

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD DECEMBER 1, 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: Brandon McCullough, Rob Donovic, Jim Jolly. Laura Toy, Scott Bahr, Cathy White 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; Lori Miller, Deputy Clerk; LaShawn Thomas, Director of Governmental Affairs; Mike Slater, Director of Finance, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; Brandie Isaacson, Director of Housing; Sara Kasprowicz, Manager of Council Office; and Mayor Maureen Miller Brosnan.

President McIntyre wished Deputy Clerk Lori Miller a Happy Birthday.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1. REQUEST TO EXECUTE AGREEMENT BETWEEN THE CITY OF LIVONIA AND SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION (SMART): Livonia Housing Commission, re: to authorize the Livonia Community Transit Program to receive the FTA 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Grant in the amount of \$55,149.00.

Brandie Isaacson, Director of Housing, presented this request to Council. She stated I am here to request approval to execute the contract with SMART, to be able to receive this grant for \$55,149.00. This funding for us will go into our operations budget and fund our Route Maps Program, which is our transportation routing software.

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

DIRECTION:	APPROVING	CONSENT
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2. REQUEST TO APPROVE INCREASE IN COMPENSATION FOR THE DIRECTOR OF HUMAN RESOURCES: Department of Civil Service, re: to be in the same compensation range as other Human Resource Directors in comparable communities.

Mayor Maureen Miller Brosnan presented this request to Council. She stated I'm honored to be here this evening and to have been asked to present on these items tonight. I wasn't initially planning on presenting on Item Nos. 2 and 3, mostly because they're not my work. They really are reflective of the hard work and analysis that comes out of our Human Resources Department, but upon invitation I appreciate the chance to be here. I also recognize that in presenting both of these items tonight I

may be denying Denise Maier an opportunity here because she is going to be retiring at the end of the year and this may be her last chance to present tonight. So, she is with me and if you have any further questions after the presentation she's going to be available to answer them because she really gets into all of the technical details. Nonetheless I am requesting your approval this evening on two salary adjustments; the Human Resources Director and the Director of Administrative Services. There would have been three items to present to you tonight, but the adjustment for the Housing Director salary structure hasn't yet been reviewed by the Housing Commission, so you can expect that in the future. I recognize that they do appear separately on your agenda tonight, but the impetus for changing them is the same. So, I thought I'd start out with a description of how that all came about. Earlier in the year I had requested that the Director of Human Resources review the department heads salary city-wide to determine if there were any that were really out of alignment, if there was some misalignment that needed to be repaired and take a look at that in terms of not only the level of responsibility that each department head has, but take a look at in terms of what was the going rate in the marketplace. So, the three positions that were identified by the Director of Human Resources was the Human Resources Director position, the Director of Administrative Services, and the Director of Housing. I then asked the Personnel Review Committee to take a look at the findings of the Department, and if you're not familiar the Personnel Review Committee is an internal committee to the City, one established by me predecessors ages ago and I have to tell you it is one of the greatest gifts to the City that we have because it is comprised of a number of members of the Leadership Team led by the Finance Director. And every time there is a salary change, every time there is an approval for a new hire or a replacement, any time there's a change in job classification, it first goes before the Personnel Review Committee. So, there is a level of standardization, there's a level of historic knowledge, all of that comes into play when these decisions are made. So, the internal committee was as I say established by previous mayors and they took a look at this recommendation and they paused for a moment because they wanted to be sure to get the most recent data. We relied heavily on the Conference of Western Wayne's Compensation Survey and they put that out every two years. So, they waited for the 2021 survey information to come out and then they made their best recommendation to us. So, that's what you have before you tonight. So, let's take a look at the Human Resources position because that's Item No. 2 on your agenda. The Human Resources Director is a vital leadership position in the City. The position demands a wide range of expertise and proficiency in administrative hiring practices, in developing and managing our benefits program, in negotiating as part of our collective bargaining team, in initiating training and coaching opportunities that we have, in handling employee grievances and a whole, whole lot more. So, after an extensive piece of research that the PRC did in comparable salaries in communities that we normally compare ourselves to, we learned that we fell below the average pay for this position. At the starting level Livonia salary level averages \$4,701.00 below comparable communities. And then at the maximum pay level, we're about \$17,842.00 below where other communities are, and that's on average. So, we believe that this puts us at a disadvantage when we're out hiring for the position which we happen to be doing right now. So, that made this a little bit more critical. So, what we're proposing this evening is that the starting salary be changed from \$90,417.60 to

\$98,09.60; with corresponding increases all the way up to Step 5; there is a wait schedule that's in your packet. And again, all of that math and all of that detail is worked out by some really smart people in the Human Resources Department. Funding for the salary changes would need to be made available by a budget adjustment but the Finance Director has assured us that funds are available for this request. Our hope had originally been to get this in at the budget discussion period but the 2021 survey wasn't released yet from the Conference of Western Wayne, so we didn't have good comparables to provide. So, I am going to open it up for questions and Denise, if you wouldn't mind joining me for a last hoorah perhaps, and a chance to answer any questions that Council may have. Thank you.

