CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD FEBRUARY 16, 2022

Meeting was called to order at 8:02 p.m. by President Jim Jolly. Present: Vice President Laura Toy (via conference phone), Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Kathleen McIntyre, and President Jim Jolly. Absent: None.

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier; City Attorney, Thomas Goralski; Police Chief and Doug Moore, Assistant Director of Public Works.

AUDIENCE COMMUNICATION: None

Councilmember Kathleen McIntyre clarified that the fire suggested to have happened and the Livonia Fire Department was an underground electrical problem, rather than an actual fire.

NEW BUSINESS

1. REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Davide Piccirilli, re: to host a graduation party at his home located at 18891 Aspen Drive on Saturday, June 11, 2022, from 6:00 p.m. to midnight.

   Davide Piccirilli, 18891 Aspen Drive, presented the request to Council. He explained that his neighbors and Council were all invited to his event. This will be a repeat of his daughter's graduation party two years ago, with a tent in the backyard, a DJ and food.

   Rob Donovic offered an approving resolution for the Consent Agenda.

   DIRECTION: APPROVING CONSENT

2. REAPPOINTMENT OF RICHARD MCDOWELL TO THE LIVONIA BOARD OF ETHICS: Office of the Mayor, re: for a three-year term, which will expire on March 1, 2025.

   LaShawn Thomas, Director of Governmental Affairs, presented the request to Council. Richard McDowell was present to share his experience being on the Board of Ethics, as one of the original members of the Ethics Board and has been Chair ever since.

   Kathleen McIntyre stated her gratitude for Mr. McDowell as an asset to the Community.

   Brandon McCullough added that he served with Mr. McDowell on the Rotary for the last two (2) years.

   Vice President Toy stated that she had also served with Mr. McDowell on the Board of Trustees.

Katheen McIntyre offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

3. WAIVER PETITION: Planning Commission, re: Petition 2021-12-02-25 submitted by HD Group, Inc., on behalf of Portillo's, requesting to construct and operate a freestanding full-service restaurant with drive-up window facilities at 13000 Middlebelt Road, located on the east side of Middlebelt Road between the CSX Railroad right-of-way and Schoolcraft Road in the Northwest ¼ of Section 25.

Mark Taormina, Planning and Economic Development Director, presented the request to Council.

Scott Bahr asked if the no left turn-restriction would also apply to the Meijer traffic. Mark confirmed that was an accurate statement.

Rob Donovic asked if there would be sufficient lighting. Mark indicated that they would rely on their lighting experts to meet the minimum lighting requirements. Rob asked to clarify if the long driveway into the lot indicated blocking off the roadway. Mark stated that the area would be closed off and become landscaping. The road would terminate at the line, and access would be provided next to it for the drive-up window facilities.

Rob asked if the grease trap was outside of the dumpster enclosure. Mark indicated that it would have to be placed within the enclosure if there is an exterior grease trap.

Rob commented that the no left turn restriction was a long time coming and happy to hear there will be a traffic control sign.

Brandon McCullough asked if there was a stacking plan included with this resolution, to provide a honeymoon period traffic flow. Mark indicated there was not a traffic plan provided, as it doesn't pose a threat to a public thoroughfare. Brandon asked if the Meijer parking lot was available for stacking. Mark responded there was a reciprocal access agreement that would be provided between Portillo's and Meijer to accommodate access and parking. He indicated that a stacking plan would be something they would have to work out with Meijer. Brandon asked that they be cognizant of the cars.

Kathleen McIntyre asked if the no left hand turn signs do not have the force of Law. Mark stated that this restriction would be on a portion of right-a-way that is under the jurisdiction of the City so it could be a traffic control order, which is what they are recommending.

Kathleen McIntyre asked what the concerns were of the Planning Commission. Mark responded that they didn't have any major concerns other than traffic and felt that those issues could be addressed.

She stated that this fits their plan for future land use. Mark responded that there has only been a gas station that was proposed for this property, and it was felt to not be an appropriate fit for this site.

Kathleen McIntyre asked how the stacking was for Shake Shack during there first week of opening. Mark indicated that he had not heard anything negative and had not heard from the General Manager with any issues. She stated she is satisfied that the Petitioner will establish their stacking plan with Meijer before opening.

