

MINUTES OF THE ONE THOUSAND NINE HUNDRED THIRTY EIGHTH
REGULAR MEETING OF FEBRUARY 16, 2022

On February 16, 2022, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Councilmember Morgan led the meeting with the Pledge of Allegiance.

Roll was called with the following result: Scott Morgan, Brandon McCullough, Kathleen McIntyre, Laura Toy*, Scott Bahr, Rob Donovic, and Jim Jolly. Absent: None.

Elected and appointed officials present: Paul Bernier, City Attorney; LaShawn Thomas, Director of Governmental Affairs; Susan M. Nash, City Clerk; Sara Kasprowicz, Program Supervisor of Council Office; Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; and Mayor Maureen Miller Brosnan.

On a motion by McIntyre, seconded by Bahr, and unanimously adopted, it was:

#32-22 RESOLVED, that the Minutes of the 1,937th Regular Meeting of the Council held January 31, 2022 are approved as presented.

There was no Audience Communication at the beginning of the meeting.

Vice President Toy presented a proclamation on behalf of the Mayor and Council recognizing United Way for Southeastern Michigan 2-1-1 and its outstanding service to the Livonia Community. Vice President Toy indicated February 20, 2022 should be recognized as United Way 2-1-1 Day and requested a commendation to recognize February as 2-1-1 month in Livonia.

On a motion by Vice President Toy, seconded by McIntyre, and unanimously adopted, it was:

#33-22 RESOLVED, that upon the motion by Council Vice President Laura Toy, seconded by Councilmember Kathleen McIntyre, at the Regular Meeting held February 16, 2022, with respect to a request to designate February 2022 as United Way for Southeastern Michigan 2-1-1 Month in Livonia, Michigan, the following proclamation was unanimously adopted:

WHEREAS United Way for Southeastern Michigan is dedicated to ensuring all households in southeast Michigan are stable and all children set up to thrive; and

WHEREAS United Way for Southeastern Michigan is the operator of Michigan 2-1-1 for Wayne County, which launched in 2002 and expanded to Southeastern Michigan in 2005; and

WHEREAS Michigan 2-1-1 is a service provided at no cost to Michigan residents, and connects them with thousands of health and human services agencies and resources right in their communities – quickly, easily, and confidentially; and

WHEREAS The Michigan 2-1-1 helpline is available 24 hours a day, 365 days a year via phone, email, live chat, and online databases; and

WHEREAS Michigan 2-1-1 has supported our region during natural disasters, including the recent flooding, and global crises, including providing information about COVID-19 testing and vaccination locations; and

WHEREAS More than 1,300 individuals from the City of Livonia contacted 2-1-1 for assistance with housing, job training, utility assistance, food, and other resources in just the last year alone; and

WHEREAS The people of the City of Livonia recognize United Way for Southeastern Michigan's 2-1-1 service as a valued community asset and are grateful to the dedicated Community Care Advocates at 2-1-1 for their efficient, effective, and compassionate response to the growing needs of those in our community; and

WHEREAS February 11th is 2-11, a date which represents Michigan 2-1-1, and the service provided by 2-1-1 Community Care Advocates, recognition of which is celebrated throughout the month of February each year;

THEREFORE We, the Council of the City of Livonia, do hereby resolve that February 2022 be recognized as United Way for Southeastern Michigan 2-1-1 Month in Livonia, Michigan, and encourage all citizens to join in recognizing this organization's service to the community.

Councilmember Bahr requested the Administration contact Wayne County and request a representative appear at a Council meeting to explain the lack of street clearing of snow. Councilmember Bahr stated the recent lack of plowing of streets within the community was unacceptable.

Councilmember McIntyre announced the following retirees for the month of January, 2022: Michael Magda, Battalion Chief with 27 years of service with the Fire Department; Laura Claypool, Senior Police Officer with 25 years of service with the Police Department; and Denise Stadler, Building Maintenance, with 13 years of service. Councilmember McIntyre thanked the retirees for their service and wished them all well in their retirement.

