this on, this is additional work for the Clerk but it gives the person in the position of the manager of the City Council Office support of a full-time, full-fledged department head, someone who is a member of the leadership team, but the position remains fully under the direction of the City Council and the City Council President. And there's no giving away of power, and remember, this is an ordinance change. So, if a future City Council says --- I mean, we did an ordinance change a year and a half ago to get a solution. We got a solution and 80% of it worked. And we said this needs some fine tuning. So, we have another ordinance. Anything that is done by an ordinance, can be undone by an ordinance. So, if a future City Council or the next City Council beginning on January 1st doesn't like this, it's an ordinance change, they can ask Law. Law is happy, I know, to spend another 100 hours to try to figure out how to do this but they can change it. So, there is no seating of power, there is no lack of transparency from my perspective, what's here reflects what we learned and quite frankly that I and Mr. Bahr have been in – I don't want to say the crosshairs because that sounds dramatic, but what we've worked through trying to fine tune this and that's what this represents.

Councilmember White stated I just want to go on record that I fully support this change. Having worked in the background of the process here, to try to accomplish this change, I mean it makes a lot of sense for the City and when you look at the duties of the Council Office Administrator and you're thinking about this person having to be away from the office for whatever reason, for vacation or illness or whatever, the duties that are listed here gel much more with the duties of the Clerk's Office than they do with a person from the Zoning Board of Appeals. It just makes a lot of sense from an administrative standpoint, personnel standpoint and I agree with the statements that have been made, that this is not giving away any power that lays with the City Council and the Council President, to me it makes a lot of sense.

President McIntyre stated and I neglected to say, no one could have come into this job following someone who had been there for a very, very long time and had ways of doing things that were outstanding but it was a very certain way of doing things, could have come in and performed I don't think as Sara had, took on an employee, we moved the Zoning Board Administrator over, there's been tremendous amounts of challenges in the last year and a half that Sara has risen to. And not only that, Sara is an absolute joy to work with. I know we're not supposed to talk about names. But it's not fair when Sara has a full-time demanding job, covering all sorts of real estate, and she needs to get ahold of her administrative boss, which is the Council President, and again, by definition we have full-time jobs and I do my best, I do my level best to get

back to Sara as quickly as I can. But there are times that she is disadvantaged and the Council Office is disadvantaged by not having an administrative manager available on a full-time basis, so that's the intent here. And that's the entire intent of this.

DIRECTION:

FIRST READ (12/1 meeting)

REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

15.

Law
November 4, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Carol Driskill, Legal Stenographer II,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED:
Department of Law, re: to repeal Chapter 10 (Department of the Office of the City Council) of Title 2 (Administration and Personnel) and amend Section 080 (City Clerk Duties) of Chapter 04 (City Council) of Title 2 (Administration and Personnel), to abolish the current administrator position in a stand-alone department and create an identical administrative position under the direction and supervision of the City Clerk.

BACKGROUND

At the October 18, 2021 Regular Meeting, Council Vice President Scott Bahr moved to refer to the Law Department the issue of reorganization of the Department of the Office of City Council, and the administrative position assigned to the office. Council Member Jim Jolly supported the motion, and it was approved by all members of council. The Law Department has prepared the accompanying proposed repeal and amended ordinance for your consideration.

The proposed repeal of Chapter 2.10 and amendment of Chapter 2.04.080 are designed to accomplish at least two different purposes. The proposed repeal would abolish the current position of the administrator as a stand-alone department. The amendment to Chapter 2.04.080, however, would create an identical administrative position, with established council responsibilities, which would be under the direction and supervision of the city clerk. The ordinance recognizes the position as a civil service administrative position. Selection of the person would be made by the Council President in accordance with the Charter and civil service rules.

RECOMMENDATION

Provided that you concur with these changes per your referral, the proposed Ordinance amendments are ready to be offered for first reading. If you have any questions, comments, or changes, please do not hesitate to contact the Law Department.