Councilmember Jolly stated I had an opportunity to speak to Ms. Maier on the phone in regard to both of these changes yesterday and the first thing I asked her was is this adjustment for her position enough to have her stay and she did not hesitate to say absolutely not but that she would miss us. So I think the thing that I came to find out through my conversation with Ms. Maier is that the steps that are being created would not necessarily translate from where someone currently is. Like say if someone was currently a Step 5, they would not automatically become a Step 5 under the new system. And that was very enlightening to me, it was helpful in understanding not only the immediate circumstances we were looking at but the long term circumstance as well. Can you provide that information to all of us here at the Council, for instance, how that work from an old step system to a new step system.

Denise Maier, Director of Human Resources, stated we'll take me as an example. Currently I'm at the top step of the Human Resources Director range, as of today actually, \$105,476.80. If I would stay and I was going to get the new salary range, I would not go to Step 5, I'm at Step 5 currently. According to the compensation plan, this is the City's compensation plan, anytime there's a promotion, a salary range change or anything like that, an adjustment, the next rate that someone will be paid is approximately 4%. So, if someone is currently at Step 5 and there's a new range created, then we would look at what is closest in the new range to a 4% increase. So, the budget impact would be approximately 4% any time that happens. So, it's not Step 5 to Step 5.

Jolly said so not talking about any specific individual, but a position, since we're looking at two positions, we're looking at your position, if somebody was at Step 5 for the other position that we're talking about, where would they approximately fall on the new step system, having topped out in the old step system where would that be in the new system.

Maier replied the other position, Step 5, is 99,528.00, so a 4% increase for that step would be approximately \$103,000.00, so we would go to the next closest that's not under 4%, so that would be Step 1.5, which would be \$104,644.80.

Jolly said my last question would be, just so we all have a consistent understanding of the steps, what dictates somebody moving from step to step; is that time, is that performance and Maier replied it's time. Jolly then asked can you tell us exactly what

kind of timeframe and Maier replied yes. It's a little different for an existing employee than it is for new employees because new employees get an automatic step increase in six months, they would go from Step 1 to Step 1.5 and then six months later to Step 2. So, within their first year, they go from Step 1 to 2. And then every year after that, they get another step, Step 3, 4 and 5. If you're promoted you go to the next step that is closest to 4% and then after that you get a step after year until you're at the highest step.

Jolly stated I should never say last question. So, in terms of determining when your date would be, how is that determined; is that based on their hire date or if they were in this circumstance here if somebody were to start off at Step 1.5 as you indicated, would the day that they're promoted to Step 1.5 then set the annual one year period.

Maier replied that's a very good question that I don't have the answer to but I'll be happy to follow up with you on that to let you know.

Councilmember Toy asked Maier what other fringes are included in this particular Item No. 2 request; they get health, they get dental, they get optical, what other things do they get and Maier replied all of the same benefits as all full-time employees.

Toy asked if that includes a vehicle as well and Maier replied that I don't know. We were talking about that earlier today, for instance, I get a car stipend, some department heads get a car. So, I don't know if this particular position if it's a stipend or a car, but it's different among the ranks and I'm not sure what the criteria is for one or the other.

Toy asked if that's a choice and Maier replied no, I was told when I was hired I would get a car allowance, a stipend, so it's not a choice. Toy said and you were hired under Mayor Wright and Maier replied Mayor Kirksey. Toy then asked if there's anything else this position has as well when we're comparing city to city?

Maier replied we didn't compare benefits. When we went for the salary survey, it was strictly base salaries.

Toy asked in a salary, though, do we not think as fringes as part of that salary or compensation in any way and Maier replied no, we do not. The Conference of Western Wayne is strictly base salaries. Toy said all right, I just want to be sure we're on even ground because I've been here long enough where I've seen where we go up and then I see where we've got to come down, you know what I mean, and I want to make sure that we're on even ground as we do this because I want to be fair to that employee as well as fair as we go out offering these types of dollars.

Maier stated and I will reiterate that the Finance Director took a very careful look, him and I worked very closely together on this, and he was very satisfied with everything that we are recommending this evening.

Toy stated we're the check and balance to that, so we have to ask these questions, at

least I do, so that when people ask me at least I can come back with why did somebody get this X amount of kind of situation, so just to be clear, that's all. Thank you very much.

Councilmember McCullough stated looking at the survey around the neighboring communities, I guess some more detail as to how you guys came up with the new minimum of 98,000.00 because I'm looking through a lot of the corresponding communities and I know Ann Arbor is obviously starting at \$117,000.00, max of \$152,000.00, but it seems like a lot of the communities around do start right around our current Step 1. I look at this and obviously re-inventing the salary schedule is very imperative, we have to make sure that we're a destination and bringing in the best, I totally agree with that. It's just that was the only thing that really stuck out that's worthy of a question.

Maier replied that the starting pay is very similar but if you look at the maximum salary, we're the lowest, and that's what people look at when they're considering a move.

McCullough said and now the question is and maybe this was answered, I'm not sure, if it's an external candidate that gets hired, do they automatically start at a Step 1, or is that part of the negotiation process?

Maier replied that's not part of the negotiation process, however, the comp plan does allow additional steps but up to a max, up to a max of Step 3.

McCullough said so Step 3 is going to be, if all of a sudden you guys get somebody that is just phenomenal and this is what they want, it gives you a little negotiating power and Maier replied exactly.