Councilmember McIntyre indicated there was recent water damage in the Annex of City Hall due to a broken water pipe for the fire suppression system, which caused that part of the building to close. She indicated she was grateful to learn the amount of damage will not be at an exorbitant cost to repair. Councilmember McIntyre indicated this subject reminded her the Council is still waiting for the breakdown of repairs from DPW and/or the Administration caused by the electrical fire at the fire station last year.

Councilmember McIntyre stated the Great Lakes Water Authority warned residents in various communities in the area about the possibility of flooding with the winter weather and encouraged residents to move their valuables and collectibles to higher ground just to prevent any possible loss or damage.

Councilmember Donovic congratulated the Stevenson High School Wrestling team for becoming District champs and wished them well. Councilmember Donovic also indicated he and other Council members recently participated in the Chamber of Commerce Forum event and indicated it was a great discussion with people throughout the community. Councilmember Donovic stated he looked forward to working with these individuals in the future.

Councilmember McCullough invited Council and residents to attend a fundraiser hockey game this Friday night in Westland where he will skate for the Westland Wild Wings playing against the Red Wing Alumni team. He indicated the funds raised will go directly to the Mike Modano Ice Arena and stated there will be a lot of great names from the Red Wings Association playing in this great event.

Councilmember McCullough indicated a resolution adopted at the September 8, 2021 Regular Meeting inadvertently omitted the names of the various vendors with whom the hold harmless agreements were being approved. He suggested as a housekeeping item the former resolution should be amended and offered a new resolution for adoption.

On a motion by McCullough, seconded by Donovic, and unanimously adopted, it was:

#34-22 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Rob Donovic, at the Regular Meeting held February 16, 2022, with respect to a correction to Council Resolution 276-21, adopted on September 8, 2021, the following resolution was unanimously adopted:

RESOLVED , that having considered the report and recommendation of the Director of the Housing Commission, dated July 30, 2021, which bears the signature of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, and which references proposed Hold Harmless Contracts between the City of Livonia and First Step; Fair Housing Center of Metropolitan Detroit; Wayne Metropolitan Community Action Agency; Cruz Clinic; Hegira Programs, Inc.; Stonebrook Counseling Associates, PLLC and Collaborative Health Center for the period July 1, 2021 through June 30, 2022, in connection with CDBG-funded victim assistance, fair housing initiative and mental health counseling programs, the Council does hereby authorize the Mayor, City Clerk and Housing Director, for and on behalf of the City of Livonia, to execute hold harmless contracts that are acceptable to the law department as to form and content, as well as to do all other things necessary or incidental to the full performance of this resolution.

President Jolly announced the following Public Hearing to be held on Monday, March 7, 2022, at 7:00 p.m. in the Auditorium of City Hall, 33000 Civic Center Drive, Livonia, as follows:

Petition 2020-08-01-06 submitted by Middlebelt Plymouth Venture L.L.C. pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, requesting to rezone parts of the properties at 29707 & 30273 Plymouth Road, located on the south side of Plymouth Road between Middlebelt Road and Milburn Avenue in the Northeast ¼ of Section 35, from C-2 (General Business) to NM2 (Neighborhood Multifamily).

President Jolly announced there is new data on Agenda Item #12a.

A communication from the Department of Finance, dated January 24, 2022, re: forwarding various financial statements of the City of Livonia for the month ending October 30, 2021, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated January 24, 2022, re: forwarding the Quarterly Investment Report for the City of Livonia for the quarter ending November 30, 2021, was received and placed on file for the information of the Council.

On a motion by Toy, seconded by McCullough, it was:

#35-22 RESOLVED, that having considered a communication from Robert Rais, Knights of Columbus, dated January 18, 2022, requesting permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host their 5th Annual Car Show with a DJ providing music at Saint Colette's Catholic Church, 17600 Newburgh Road, on Saturday, June 4, 2022 from 9:00 a.m. to 3:00 p.m., the Council does hereby grant permission as requested.