Amanda Schwerin, HD Group, 805 Via Altos Mesquite, TX, Taylor Eschbach, Kimley-Horn, 4201 Winfield Drive, Oronville, IL, and Eric East 144the25 Lakeside Circle, Sterling Heights were present to answer questions. Amanda indicated that they did submit the photometric plan and one of the conditions of Planning Commission was the height of the light poles and that has been taken care of.

Rob Donovic asked about the grease trap if it were underground or exterior. Taylor Eschbach explained it was an underground grease trap with a manhole access from the surface. Rob asked if it would affect the public sewers for the rest of the city. Taylor responded that it is a standard practice for restaurants utilizing grease. It is maintained on a regular basis and prevents fats and greases from entering the sewer system.

Brandon McCullough asked when they planned to break ground. Amanda Schwerin responded that it would be in 2022 and noted they received the approval letter from Meijer regarding their traffic recommendations.

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

DIRECTION:	APPROVING	CONSENT

4. WAIVER PETITION: Planning Commission, re: Petition 2021-12-02-26 submitted by HD Group, Inc., on behalf of Portillo's, requesting to utilize a Tavern license (sale of beer and wine for consumption on the premises) in connection with the operation of a freestanding full-service restaurant at 13000 Middlebelt Road, located on the east side of Middlebelt Road between the CSX Railroad right-of-way and Schoolcraft Road in the Northwest ¼ of Section 25.

Mark Taormina, Planning and Economic Development Director, presented the request to Council. He indicated this item has a special requirement that applies that prevents this from being located within 1000 feet from another licensed establishment. There are three within 1000 feet, which requires Council to waive that requirement with a separate resolution with a two-thirds vote.

Kathleen McIntyre offered an approving resolution for the Regular Agenda.

DIRECTION:	APPROVING	REGULAR

5. REQUEST FOR AUTHORIZATION TO PURCHASE 450 PRIVACY SCREEN

VOTING BOOTHS: Office of the City Clerk, re: to replace old and broken voting booths used for voting privacy at all polling locations throughout the City, from budgeted funds.

President Jolly stated this item was requested to be removed from the agenda by the City Clerk to be placed on a future agenda.

6. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Division of Police, re: for the subscription of policy and procedures for Law Enforcement from Lexipol and approval to renew annually for a five year period.

Thomas Goralski, Police Chief, presented the request to Council, adding this request was endorsed by the MMRMA, the insurance carrier. Lexipol assists with their accreditation and was unanimously approved for reaccreditation by the Law Enforcement Commission.

Rob Donovic offered an approving resolution for the Consent Agenda.

President Jolly noted that this was a welcome change when it was done before and asked Paul Bernier, City Attorney, if this lease renewal was going to run into the titling problem as seen with 123.Net. Paul responded that he did not think so, but would consult with Mike Fisher, Assistant City Attorney.

DIRECTION: APPROVING CONSENT

7. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE EIGHT (8) MARKED AND FOUR (4) UNMARKED POLICE VEHICLES USING THE STATE OF MICHIGAN AND MACOMB COUNTY CONSORTIUM BID PRICING: Division of Police, re: from budgeted funds.

Thomas Goralski, Police Chief, presented the request to Council. He pointed out the Vehicle Maintenance Coordinator, Rollie Hoskin, keeps the vehicles in fantastic condition. They come in under budget every year with their vehicle purchases, and they are under budget again this year.

Katheen McIntyre offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

8. REQUEST FOR AUTHORIZATION TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE CONTRACT WITH SOLE SOURCE PROVIDER: Division of Police, re: for a two-year agreement with Motorola Solutions, Inc., from budgeted funds.

Thomas Goralski, Police Chief, presented the request to Council. He noted that they haven’t gone before Council to renew this contract in prior years, because they came in under $15,000.00. In the past year, they upgraded their EOC, the supplemental dispatch center by adding more equipment, so the price of servicing and maintaining it has gone up. He then explained the many services and support they provide.