McCullough stated I do think that these are needed for the increase, I do think that the maximum as well, you know it might have been better to look at a little higher. The low, I'm not going to fight over it but I think it's a great step and I'll be in support of it.

Councilmember Toy offered an approving resolution for the Regular Agenda.

Vice President Bahr said it appears from looking at these two positions, and I know we'll be handling the other one separately, but that there's a fairly consistent percentage increase among the steps; for my own curiosity, is that the case across all of our director positions? I see it's pretty similar between these two, would I see a similar percent step up from Step 1 through 5 on the others and Maier replied that is consistent through all these positions within the City, every step increase is approximately 4%.

Bahr said I appreciate Councilman McCullough's insight looking at the minimums, I actually hadn't noticed that but that would at least provide some explanation as to where that comes from.

DIRECTION:

APPROVING

REGULAR

3. REQUEST TO APPROVE INCREASE IN COMPENSATION FOR THE DIRECTOR OF ADMINISTRATIVE SERVICES & CHANGE IN TITLE: Department of Civil Service, re: to align with the current salaries of Department Heads with similar responsibilities.

Mayor Maureen Miller Brosnan presented this request to Council. She stated the same process was used to determine the salary range that we just talked with the Director of Human Resources to determine salary range for the Director of Administrative Services with one exception: by the time it got to the Personnel Review Committee one of the members happens to be the Director of Administrative Services. So, they removed themselves from the process. So, additionally we are asking that the title be changed to Chief of Staff just to more clearly reflect the work that is being performed in that position and reflect a title that's more commonly used in government. It helps people find where to go to get answers quicker. The Director of Administrative Services/Chief of Staff position is a vital leadership position in the City. It demands a comprehensive knowledge of the overall function of the City. The Director is responsible for working with the Mayor to lead and implement various strategic planning processes across the Leadership Team structure. We spend an awful lot of time these days talking about that structure and the importance of breaking down the silos of government and the Chief of Staff is largely responsible for making sure that there is communication among departments in an effort to break down those silos and afford us a more expeditious way to do business. They're also responsible for providing the Leadership Team with important information so that it facilitates a more efficient decision-making process. They bring about more collaboration with the Leadership Team, help to determine the priorities for projects without a lot of plates spinning at the same time. And so often times the Chief of Staff helps to make sure the department heads know which of those planes need to come in for a landing now because we're on a deadline. There's also a lot of work that goes into determining performance measures, the Chief of Staff works with me a great deal in determining what the annual goals are for each one of our departments, what the measurements are for success and whether or not those measurements are met. They are an amazingly important person in the organization, in addition to all of that, managing a support staff within the Executive Office. So, after an extensive examination of the Director of Administrative Services position and their salary levels, looking at different department heads within our own structure, and then also looking at department heads at that same level in other communities that we often compare ourselves to. At the starting level we find ourselves averaging \$21,166.77 below comparable communities; while at the maximum Livonia's pay is \$36,103.67 on average lower, again, putting us at a competitive disadvantage when we're looking to hire somebody in that position. So, we are proposing that the starting salary be changed from \$85,134.00 to \$102,585.60 with corresponding increases up to Step 5 and the wage rate schedule, again, it's in your packet so if you have a chance to take a look at that, that's all available. And again, if you have questions, Denise is here to help you understand all of it.

Councilmember Toy stated help me understand this for now and in the future. When we really change that job title to Chief of Staff, is there any kind of requirement for any kind of education, is this a political appointment so to speak then or is this a Civil Service kind of thing, I'm not sure and I broke my computer so you'll have to bear with me because Jim doesn't share. So, those are the two questions I have. Maier replied nothing else changes and this would not be required to go through the Commission because it's not a Civil Service Commission position, it's an appointed position. But as far as – I'm not sure what you mean by education.

Toy replied well, people graduate with Master's degrees in Public Administration, we have some excellent facilities around the area and a lot of folks --- I know in Lansing there are many chiefs of staff and they don't require, as is being proposed here, it is a political appointment, that's why I asked, I just wanted to see where we're at.

Maier stated it is a Mayoral appointee.

Councilmember Donovic stated Councilwoman Toy essentially asked my question, if this position is already protected by Civil Service or is it an appointed political position that any mayor can bring in whoever that mayor wants and Maier replied that's correct, it's an appointed position.

Councilmember McCullough asked Maier, out of these, and I think if I'm looking at the comparisons, it's kind of a touch one because you want to keep apples to apples rather than apples to oranges and I know that there are certain ICMA communities that have a City Manager run city, and then obviously you have a strong mayor component. I know on the list Novi is an ICMA, Farmington Hills I believe is an ICMA, the only one on here, I believe is Sterling Heights, that would be a strong mayor position and Dearborn. So, obviously that goes into, if you're looking through the ICMA salary survey, I guess any way you look at it from both vantage points of a strong mayor or an ICMA, if this was an assistant city manager, chief of staff, whatever you cut it down to in charge of administration, to me I was very surprised and taken back at how low it really was. Compared to neighboring communities of size and the responsibility, I mean you have an administrative director that is getting paid probably less than half of the colleagues in a director level. Obviously then you throw the mayor appointment there, it becomes interesting. But out of this the only two is Dearborn, Sterling Heights, and then was there any other ones on this list? I know that Warren would be a strong mayor position, you don't know what they're making, do you?