#36-22 RESOLVED, that pursuant to the provisions of Section 5, Chapter VIII of the Charter of the City of Livonia, and pursuant to a communication from the Mayor, dated January 17, 2022, the Council does hereby consent to and confirm the reappointment of William Tancill, 35355 Lancashire Road, Livonia, MI 48152, to the Board of Review for a term of three years commencing February 17, 2022 and expiring February 16, 2025.

#37-22 RESOLVED, that having considered a communication from the City Planning Commission, dated January 13, 2022, approved for submission by the Mayor, which transmits its resolution #01-02-2022, adopted on January 11, 2022, with regard to Petition 2021-11-02-24, submitted by R & E Landscaping and Construction, L.L.C., requesting to construct and operate a special trade contractors' yard at 34413 Rosati Avenue, located on the west side of Stark Road just south of the CSX Railroad in the Southwest ¼ of Section 28, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2021-11-02-24 is hereby approved and granted, subject to the following conditions:

1. That the architectural site plan identified as Sheet No. DA-1.0 dated November 15, 2021, prepared by Arista Design, Inc., is hereby approved and shall be adhered to;
2. Subject to a determination by the Inspection Department, the petitioner may be required to obtain a variance from the Zoning Board of Appeals for deficient building front yard setback and any conditions related thereto;
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. L-1.0 dated December 16, 2021, as revised, prepared by Arista Design, Inc., is hereby approved and shall be adhered to;

5. That the proposed White Dogwood trees within the twenty foot (20') wide greenbelt along the rear property line shall be replaced with full-size evergreen type trees subject to the review and approval of the Planning Department;

6. That all disturbed lawn areas shall be sodded in lieu of hydro seeding;

7. 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;

8. That the exterior elevations plan identified as Sheet No. DA-1.0 dated November 15, 2021, prepared by Arista Design, Inc., is hereby approved and shall be adhered to;

9. 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;

10. That all outside storage shall be restricted to the enclosed fenced-in area behind the building, as shown on the approved site plan. Storage within this area shall be limited to construction-related materials and no more than two (2) vehicles. Any changes in the location and extent of the outdoor storage yard shall first be approved by the Planning Commission;

11. That there shall be no outdoor storage of junk, tires, debris, hazardous chemicals, or disabled/inoperative equipment and vehicles anywhere on the premises;

12. That the owner must provide a "Knox Box" (fire dept key box) for fire department after-hour access to the building. Additionally, a key must be provided (in the "Knox Box") for access to all fenced in areas as well;

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

14. That the trash dumpster area and enclosure gates shall be constructed in accordance with the Dumpster Enclosure Details, as shown on the approved site plan;

15. 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;

16. 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;

17. This waiver use is granted to this petitioner only, and any new user of this property is required to seek and receive City Council's consent to such user's operating the subject facility prior to occupancy by such user; and

18. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, 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.

#38-22 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated January 7, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the quote of People Driven technology, 6300 Venture Hills Blvd. SW, Byron Center, MI 49315, for the purchase of two (2) Dell Poweredge 640 servers and two (2) Connectrix DS-6610b switches for the City Hall Data Center, which includes a 5-year warranty on the servers as well as installation and support, in a total amount not to exceed \$39,176.00, to replace the current pair of servers that have exceeded their life expectancy; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$39,176.00 from funds already budgeted in the Information Systems Capital Outlay account, Account Number: 101-228-982-000, for this purpose; FURTHER, the Council does hereby authorize said purchase without competitive bidding inasmuch as the same is being purchased through the State of Michigan approved Midwest Higher Education Contract (MHEC) and such action is taken in accordance with the provisions set forth in Section 3.04.140D4 of the Livonia Code of Ordinances, as amended; and the City Clerk is hereby requested to do all things necessary or incidental to the full performance of this resolution.

#39-22 RESOLVED, that having considered the report and recommendation of the Fire Chief, dated January 13, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of two (2) Zoll Cardiac Monitors to replace outdated or decertified equipment which are a critical piece of life saving equipment used on a daily basis by the Fire Department, for a total amount not to exceed \$67,068.98, from Zoll Medical Corporation, 269 Mill Road, Chelmsford, Massachusetts 01824; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$67,068.98 from funds already budgeted in Account

No. 101-338-979-000 (Capital Outlay – Fire Equipment); FURTHER, the Council does hereby authorize the said action without competitive bidding for the reason that Zoll Corporation is the sole vendor for the Cardiac Monitors, and such action is taken in accordance Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended.