Scott Morgan offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

9. AWARD OF BID: Department of Parks and Recreation, re: for removal of existing structures west of ball diamond #2 and for the installation of a senior playground, safety surfacing and accessible path from the parking lot at Ben Celani Play Area.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council. He pointed out that MEDC is contributing $100,000.00 to this project, Healthy Livonia is contributing $50,000.00. No City funds are used for this project, but there is a timeline from MEDC that the money need to be spent this year.

Kathleen McIntyre asked if there had been input from the seniors on the idea. She asked if there could be swings that could be used for those with and without wheelchairs could swing together. Ted Davis indicated that it would be the next item on the agenda, which would be adjacent to this facility, directly west, per the tentative site plan. Kathleen asked if it would be connected. Ted answered there would be a plaza in the middle with accessible pathways.

Kathleen pointed out again that she would be interested to know if this is what seniors would be interested in.

Vice President Toy agreed that should appreciate senior input and would like to see this done and offered an approving resolution for the Consent Agenda.

Scott Bahr asked if the park in Novi was the best comparable. Ted Davis stated that it was the closest comparable, Canton’s is significantly different. Scott asked where it was located to take a look at it. Ted responded with Wildlife Woods Park in Novi.

Scott asked if Novi gave a sense of usage for something like this. Ted responded that it was difficult to say with outdoor amenities because it is unstaffed, but Novi felt comfortable that it was money well spent. Scott asked if he had a visual sense of how much the exercise-type areas are used. Ted stated that part of this plan was to take down that equipment, since they are over twenty years old, in disrepair and hidden. They plan to have potentially as many as three across the city, based on the success of this one. He compared this to pickleball. They put in six pickleball courts and saw constant use.

Scott asked if this isn’t restricted to seniors but tailored to older people. Ted stated that most of the equipment is tailored towards seniors, but there is a functional fitness piece that younger people would like to use as well.

Scott asked where exactly the park will be located. Ted answered that if you are familiar with Ben Celani Play Area, it is approximately where the firetruck is, the play feature. Scott asked if this was west or east of the existing drive. Ted answered that it would be east of the existing drive. Scott asked if the kids play equipment would be replaced; Ted agreed.

Scott asked if the MEDC and Healthy Livonia money had alternative uses or if it had to be for this amenity. Ted clarified that it was specific for this amenity.

Rob Donovic referenced the drawing provided, asking about the netting material. Ted indicated that it was a shade structure. Rob asked if it would be removed in the winter months. Ted stated that it could be removed or stay up, depending on preference.

Rob asked about the green material on the ground. Ted replied that is a combination of a concrete surface and a poured and play surface, a matting because of the fall zone that needs to be met.

Rob agreed that he hopes there is communication regarding what the seniors want.

Kathleen McIntyre agreed to an approving resolution, but did not want it on Consent.

DIRECTION:	APPROVING	REGULAR

10. AWARD OF BID: Department of Parks and Recreation, re: for the addition of a 6,800 square foot playground, safety surfacing, and accessible path from the parking lot at Ben Celani Play Area, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council. He noted that the major difference between Rotary and this is the surfacing. They asked for a turf surfacing due to the wear on pour and play surfaces, which he is hopeful to have a better and longer lasting result.

Brandon McCullough noted that the inclusive playground is a huge step to making parks available for everyone. He asked for a timeline if this gets approved. Ted responded with on or before October of this year, based on a six-month lead time.

Brandon asked if there were staff members trained and certified for playground inspection. Ted stated they were.

Brandon McCullough offered an approving resolution for the Regular Agenda.

Rob Donovic asked if this was funded by city dollars? Ted responded that this is funded in part by city dollars. $142,733.00 provide by a Wayne County grant, $250,000.00 from the Celani Family Foundation and $100,000 from Community Development Block Grant Funds. President Jolly pointed out that Healthy Livonia was left out. Ted agreed and stated that $100,000 was provided by Healthy Livonia.

President Jolly suggested that due to supply chain circumstances, that the timeline tight so they don’t go an unnecessary six months without having any play equipment out there. Ted responded that he could speak to the contractors about that. He referenced that the colors are to be determined and feels colors are a big part, which will be decided after approval.