FISCAL CONSIDERATION

ATTACHMENTS

1. Repealing Ch 10 of Title 2
2. 2.04.080 - City Clerk Duties

APPROVED BY



Date: November 04, 2021

Paul Bernier, City Attorney



Date: November 05, 2021

Maureen Miller Brosnan, Mayor

**AN ORDINANCE REPEALING CHAPTER 10
(DEPARTMENT OF THE OFFICE OF THE CITY
COUNCIL) OF TITLE 2 (ADMINISTRATION AND
PERSONNEL) OF THE LIVONIA CODE OF
ORDINANCES, AS AMENDED.**

THE CITY OF LIVONIA ORDAINS:

Section 1. Chapter 10 of Title 2 of the Livonia Code of Ordinances, as amended, is hereby repealed as of the date this ordinance becomes effective, and all other ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 2. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

~~AN ORDINANCE AMENDING SECTIONS 010, 020 AND 030 OF CHAPTER 2.10 (DEPARTMENT OF THE OFFICE OF THE CITY COUNCIL) TO TITLE 2 OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.~~

THE CITY OF LIVONIA ORDAINS:

Section 1. ~~Section 010 of Chapter 2.10 to Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:~~

~~2.10.010 Title for Citation.~~

~~The ordinance codified in this chapter shall be known and cited as the "department of the office of the city council ordinance".~~

Section 2. ~~Section 020 of Chapter 2.10 to Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:~~

~~2.10.020 Creation – Organization.~~

~~There is created and established in the city a department known as the "department of the office of the city council." An administrator shall be selected in accordance with the Charter by the city council president and shall receive such compensation as from time to time may be fixed by the council.~~

Section 3. ~~Section 030 of Chapter 2.10 to Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:~~

~~2.10.030 Powers and duties of administrator.~~

~~Under the direction of the council, the administrator has certain council responsibilities, including carrying out various responsibilities with respect to the efficient administration and operation of the city's legislative branch of government; representing the council at various functions and meetings, as necessary; following up on complaint matters involving codes and ordinances; serving as liaison with citizens, corporate entities, and various units of city government; and performing such other duties and functions as required by the city council.~~

~~Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.~~

~~Section 5. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.~~

~~The above ordinance was passed at the regular meeting of the Council of the City of Livonia held Monday, November 16, 2020, at 7:00 p.m.~~

~~_____
Susan Nash, City Clerk~~

~~_____The foregoing ordinance was authenticated by me on this 17th day of November, 2020.~~

~~_____
Maureen Miller Brosnan, Mayor~~

Approved as to form:

~~_____
Paul A. Bernier, City Attorney
Dated: November 17, 2020~~

AN ORDINANCE AMENDING SECTION 080 (CITY CLERK DUTIES) OF CHAPTER 04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 080 of Chapter 04 of Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

2.04.080 City Clerk Duties

1. The position of "Council Office Administrator" is hereby created in the city clerk's office. The Council Office Administrator is assigned to the city council office, and shall be subject to direction and supervision of the city clerk. The Council Office Administrator shall be selected by the city council president in accordance with the Charter and civil service rules and shall receive such compensation as from time to time may be fixed by the council. Under the direction of the city clerk, the Council Office Administrator shall carry out tasks necessary to the efficient administration and operation of the city's legislative branch of government; represent the council at various functions and meetings; follow up on complaints involving codes and ordinances; serve as a liaison with citizens, corporate entities, and various units of government; and perform such other relevant duties and functions as required by the city council within the council office.

2. In addition to those duties specifically set forth in the Charter, the city clerk shall:

A. Keep the mayor and other city officials properly informed of action of the council and present to them such matters as may require their signature;

B. Present to the several committees and officials such matters as may have been referred to them; and

C. Pursuant to the direction of the council, prepare in advance an agenda of business to come before each meeting, according to the order set forth in Section 2.04.050.

Proposed Amendment to Section 080
of Chapter 04 of Title 2 of the
Livonia Code of Ordinances – p 2

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

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AN ORDINANCE AMENDING SECTION 080 (CITY CLERK DUTIES) OF CHAPTER 04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 080 of Chapter 04 of Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

2.04.080 City Clerk Duties

1. The position of "Council Office Administrator" is hereby created in the city clerk's office. The Council Office Administrator is assigned to the city council office and shall be under the direction of the Council President and subject to supervision of the city clerk. The Council Office Administrator shall be selected by the city council president in accordance with the Charter and civil service rules and shall receive such compensation as from time to time may be fixed by the council. The Council Office Administrator shall carry out tasks necessary to the efficient administration and operation of the city's legislative branch of government; represent the council at various functions and meetings; follow up on complaints involving codes and ordinances; serve as a liaison with citizens, corporate entities, and various units of government; and perform such other relevant duties and functions as required by the city council within the council office.

2. In addition to those duties specifically set forth in the Charter, the city clerk shall:

A. Keep the mayor and other city officials properly informed of action of the council and present to them such matters as may require their signature;

B. Present to the several committees and officials such matters as may have been referred to them; and

C. Pursuant to the direction of the council, prepare in advance an agenda of business to come before each meeting, according to the order set forth in Section 2.04.050.