Maier replied we did reach out to all of those communities but we did not get a response, Dearborn, they were going through transition and Sterling Heights did not respond so that's why they're on your chart but there's no response from them.

Councilmember McCullough offered an approving resolution for the Regular Agenda.

Councilmember Jolly stated although this is a mayoral appointment, the person who has been in this role has been there for at least ten, probably fifteen, if not more years

and has provided an amount of consistency through various different mayoral administrations. And in considering this and I know we're not considering the person specifically, but we do have a track record of it not being a political appointment per se in the traditional sense where there has been a consistency and appreciation for people from administration and administration keeping the role, I just think that's worth pointing out.

Vice President Bahr asked Maier when the salary was last increased for this position and Maier replied she has been here for seven years and they haven't looked at any of these three pay scales. Going off what Councilman Jolly said and that's actually something that I've appreciated from this city for a long time across all of our director positions, is that we've had a lot of consistency there and I think it's part of what makes our government run so smoothly, that we don't have this wholesale changeover every time a new mayor comes in. I actually understand the rationale for asking for this, however, I'm going to offer resolution for Committee of the Whole and I'll tell you why because there's no significant changes in that office over the last couple years and I wasn't necessarily interested in having this conversation now but I don't really feel comfortable talking about this position until we look comprehensively at that office as a whole. I don't want to get into any detail tonight because we're dealing with millions of people and just on a personal level people that are friends of mine, but the fact of the matter is we essentially have three directors in that office in a place where we used to have one. And I know that some are in different departments but if you actually look at the work that's being done and how it's been organized, it's structured very differently than what it used to be. And so while I'm open to the rationale on this, I don't think it's a good idea to be talking about this level of increase with this position without looking at that office as a whole and what makes sense. So I'm going to offer this for Committee so we can have that discussion.

Councilmember Donovic asked if we as a city are increasing wages for entry level employees or employees that aren't department heads at the same rate that we are our department heads; is there a consistent level to have increases for employees at the very base level, other than the department head?

Maier replied we are consistently reviewing different positions and their classifications and their salary ranges. But we don't have the resources to do a comprehensive salary study to make those sweeping changes. So, you will be seeing more of this coming forward. I will let you know that everybody got their December 1st increase today, obviously, so everybody's pay is going up and they all know that. But as far as looking at ranges, making sure they're still comparable, many of our entry level positions are above our comparables but we are consistently taking pieces of the work force to make sure that we're not seeing this type of disparity, so we are looking at all of our positions. We've been before you numerous times already for different salary ranges and changes and title changes and so on and so forth and we're not finished yet.

Councilmember Toy stated I'd just like to say like you said in seven years as we look at – and I'm not only talking department heads—I think the employees as a whole in

this city have done a fabulous job and we've recognized them in other ways, both telling them how proud we are of them and in handling them in these uncertain times and circumstances, so I'm just happy to know that I serve in a city that has money to spend and especially when it comes to our employees. I think that's so critical as others have pointed in a well run city, with good backgrounds, good educational components and just good minds and cooperation that we have here. And you know that probably much better than I do, Denise, because you've run that department for seven years and you've heard the good, the bad and the ugly, I'm sure, and I don't mean to be rude, I just mean it can be a challenge. I've worked in other communities that don't have that kind of cooperation and it can get real nasty. So, you know, I applaud everyone, and I'm not only talking directors here, I'm talking about the overall umbrella here that I think we've done a good service to our employees, maybe some would disagree with me but that's okay, that's the business we're in up here. But honestly, thank you for your service and the recommendations you've come forward with as well, appreciate it. Hopefully we'll get somebody just as qualified.

DIRECTION:	1)APPROVING	REGULAR
	2)COMMITTEE OF THE WHOLE	

4. REQUEST FOR AUTHORIZATION TO PURCHASE TWO JOHN DEERE GATORS WITH UTILITY ATTACHMENTS THROUGH THE STATE OF MICHIGAN BID PROCESS: Department of Public Works, re: to replace units that have exceeded their life expectancy, from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated this item before you is for the purchase of two units that are being purchased through the State of Michigan bid pricing which reflects about a 12% discount versus the list the price. The servicing dealer for this would be Hudson, Inc. out of South Lyon. These units are used to move personnel, material and tools in the summer months, they aid in all aspects of parks and athletic field maintenance. And in the wintertime they're also outfitted with the plows for snow removal and rear spreaders to spread salt on sidewalks. One of those units will be stationed full time here at the Civic Center. The second will be stationed at Greenmead in the summer and then will be brought to Civic Center for use in the wintertime. These units will also replace two like pieces of equipment that were purchased back in 2014. Those pieces are well worn and the repair costs are exceeding their current overall value so those pieces will be auctioned off for disposal. So, with that the Department is asking, recommending Council to approve the purchase of these two units at a total cost of \$66,232.90.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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5. REQUEST FOR AUTHORIZATION TO PURCHASE ONE JOHN DEERE TRACTOR THROUGH THE STATE OF MICHIGAN BID PROCESS: Department of Public Works, re: to replace a unit that has exceeded its life expectancy, from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated this piece of equipment would also be purchased through the State contract pricing, between the State of Michigan and John Deere. This would be used in the Parks Maintenance Section for towing mowing decks, ball diamond maintenance and sidewalks snow removal. This is not an increase in the fleet, it's a replacement of a tractor that was purchased back in 2008 and that would be also disposed of through the auction process. We do have in the fleet three other units that are similar to this that are used for similar purposes. These tractors can also be shared with the golf courses when needed and the tractor will have motor attachments, heated cab, air, plow, snowplow, snow broom also for snow removal. The cost of the loader in total is \$72,232.93 and we're requesting that amount for purchase.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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6. REQUEST FOR AUTHORIZATION TO PURCHASE ONE JOHN DEERE UTILITY TRACTOR THROUGH THE STATE OF MICHIGAN BID PROCESS: Department of Public Works, re: to replace a unit that has exceeded its life expectancy, from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated this utility tractor is similar to Item 5, but it's a smaller unit, these are used for slightly different purposes. So, these are used for ball diamond maintenance, mowing material around properties, operating attachments such as rototillers and fertilizer spreaders are used on these smaller tractors. They'll also have a small factory installed bucket for use as well. This unit is replacing one that was purchased back in 2010 that again is exceeding its value for replacement and repairs. Disposal of that unit will also be done through the auction process and this is being purchased again through the State contract pricing reflecting a nice discount from the retail list price. So, with that the Department is asking Council to approve the purchase of this John Deere tractor in the amount of \$18,7861.32.