DIRECTION: APPROVING REGULAR

11. REQUEST PERMISSION FROM WAYNE COUNTY TO CLOSE A PORTION OF FARMINGTON ROAD TO HOST LIVONIA'S ANNUAL MEMORIAL DAY CEREMONY: Department of Parks & Recreation, re: to close Farmington Road north and southbound from Five Mile Road to Roycroft, on Saturday, May 28, 2022, from 8:30 a.m. to 10:00 a.m.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

Scott Bahr offered an approving resolution for the Consent Agenda.

Rob Donovic commended Ted along with Parks and Recreation for this ceremony.

DIRECTION: APPROVING CONSENT

12. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND APPROVE CONTRACT WITH EVERWILD: Department of Parks and Recreation, re: for the design services that include a wayfinding system, and to guide and assist with specifications for fabrication for our parks and facilities, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

Scott Bahr referenced the style guide and asked for an explanation of the logo, indicating that the initial response was not favorable. Ted responded that it was a visual representation of what we offer, inside of an L for Livonia. It comes down to individual taste. The existing brand lacks meaning, and this is meant to have meaning behind it, to represent all of those things that we do. Scott asked about the design elements and what they are saying. Ted responded that it is spelled out in the style guide and would provide what each shape means in the L. Scott responded that he would like to see it.

Kathleen McIntyre stated that she liked the work done but disliked the graphic work. She expressed concern about giving this company a contract and not asking for bids. Ted responded that he valued the relationship they have with them and could go through the RFP process, but he feels they would come back to this firm. Kathleen stated that she has not received positive feedback.

Scott Bahr asked if the ship has sailed for the branding design decision. Ted responded that it was. Scott asked if there was a potential to unify the branding with the city or if they want unique branding. Ted stated that there could be a combination of the two. Scott stated that he regrets that the rebranding wasn't done all at once.

Scott Bahr offered an approving resolution for the REGULAR Agenda.

President Jolly asked about the signage for specific elements within the parks for each feature. He also asked how quickly this will be rolled out in the city. Ted responded that there would be more significant entry signs at larger parks, then a sign as a lower tier to signify a play area, then another tier down for neighborhood parks, along with consistent signage for amenities. President Jolly referenced the Sign Shop in DPW being used to mimic park signs, or if they would need to go through a vendor. Ted responded that it would be done with another contract and that the roll out would depend on funds. President Jolly asked if it would be this year. Ted responded that it would take multiple years.

Paul Bernier, City Attorney asked for clarification that Kathleen McIntyre did not offer a denying resolution for the Regular agenda.

DIRECTION: APPROVING REGULAR

13. AWARD OF BID: Public Works Division, re: for the 2022 Right-Of-Way Tree Planting program, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented the request to Council.

Katheen McIntyre offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

14. AWARD OF BID: Public Works Division, re: for the 2022 Right-Of-Way Tree & Stump Removal program, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented the request to Council.

Brandon McCullough offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

15. REQUEST FOR AUTHORIZATION TO PURCHASE ONE (1) 2022 FORD F250 PICKUP TRUCK THROUGH THE STATE OF MICHIGAN AND MACOMB COUNTY BID PROCESS: Public Works Division, re: for use by the Water Department, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented the request to Council.

Scott Bahr offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

16. REQUEST TO APPROVE PROPOSED 2022 SIDEWALK REPAIR PROGRAM: Engineering Division, re: to include four (4) small target areas, in Sections 8, 17, 19 and 32, along with scattered locations throughout the City. (CR 784-82).

Todd Zilincik, City Engineer, presented the request to Council. He indicated that there are 440 locations on the list for sidewalk repair to be completed by this fall.

Scott Morgan offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

17. PROPOSED AMENDMENT TO LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to amend Section 020, Title 10, Chapter 48 (Right of Way and Private Parking), to conform with the recent amendments to the traffic ordinances.

Paul Bernier, City Attorney, presented the request to Council. He indicated that the towing referred back to one of the ordinances that moved in location, so they would like the change for the correct location.

DIRECTION: APPROVING FIRST READ

AUDIENCE COMMUNICATION: None

As there were no further questions or comments President Jolly adjourned the Study Session at 9:20 p.m. on Wednesday, January 19, 2022.

For the 1939th Regular Meeting of February 28, 2022

DATED: February 17, 2022 SUSAN M. NASH, CITY CLERK