Proposed Amendment to Section 080
of Chapter 04 of Title 2 of the
Livonia Code of Ordinances – p 2

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

| _____

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

10

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

(Vice-President Bahr maintained possession of the gavel for the duration of the meeting.)

16. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to amend Chapter 5.42 Section 010 (Definitions) to comport with Livonia Vision 21 Zoning Ordinance.

Paul Bernier, City Attorney, presented this request to Council. He stated this is the never ending short term rental issue that we have. As Council is aware, Council changed the Zoning Ordinance in the Livonia Vision 21 Zoning Ordinance recently. When we took a look at the Zoning Ordinance and compared it to the Code of Ordinances as it pertains to short term rentals, we saw that some of the definitions and some of the issues did not mesh up properly and there may have been consummate conflicts. And Council Vice President Bahr, I think it was, suggest that we take a look at it and amend the Code of Ordinances so that it's consistent with the Zoning Ordinance. As Council is aware, it's much more tedious to change the Zoning Ordinance than it is the Code of Ordinance. So the purpose behind this was to try to have the definitional sections correspond in the Code of Ordinances and the Zoning Ordinance as it pertains to short term rentals without changing the substantive law of what is and isn't allowed in Livonia as of today and I say it that way because we don't know what the State Senate is going to do. But this Council is aware that the House passed a bill which would probably make most of this moot and it's in front of the Senate and nobody knows when and if the Senate is going to do anything. So, we're in that kind of Catch 22, they could come tomorrow night in the middle of the night and do it or they may not do it at all. We simply don't know what the Senate is going to do. But this is designed to try to make our Code of Ordinance correspond to the Livonia Vision 21.

DIRECTION:

FIRST READ (12/1 meeting)

REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

10.

Law
November 23, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED:
Department of Law, re: to amend Chapter 5.42 Section 010 (Definitions) to comport with Livonia Vision 21 Zoning Ordinance.

BACKGROUND

As Council is aware, Livonia Vision 21 Zoning Ordinance ("Vision 21") was adopted on August 23, 2021 and became effective September 2, 2021. Among many changes, Vision 21 provides new definitions for structure types and uses within the various zoning districts, including the use of residential property for what are commonly referred to as "short term rentals."

With regards to short term rentals, Section 2.02 of Vision 21 added a new definition titled "Bed and Breakfast Establishments" which encompasses two (2) new terms "Bed and Breakfast Inn" and "Homestay." Section 2.02 further modified the definitions for "Rooming House" and "Tourist Home" from those contained within the former zoning ordinance. In light of these changes, and in order that the Livonia Code of Ordinances addressing rental properties might be consistent with Vision 21, Council directed the Law Department at its October 4, 2021 Regular Meeting to amend Section 5.42.010 of the Code of Ordinances. The Department of Law has prepared a proposed amendment to said section in accordance with Council's referral and offers the accompanying proposed amendment for consideration and a first reading.

RECOMMENDATION

Refer for 1st Reading

FISCAL CONSIDERATION

ATTACHMENTS

1. S112221 LTC Item 16
2. 2021 revision to Code of Ordinance 5.42.010

APPROVED BY



Paul Bernier, City Attorney

Date: November 08,
2021

Date: November 10,
2021

Leo D. Neville, Assistant City Attorney



Maureen Miller Brosnan, Mayor

Date: November 10,
2021



LETTER TO THE LIVONIA CITY COUNCIL

16.

Law
November 8, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Carol Driskill, Legal Stenographer II,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED:
Department of Law, re: to amend Chapter 5.42 Section 010 (Definitions) to comport with Livonia Vision 21 Zoning Ordinance.

BACKGROUND

As Council is aware, Livonia Vision 21 Zoning Ordinance ("Vision 21") was adopted on August 23, 2021 and became effective September 2, 2021. Among many changes, Vision 21 provides new definitions for structure types and uses within the various zoning districts, including the use of residential property for what are commonly referred to as "short term rentals."