Councilmember Toy offered an approving resolution for the Consent Agenda.

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7. REQUEST FOR AUTHORIZATION TO PURCHASE TWO JOHN DEERE FLEX-WING GROOMING MOWERS FM1015R THROUGH THE STATE OF MICHIGAN BID PROCESS: Department of Public Works; re: to replace units that have exceeded their life expectancy, from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated these two Flex-wings are also being purchased through the State contract pricing with John Deere that again offers a nice discount from the retail list price. The servicing dealer once again is through Hudson out of South Lyon. These units are pull behind Flex-wings, they are 15-feet wide, they're used to mow some of the larger open areas in the park. Each of them has three decks that fold up and can be moved from site to site as needed with three blades on each deck. Units are towed behind the bigger tractors in the Parks Department. There are two similar units that are being replaced that were purchased back in 2012. Those will look to be auctioned off for disposal as well through that process. One of these units will be placed at Bicentennial Park; the other will be placed at the DPW Yard, stationed out of the DPW Yard and then brought to locations where needed typically on the south end of town. So, with that the Department is asking Council to approve the purchase of these two wing mowers at a total cost of \$38,714.44.

Councilmember Jolly offered an approving resolution for the Consent Agenda, stating with this item and the previous three I can't help but think that our DPW team shall be wearing green John Deere tractor hats. And with all the work that we as a City are giving this supplier, I don't know, maybe they'll throw in some of those with the delivery of these products but these are standard purchases.

DIRECTION:

APPROVING

CONSENT

8. REQUEST FOR AUTHORIZATION TO PURCHASE TWO 22' SURE-TRAC HEAVY EQUIPMENT LANDSCAPE TRAILERS: Department of Public Works, re: from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated this one is a little different than the previous four we went through in the fact that it was done through an open bid process. So this was placed for bid on MITN, the bid opening was November 9th of 2021. There was actually only one response for the purchase of these trailers. These will be used by the Parks Maintenance Section but are typically shared through other departments in DPW as needed for towing equipment. They're used to haul equipment, like wide mowers, zero turn mowers, hand-held equipment, fuel tanks, things like that, out to athletic fields. They're used to move tractors as well, other equipment like fertilizer spreaders, grass seeders, mower decks from site to site as needed in the Parks Department. The trailers are used pretty much every day from April to November by the Parks Department for their regular routine maintenance type activities. These are long trailers, they're 22 feet long, solid oak decking, removable sides for transporting materials and a winch to help load and to hold material in place once loaded. We do have two similar trailers that were purchased quite a while ago in the mid '90s, those have been repaired and components replaced multiple times on those units. Their repairs have gotten to the point where they are beyond further repair or replacement components and just need to be scrapped which we will dispose of through the auction process but are of no longer use to us. So, with that the Department is asking Council to approve the purchase of these two trailers in the amount of \$35,750.00 for

both trailers.

Councilmember Donovic offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

9. AWARD OF BID: Department of Public Works, Building Maintenance; re: for professional architecture services for the Silver Village roof replacement, from budgeted funds.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He said just a little background on what's going on here with Silver Village Apartments. The existing asphaltic shingle roof systems at the apartments and the community center in the apartment complex are well past their serviceable life and are in need of replacement. The proposed project scope includes replacement of the existing shingles along with any saturated roof decking underneath, proper flashing details, perforated soffits installed and ancillary system components that are needed to achieve a complete watertight roof assembly for these buildings. In order to proceed with the design and bidding of the project, we sent out a request for proposals and issue that to our four as-needed architecture firms in accordance with that QBS contract that was approved back in 2020 for those services. HRC was the lowest bidder in that response to the proposal that was put out for this work. With that is our recommendation that Council proceed to award this professional service project through the QBS process for design to HRC for the Silver Village Apartment roof replacement in an amount not to exceed \$25,731.00 from budgeted funds.