With regards to short term rentals, Section 2.02 of Vision 21 added a new definition titled "Bed and Breakfast Establishments" which encompasses two (2) new terms "Bed and Breakfast Inn" and "Homestay." Section 2.02 further modified the definitions for "Rooming House" and "Tourist Home" from those contained within the former zoning ordinance. In light of these changes, and in order that the Livonia Code of Ordinances addressing rental properties might be consistent with Vision 21, Council directed the Law Department at its October 4, 2021 Regular Meeting to amend Section 5.42.010 of the Code of Ordinances. The Department of Law has prepared a proposed amendment to said section in accordance with Council's referral and offers the accompanying proposed amendment for consideration and a first reading.

RECOMMENDATION

Refer for 1st Reading

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021 revision to Code of Ordinance 5.42.010

APPROVED BY



Paul Bernier, City Attorney

Date: November 08, 2021

Leo D. Neville, Assistant City Attorney

Date: November 10, 2021



Maureen Miller Brosnan, Mayor

Date: November 10, 2021

**AN ORDINANCE AMENDING SECTION 010 OF TITLE 5,
CHAPTER 42 (HOTELS, MOTOR COURTS, LODGINGHOUSES,
ROOMING-HOUSES, ONE-FAMILY RENTAL DWELLINGS,
TWO-FAMILY RENTAL DWELLINGS AND MULTIPLE-FAMILY
RENTAL DWELLINGS) OF THE LIVONIA CODE OF
ORDINANCES, AS AMENDED.**

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 010 of Title 5, Chapter 42, of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

5.42.010 Definitions.

The following words and phrases, when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, as follows:

- A. *"Agent"* means any person authorized by the owner who has charge, care or control of a rental dwelling or rental unit which is let or offered for occupancy. The owner must officially notify the city of any agent authorized to act on his behalf. The owner may authorize a tenant to act as agent for a rental dwelling or rental unit.
- B. *"Applicable codes"* mean the current fire prevention, building and property maintenance codes adopted by the city, including definitions and applicable terms, and other city ordinances.

C. *"Bed and Breakfast Establishment"* means an owner-occupied dwelling where no more than 5 (five) guest rooms are made available for the temporary accommodation of the traveling or vacationing public. Such an establishment may offer meals only to those persons temporarily residing at the establishment. See also definition of "Bed and Breakfast Inn" and "Homestay."

(1) *"Bed and Breakfast Inn"* means a structure primarily used for lodging purposes where the use as a residence is clearly secondary. A structure where more than 5 (five) but not more than 30 (thirty) guest rooms are made available for the temporary accommodation of the traveling or vacationing

Proposed Amendment to Section 010 of
Title 5, Chapter 42 of the Livonia
Code of Ordinances

public. Such an establishment may offer meals to the public and persons temporarily residing at the establishment.

(2) "Homestay" means an owner-occupied, single-family dwelling, or a dwelling unit in a duplex or multi-family dwelling structure, that may rent up to three (3) single bedrooms with bathroom access for overnight accommodates for periods as short as one overnight stay. Meals are not provided with rental, but kitchen and/or dining facilities may be available for guests to prepare their own meals. Only properties that have received approval of a rental registration application are recognized as a Homestay for purposes of complying with City of Livonia ordinances.

~~GD.~~ "Dwelling unit" means a single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. This shall include any area within the building that contains mechanical equipment for the rental unit, hallways or other spaces that serve the rental unit, and the premises of the rental dwelling.

~~DE.~~ "Family" means any number of persons living together in a single dwelling unit comprising a single housekeeping unit and related by blood, marriage, adoption, or any unrelated person who resides therein as though a member of the family and including the domestic employees thereof, or a group of not more than five (5) unrelated individuals living together as a single housekeeping unit.

~~EE.~~ "Hotel" means a building or part thereof occupied as the more or less temporary abiding place of individuals, in which the rooms are rented or leased singly for hire, and in which rooms no provision for cooking is made, and in which building there is a general kitchen and dining room for the accommodation of the occupants.

~~FG.~~ "Lodginghouse" means a building or part thereof, other than a hotel, where lodgings are provided for hire more or less transiently without provisions for meals.

~~GH.~~ "Motor court" means any establishment in which individual cabins, courts or similar structures or units are let or rented to transients for periods of less than one (1) month. The term "motor court" includes tourist cabins and motels.

~~HJ.~~ "Multiple-family rental dwelling" means a building containing three (3) or more dwelling units arranged either side by side and/or one (1) above the other, each unit occupied as a single housekeeping unit by a single-family or functional family.

~~IJ.~~ "One-family rental dwelling" means a building containing one (1) dwelling unit **not occupied by the owner** that is promised and/or leased to a single family **for more than 30 consecutive days**.