Councilmember Jolly stated we're all familiar with Silver Village and why is it that architectural services are needed to replace these roofs? I mean, the roofs from a lay person's perspective are not all that dissimilar from other structures that would just normally be replaced through a contractor, who made the decision and what was the logic for pursuing architectural services to get us to that point?

Rushlow replied one of the things that we had done early in 2020 is we started to identify when we brought on our architects on these as-needed contracts through the QBS process, we have four architecture firms that we now work with. So, when we look at our Capital Building projects for each year now, we're bringing those architects on board to help us do the first step in the process which is scope of development. So we know we have a problem on a project like this with Silver Village, what do we need to do in order to make this project a success, get together proper plans and specifications to then put out bid documents for contractors to respond to where they're comparing – we are able to then compare and analyze their bids on an apples to apples comparison. What we found in the past, especially on a project to this magnitude, which the construction estimate right now for this one is right around a million dollars. So, on larger projects like that we want to make sure that we have proper details from the architects not just for replacing shingles but also like I mentioned the under layment, the roof decking, the soffits, flashing details, making sure that all of those are done the way they should be for those different roof systems

on each building plus the community center, so that when we get those responses back to the bids that are received, we have a good comparison and the contractors all understand exactly what needs to be done and we can hold them to standards that we need to for these replacements.

Councilmember Donovic said to Mr. Jolly's point and to your answer, are you saying that essentially the contractual services of the architect, they're basically acting as a GC on the job to make sure the job is done correctly?

Rushlow replied they're going to be consulting on the job, making sure everything is done to professional standards. I would not characterize it as a GC, what their role is to look at the scope that was prepared, meet with us, prepare design for a bid package so that we'll have design plans, as well as details and specifications and a list of required submittals and material samples and everything that are going to be provided by the contractors for this project. So, they're doing all that designing, all the specifications, writing on the front end and using our City of Livonia front end legal contract document language for the contractor to proceed with the project. So, their role, their architectural role is the design process and then when it gets into construction they will be assisting us with the administration of that contract which their role would be reviewing shop drawings that are submitted to make sure what the contractor thinks we want them to provide as far as flashing details, they're providing us with a material that's going to meet what was in the specification, the architect looks at that review to make sure it matches that and then also verifies it in the field during construction that what they're building does in fact match the approved shop drawings that were submitted and meets the design intent so that we're getting the product that we should be getting. So, their role is two-fold; it's design and then also assistance on construction administration.

Donovic then asked those services cost roughly \$25,000.00?

Rushlow replied for this project their breakdown was \$13,000.00 and some change for design services and bidding services and then the construction phase which is the contract administration was just over \$8,000.00 for that phase.

Councilmember McCullough stated I do want to almost applaud this preventative measure when you go into a project like this, as you see the project dollars being close to a million dollars. When we get into a project of that magnitude, if the project is not scoped properly the change request can be far exceeding the \$20,000.00 that would go into it. So, by doing this nature of prepping and I'm assuming with the process that we have in place if we do do the construction services after the administration is probably a percentage of the total project, I think it's like 6% or 5%, that's based on after the RFP and the contractor is selected. But by doing so this front end work it might seem like a lot when you look at a million dollar project, it's the right scope. Just like Mr. Rushlow was saying, front end work it might seem like a lot when you look at a million dollar project, it's the right scope. And just like Mr. Rushlow was saying, there's a lot that goes into it, I know it looks just like a roof, but you have energy codes that are out there and insulation and all that kind of jazz and it's better

to get the right scope. So, if there are no objections I'll put an approving on Consent.

Councilmember Toy asked when we look at these roofs, I own a building and we have the flat tar roof which is a real pain, I'd like to put something better on it but the cost is outrageous; do these folks come in and maybe suggest that to us? I mean will they say you might not want to do a tar roof because you use these buildings a lot, blah, blah, blah, whatever; is that part of their role as well?

Rushlow replied that's a great question. So, we did that process for this phase that we're entering now which is design, so that was in what we call the scope development phase. Through that QBS process with our four architecture firms, we went through all these different projects and we assigned like DLZ is the architect that did the scope development with us, where they met with us, the building department, housing commission and went out to the sites, looked at everything, assessed the conditions, put together a scope what they thought was needed, what needed to be replaced, and then that's what was put in our RFQ that we sent out, again, to those same four firms and said okay, here's the scope, here's what we know needs to be done, now how much is it going to cost us, what do you think of the construction cost estimate for all of this and then how much would it cost in your proposal response to us for you as a firm to do the design and construction administration for it.

DIRECTION:

APPROVING

CONSENT

10. REQUEST TO AMEND THE ENGINEERING CONTRACT WITH OHM ADVISORS: Department of Public Works, re: for as-needed professional engineering services in an amount not-to-exceed \$350,000 annually.