Proposed Amendment to Section 010 of
Title 5, Chapter 42 of the Livonia
Code of Ordinances

- ~~J~~K. *"Rental unit"* means a single housekeeping unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation **promised and/or leased to the tenant(s) for more than 30 consecutive days.**
- ~~L~~. *"Rooming house"* means a building where, for compensation, and by prearrangement for definite periods, lodging or lodging and meals are provided for more than three (3) persons. The term "rooming house" shall include lodging house and boarding house, but not a tourist home, bed and breakfast establishment, automobile court, hotel, or motor court.
- ~~M~~. *"Tourist home"* means a dwelling furnishing overnight sleeping quarters to transient guests and containing not more than three (3) guest bedrooms.
- ~~L~~N. *"Two-family rental dwelling"* means a building containing two (2) dwelling units, **with at least one (1) unit not occupied by the owner**, promised and/or leased to two (2) separate families, respectively, **for more than 30 consecutive days.**

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 22, 2021**

11

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: Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy and President Kathleen McIntyre. Absent: None.

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; Curtis Caid, Chief of Police; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Michelle Koppin, Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

7. REQUEST TO AUTHORIZE APPROPRIATION AND EXPENDITURE; Department of Public Works, re: for the emergency repair and restoration of underground electrical service to Fire Station #1 (Headquarters), from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented this request to Council. He stated back on August 25th our City electrician responded to a power problem at LFD Headquarters. He found an area of turf near the building that was smoking and burning. The building was running on about half power. The lines are buried and are the responsibility of the City. DTE was called and responded later in the day. It was found that one of the two service lines to the building had failed. Both lines were original to the construction of the original building. RCI, the City's contractor for electrical services was called, the repair was made as an emergency repair because of the building only able to run on half power. The building ran on half power while RCI gathered the parts for the repair and it was completed shortly after Labor Day. The repair consisted of a new conduit and electrical service lines. The Department is asking Council to approve the emergency repair that RCI made, the cost for that was \$85,740.00; it was paid for out of the Building Maintenance Contracted Services Account and the Departmental budget.

Councilmember Jolly stated I don't recall anything like this coming before us, is this a typical cost that you would expect for such work to be done or is there a factor of the emergency kind of put into this as well. I think just initially, not knowing that, looking at that, I know when houses have buried lines, the cost is not anywhere near \$85,000.00. Can you give us some detail as to why that might be so much more? Obviously it's a commercial type building, probably receiving more energy but \$85,000.00 is a lot, not knowing exactly what we're looking at.

Moore said RCI is our electrical contractor that is under contract so when we have large scale issues, we call them to come in. They did have to directional bore a new line, a new sleeve, and a new service line to go through it. To say, I mean we couldn't go out for bids on this because we had to get it fixed. The station was running on half power and it was not a very good long term solution. So to say that they overcharged us, I don't know, but I do know that when we call RCI and they have these instances,

they respond quickly and take care of it for us. We've had issues with the lights here in the complex since about January of 2020 and they've come and done the work and those costs are in line with this.

Jolly said the work is done and I understand it at this point; do you have any idea how long they were out there to complete this job and how many? I mean it lists 371 hours at \$75.00 an hour for almost \$28,000.00 in labor alone, how long were they out there until they were able to restore to full?

Moore replied I don't know, it was running on half power, I don't know how long they were out there to get it back to full power.

Jolly said I'm going to offer an approving at this point for Consent, if you could provide a little bit more information in regard to this and again, to be quite honest with you I don't know what I'm looking at here but \$85,000.00 seems like a lot without those additional details. The hours alone, 271, what's that, ten days of labor.

Moore said yes, and I don't know how many people were on the crew. It's possible they would have had more to do the manual labor kind of stuff with the machine coming in and drilling the line in.

President McIntyre asked for clarification from Jolly as to which Agenda the item should be placed on and Jolly replied the Regular.

Councilmember McCullough asked if the City goes out to bid on the electrical service contract, is that like a three-year?

Moore replied yes, I don't know how long the contract is but it is a multi-year contract.

McCullough asked if it was possible to include that current contract in the packet and the only reason I say that is when you look at the invoice, the materials provided, there's no breakdown, there's no times or dates, receipts. And I think going to my colleague Mr. Jolly, we usually get a breakdown, there's a material mark-up and a percentage and all of these dots should kind of dot themselves and cross the T's on this and it's just very vague. Obviously there's overhead and profits on materials, that's pretty straightforward, but the materials and the labor, it would usually be recommended that you have time and date forms and a much more thorough breakdown on the materials and the \$50,000.00 rather than Quantity 1. I'm not refuting materials right now when you deal with the copper lines on some of these main feeds, it's going to be up there. But at least going forward it might be an opportunity to spiff up the electrical services contract to leverage some better pricing overall.