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He said I believe this is my last item for the evening, so thanks for bearing with me on those last few. On this item through the QBS contract that we have with our engineering firms, OHM Advisors has assisted the City for a number of years on developing our advanced hydraulic modeling system for the management of the City's water distribution network and sanitary sewer collection system. OHM continues to provide that service to us in the DPW using highly technical expertise that they have to help run and analyze those hydraulic models for the City. Through recent years both the water and sewer section of the DPW as well as the Engineering Division have both been required to increase our reliance on those specialized services that OHM performs for water modeling analyses and related engineering tasks. These services have really been crucial for our department when analyzing pressure, flows and capacity for new connections by proposed developments as well as planning our own and performing our own system valves replacement program, valve exercising, the pressure reducing valve replacement that we've come before you and spoke about before, all those things combined all rely on those services through hydraulic modeling. As well as a current project we're working on, which is analyzing our source connections from the Great Lakes Water Authority and looking at connection outage scenarios, emergency response scenarios and how to prepare for those scenarios using the modeling software. On top of that OHM has been assisting us

with also utilizing GIS, Geographic Information Services, combined with water modeling information to develop a very robust emergency response plan as well as what's been new regulatory requirements from the State of Michigan through the revised lead and copper rules for tracking inventory and believed to be known lead pipe services throughout the City's water system. Those highly specialized services that I just mentioned are very technical disciplines that don't fall into, completely into any one of the categories that are listed through the QBS contract. And based on that fact back in 2019 we first came in front of the Council and asked for these as-needed contract amendment with OHM to perform those services. Now that we have a new QBS contract in process here that was approved recently, we're asking again for a five-year agreement with OHM for these as-needed specialized services that would go through the length of the QBS contract which is November 30th of 2026.

Vice President Bahr thanked Rushlow for the explanation. You mentioned in 2019 we signed this contract for not to exceed \$350,000.00; was that annually or was that total and Rushlow replied that was total. Bahr then asked how much have we used since that time and Rushlow replied over the previous three years we've used just about \$234,000.00 of that \$350,000.00.

Bahr asked if that was for similar type of work for what we're talking about now and Rushlow replied yes. Bahr then said what we're asking for here is \$350,000.00 annually for the next five years, we're talking about 1.7 million-ish or 1.75 million, so \$350,000.00 annually, whereas we spent \$234,000.00 over the last three years; can you help me understand the reason, that's a huge increase in the not to exceed amount.

Rushlow replied it is an increase and I guess one thing I'll mention is with the as needed services which is different from our QBS contract, it's an hourly not to exceed number. We don't intend to hit that number, I don't think we're going to expend all \$350,000.00 on an annual basis, we'll probably be somewhere in the 100,000 to 150,000 range which is kind of where we've been, a little under \$100,000 a year here. But we want to make sure that we have, when the situations do arise that we have the ability to call on our expertise with out consultants to assist us when needed on those types of projects.

Bahr asked if there was a reason to expect the amount of work we're going to need; I understand you're playing conservative, but is there a reason to expect the amount of work we're going to need is that much higher?

Rushlow replied yes, one big thing that I mentioned just a few minutes ago had to do with that emergency response scenario planning which I think is a big part of what we need to do more of here and we've been planning for this over the last few years but getting to the point where we have a very robust well planned out emergency response plan so that when we do run into an emergency situation because it will happen again at some point, you know we just saw one with Great Lakes Water Authority where a few communities lost their source water just recently. We want to be prepared to have both plans in place and we're using OHM to run those scenarios

for us through that hydraulic modeling software to help us understand the system and run many, many different scenarios to realize if we lose pressure here or a connection here, how do we reroute water to make sure that we're not completely losing water in one portion of the City or having low pressure. So, we do anticipate an increase in the need for the hydraulic modeling services. I also mentioned the regulatory requirements from the State of Michigan with lead and copper rule, that is a burdensome task that's being handed down to us from the State, to inventory the lead service lines, and OHM has some really good tracking methods that they're starting to use and bring the acid GIS in along with the other modeling software that they have to try and locate and help us track where we have those lead service lines so we're not running around picking up locations to inventory things that might not need to be. So we do anticipate there's going to be a larger need there as well in compliance with the new lead and copper rule.

Bahr asked when you talk about planning for emergency situations, let's take something like we talked about in the last meeting where you guys were coming to us afterwards and say it's something I've got to do in an emergency situation, is that the type of thing that this would enable us to cover and avoid you having to come before Council and Rushlow replied exactly, yes. Bahr said I appreciate that explanation, I guess I'm just looking at the fact that if you take what we've spent over the last three years, which isn't a small sample size, if you were to prorate that over five years, that would be \$390,000.00 total over five years and we're now asking for \$350,000.00 annually over five years. I have tremendous respect for OHM, I know they do great work for us and we have a lot of trust in everybody involved here, but even in people I trust I struggle with writing blank checks. It seems to me we could still be doing proper planning here and not be – I guess I prefer to err on the side of going lower and you guys having to come back and say hey, we messed up, and I guess that would be a lesson learned. But just based on the lesson of the last three years it just seems really high and I struggle to approve this at this amount. Does that make sense?

Rushlow replied it does. Your earlier comment we are being overly conservative with making sure that our not to exceed number is not something we're going to be coming back in front of you multiple times saying hey, we have this other scenario, we need to increase the as needed again, we need to increase the as-needed again over that five year period. So, certainly we are being a little overly conservative with that number. If there's a desire and more of a comfort level to lower that on an annual basis, I'm also comfortable with that.

Bahr said you threw out the number earlier, and I know it's not anything official, but you said we anticipate this might be in the hundreds, I think I heard you say that. I'm inclined to say let's do this, but let's do it 200 annually instead of 350, I think that still gives you, just based on what I've heard you say, I think that's still a relatively conservative approach but not the jump from the last two years that we've seen here. I'll give you a chance to tell me why you think that's nuts.