Councilmember Donovic said I'm not disputing anything, I know you're just doing your job but you're looking at this and you're talking about spending \$85,000.00 on electrical work and I'm not an electrician, I just know that I want to make sure that when we're spending taxpayer dollars we're doing it in a mindful way and you talk

about \$27,000.00 in labor and \$50,000.00 in material, those numbers are pretty big, so I, too, to my colleague's point, I just want to make sure that we have the details, how long of a run was this, was it 30-feet of wire, was it 100-foot of wire, just some more information because it's kind of vague what we have, so, when somebody asks me why we spend \$85,000.00 on an electrician, I'd like to just be able to provide them information. Thank you for your due diligence, I appreciate it and thank you, Mr. Moore.

Councilmember Jolly stated math is not my strong point, so taking the 371 and dividing that by 8, it gives you 46 and change, 8 hour days of work, if it was an emergency I find it difficult that they would have had that many people out there for that many hours and that many days to charge us that kind of money.

Moore replied I don't know how many people they had out there, it's possible they had four or five, especially when they're doing the directional drilling and that kind of thing.

Jolly said it would still be ten days, though, just we need some context.

DIRECTION:

APPROVING (12/1 meeting)

REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

7.

DPW

November 3, 2021

MEETING DATE

November 22, 2021

PREPARED BY

Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO AUTHORIZE APPROPRIATION AND EXPENDITURE; Department of Public Works, re: for the emergency repair and restoration of underground electrical service to Fire Station #1 (Headquarters), from budgeted funds.

BACKGROUND

This is to inform Council of repairs to the underground electric service to Fire Station #1 (HQ) that took place in October 2021. One of the two lines supplying power to the building caught fire underground. Needless to say, it had to be fixed immediately as the building was running on half power.

RECOMMENDATION

1. Authorize payment of budgeted funds in the amount of \$85,740.00 to RCI Electric, 32733 Folsom Road, Farmington Hills, MI 48336 for materials, equipment, and labor necessary to perform the emergency repairs to the underground electric line supplying power to Fire Station #1.
2. Waive the requirement for sealed bids under the emergency provision of the Livonia Code of Ordinances section 3.04.140(D)(1).

FISCAL CONSIDERATION

\$85,740.00 are available in account no.
101-523-818-020 (Contractual Services-Building Maintenance)

ATTACHMENTS

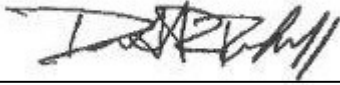
1. Fire #1 - Elec Repair Oct 2021 Inv

APPROVED BY

A handwritten signature in blue ink, appearing to read "Douglas L. Moore".

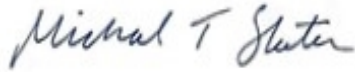
Date: November 04, 2021

Douglas L. Moore, MSA, Assistant Director of Public Works



Date: November 04, 2021

Donald Rohraff, Director of Public Works



Date: November 04, 2021

Michael Slater, Finance Director



Date: November 05, 2021

Maureen Miller Brosnan, Mayor



32733 Folsom Rd
Farmington Hills, MI 48336
Tel 248-471-2277 Fax 248-471-6550

Invoice

Date	Invoice #
10/13/2021	14436

Bill To
City of Livonia 12973 Farmington Road Livonia, MI 48150-4202 Attn: Accounts Payable

Ship To
Fire Headquarters Property # 034

P.O. No.	Terms	Rep	Ship Date	Ordered By	Project
	Net 30	FS	10/13/2021	Sammy Lovin	62792 Fire HQ undergr...

Item	Description	Quantity	Rate	Amount
Service	Provide equipment, labor and materials necessary to replace the damaged underground service entrance conduit and wiring feeding the Livonia Fire Headquarters Building.			
Direct Labor	Labor Provided	371	75.00	27,825.00
Job Material	Materials Provided	1	50,347.00	50,347.00
Job Material	Overhead and Profit on Materials		4,968.00	4,968.00
Equipment	Equipment Costs		2,600.00	2,600.00

Please Visit Us At www.rci-electric.com Thank You For The Privilege And Opportunity To Work With You			Balance Due	\$85,740.00
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