Rushlow replied I can certainly live with that number and we'll make that work and if there is a situation where we have to come back again and we're back in front of you

guys, it's not a big deal to us, we can certainly do that, I'd be happy to.

Bahr stated perhaps I'm totally wrong and you guys will have to come and say hey, I told you so, and I'll be the first to admit it, okay. But I'm going to offer a resolution that we do this for \$200,000 annually, not 350, and thanks for your transparency.

Councilmember Jolly said not particularly in regard to this project and the numbers we're talking about here, but to be quite frank with you I don't like these large not to exceed numbers that are shooting potentially high for the fact that it may be easier and avoid future Council meetings. We're here twice at least twice a month no matter what, and we'd love to see you or any of your friends from DPW. To be quite honest, that doesn't really provide a whole lot of benefits for us, and to be honest with you it erodes our oversight of these projects. I know your sentiment was meant and the effort is meant to be a positive and an efficiency, right, but at the same time I don't know that the efficiency or the benefit outweighs the responsibility that we have and the pleasure we get in seeing you and your friends.

Rushlow stated I can surely appreciate that and I think with the comment about not needing to come back, it's not so much the burden of coming back, it's the time limits of the response that sometimes we need. We're two weeks in getting a new scenario run on a model to figure out an emergency situation, just won't be adequate, so we do need that flexibility in there to have those consultants ready to go when we need them in that type of a situation. So I guess that waws more of my comment on not having to come back very often was just for that need and that's why we have an as needed service contract, it's for smaller tasks that we need to have done quickly that over the span of a year or five years you're going to amass to a larger sum overall.

Jolly said say as Mr. Bahr said you put it at \$200,000 and you notice that you are approaching that limit, come back to us pre-emptively and ask to increase it in the interim as opposed to having a blanket up front. And again, it's not specifically in regard to this project but these projects in general. Sometimes these broad numbers are a little tough to swallow.

Vice President Bahr said I do want to acknowledge, first of all even at 200 it's a significant increase from what we've done before but maybe I could even cut deeper but I'll stick with that, but I do want to compliment you because the fact that you spent 234 of the 350 before, if you were routinely coming to us and I asked you that question and you had spent up to that not to exceed amount, that would definitely lift my suspicion as to are we incentivizing the wrong thing here. The fact that you're not spending that, builds trust in the fact that you guys are continuing to be responsible to that. So I just want to compliment you on that and certainly plan to keep an eye on that in the future again, I don't want that to go unacknowledged.

Councilmember Donovic said to Mr. Jolly's comment, in the need to be able to act quickly in the event of the scenario and if you don't have the available funds, do we get charged some sort of emergency fee or something along those lines because OHM had to come and do their services quicker?

Rushlow replied no, our contract does not have that type of language in it for emergency services, it's really this as needed contract that allows us to have our team at OHM basically at our fingertips or at a phone call to assist us when we need it in an emergency situation. The existing QBS contracts are, if you recall, the way they're set up, whenever we have a project, we have them prepare a scope, a schedule, a budget, and we come back to the Council and we do a contract amendment. So, the existing QBS contract will have many supplements to it for every single project that lists out what's being done, what's the schedule, what's the budget and all that. This as needed contract gives us that flexibility to have OHM there to assist us in emergency situations as well as numerous other tasks that were discussed earlier.

DIRECTION: 1) APPROVING CONSENT
 2) NOT TO EXCEED \$200,000

11. RESIGNATION OF SCOTT MORGAN FROM THE ZONING BOARD OF APPEALS: Scott Morgan, re: effective immediately.

DIRECTION: RECEIVE & FILE

12. APPOINTMENT OF TAMARA OLIVERO TO THE ZONING BOARD OF APPEALS: Councilmember Cathy White, re: to begin upon resignation of Scott Morgan in order to fill his unexpired term, which expires July 12, 2024.

Councilmember Cathy White presented this request to Council. She said I think most of you know Tamara, she's been active in the community for quite some time. Her resume' shows that she's been involved in PTSA Livonia, Junior Athletic League, the Downtown Livonia partnership. She has a bachelor's degree from Eastern Michigan University and wants to become more involved in the City by serving on the ZBA.

Councilmember Jolly said I think it's fitting I can distinctly recall sometime in the summer of 2015 the four of us were well on our way to this Council journey, and I think that's when most of us probably met you and were getting to know each other, and I distinctly remember you on the stairs of the City Hall out here for the Downtown Livonia partnership, so I think it's absolutely fitting at this point that Councilmember White in one of her final acts on Council will be kind of closing the circle in many ways by appointing you to the ZBA. I'll offer an approving for Consent.

Vice President Bahr expressed his support for the appointment as well as Councilmember Donovic and President McIntyre

DIRECTION: APPROVING CONSENT

AUDIENCE COMMUNICATION None heard.

As there were no further questions or comments, Vice President Bahr adjourned the Study Session at 9:17 p.m. on Wednesday, December 1, 2021.

For the 1935th Regular Meeting of December 13, 2021

DATED: December 3, 2021

SUSAN M. NASH, City Clerk