#40-22 RESOLVED, that having considered a communication from the Fire Chief, dated January 18, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) 2022 Life Line Type-1 Superliner Ambulance on a 2022 Ford F-450 XLT Chassis, from R & R Fire Truck Repair Inc., 751 Doheny Drive, Northville, MI 48167, for an amount not to exceed \$248,895.00, to replace the current Frontline Squad 1 which is a 2017 model with 50,000 miles which will be downgraded to reserve squad status; and with the potential to trade-in a 2006 Freightliner Ambulance that is no longer in proper working order for emergency response; FURTHER, an amount not to exceed \$248,895.00 is hereby authorized to be expended from funds already budgeted for this purpose in Account No. 101-338-985-000 (Capital Outlay-Vehicles); FURTHER, the Council does hereby authorize said purchase without competitive bidding inasmuch as the same is being purchased through the Houston-Galveston Area Council (HGAC-Buy) cooperative purchasing consortium, pursuant to Council Resolution 61-17, adopted on February 27, 2017, and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended.

#41-22 RESOLVED, that having considered the report and recommendation of the Fire Chief, dated January 14, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of three (3) 2022 Ford F-150 Responder Super Crew 4x4 pickup trucks, at a cost of \$40,410.00 each, for a total amount not to exceed \$121,230.00, from Signature Ford, 1960 E. Main Street, Owosso, Michigan 48867, to replace current frontline vehicles and will add versatility and safety to the fleet, while enhancing response capabilities; FURTHER, an amount not to exceed \$121,230.00 is hereby authorized to be expended from funds already budgeted for this purpose in Account No. 101-338-985-000 (Capital Outlay-Vehicles); FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is made through the 2022 Vehicle State of Michigan Contract #071B7700180 and Macomb County Contract #21-18 for the new vehicle purchase; and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize the disposal of the replaced vehicles at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicles.

#42-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 17, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize payment of the City's annual Miss Dig membership fee in an amount not to exceed \$17,477.50, and directs that such payment be made to Miss Dig 811, 3285 Lapeer Road West, Auburn Hills, MI 48326 from Account No. 592-559-957-000 for this purpose; FURTHER, the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with MISS DIG and to do all other things necessary or incidental to the full performance of this resolution.

#43-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 13, 2022, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, notifying the Council of the emergency water repair - Pressure Reducing Valve replacement - at Eight Mile Road and Grand River, as required by Section 3.04.140.D.1, and the Council does hereby authorize an appropriation and expenditure in an amount not to exceed \$16,557.00 payable to Jett Pump & Valve, 4770 Pontiac Lake Road, Waterford, MI 48328 (VDR#53052), for completing all work required in connection with the emergency Pressure Reducing Valve replacement at Eight Mile Road and Grand River; FURTHER, an amount not to exceed \$16,557.00 is hereby appropriated and authorized to be expended from Account No. 592-158-000 (Construction in Progress-Emergency Repair) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 3.04.140.D.1 of the Livonia Code of Ordinances, as amended.

#44-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 17, 2022, submitted pursuant to Council Resolution #221-21, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the bid of TN Construction LLC, 14123 Redwood Drive, Shelby Township, MI 48315 for performing all work required in connection with the preparation and painting of the interior of the fleet maintenance garage, including any necessary repairs to the walls over and around the door frames, for an amount not to exceed \$32,180.00; the same having been in fact the lowest qualified bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$32,180.00 from funds already budgeted in Account No. 401-000-971-000 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on

behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

#45-22 RESOLVED, that Infinity Homes and Company, as proprietor, having requested the City Council approve the Emerson Oaks Site Condominiums, located at 28400 West Chicago Avenue (formerly Wilson Elementary School site), in the Northwest ¼ of Section 36 of the City of Livonia (hereafter the "Condominium"), and it further appearing that approval of the Master Deed, bylaws and site plan for the Condominium was given by the City Council pursuant to Council Resolution 136-21, adopted on April 26, 2021, and it further appearing that such site plan, together with Development Plans and specifications for improvements, have been examined and approved by the Department of Public Works as set forth in the report of that Department, dated January 5, 2022, therefore, the City Council does hereby determine as follows:

- (1) All of the public improvements, utilities and grading shall be constructed, installed and accomplished in conformity with the provisions of the ordinances of the City of Livonia, including Sections 18.62 and 18.63 of Ordinance No. 543, as amended, and the provisions referenced therein, and the regulations and specifications of the Department of Public Works and the Development Plans submitted by the proprietor and approved by such Department; all such improvements to be constructed, installed, accomplished and completed within a period of two (2) years from the effective date of this resolution; failing this, the approval granted by the City shall be considered null, void and of no effect whatsoever;
- (2) That all inspection fees and other charges due to the City of Livonia shall be fully paid at the time and in the manner provided in the said ordinance provisions;
- (3) That the installation of all such improvements shall be subject at all times to the supervision and inspection and final approval of the Department of Public Works, and such improvements shall not be considered as having been satisfactorily and completely installed until there is filed with the City Council the certificate as provided in such ordinance provisions;
- (4) That the proprietor shall enter into an agreement with the City of Livonia agreeing to construct, within the prescribed period of time and in the prescribed manner, all improvements required to the extent required by the City of Livonia and as shown on the approved Development Plans;
- (5) That as a condition of obtaining necessary engineering permits prior to commencing the required improvements, the proprietor

shall file with the City of Livonia a corporate surety bond, certified check, cash bond, irrevocable letter of credit, or other financial assurance in such form as may be approved by the Department of Law guaranteeing the satisfactory installation of all such improvements, utilities and grading by the proprietor within the prescribed period in the following amounts:

- (a) General Improvement Bond \$777,391.00
(of which at least \$77,739.00 shall be in cash)
- (b) Sidewalk Bond \$64,185.00
(of which at least \$7,500.00 shall be in cash)
- (c) Grading & Soil Erosion Control Bond \$5,400.00 (all cash)
- (d) Entrance Markers/Landscaping \$5,000.00 (all cash)
- (e) Monuments and Markers Bond \$1,000.00 (all cash)
- (f) As-Built Drawing Bond \$10,000.00 (all cash)

and require cash payments in the total amount of \$106,639.00.

- (6) That all required cash deposits and certified checks which shall be established by the City Engineer pursuant to Article XVIII of Ordinance 543, Section 18.66 of the Ordinance, shall be deposited with the City prior to the issuance of engineering permits for this condominium development;
- (7) That the distribution lines for telephones and electric service are to be placed underground and ornamental streetlights are to be provided throughout the Condominium in accordance with City ordinances.

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

AYES: Morgan, McCullough, McIntyre, Toy, Bahr, Donovic, and Jolly.

NAYS: None.

A communication received from the City Attorney, dated February 9, 2022, regarding the City's road millage renewal, was received and placed on file for the information of the Council.

On motion by McIntyre, seconded by Bahr, and unanimously adopted, it was:

#46-22 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated January 26, 2022, submitted pursuant to Council Resolution No. 03-22, and the presentation given by Mayor Maureen Miller Brosnan regarding the City's road millage renewal and providing a timeline of August 2, 2022 as an election date for the millage, the Council does hereby refer this item to the Department of Law for preparation of a proposed resolution regarding the City's road millage renewal.

On a motion by Bahr, seconded by McIntyre, and unanimously adopted, it was:

#47-22 RESOLVED, that having considered a communication from the City Attorney, dated February 9, 2022, submitted pursuant to Council Resolution 03-22, to which is attached a proposed resolution regarding the City's road millage renewal and providing a timeline of August 2, 2022 as an election date for the millage, the Council does hereby adopt the following proposed resolution:

WHEREAS, the City of Livonia has 447 miles of roadways throughout the community that are both residential and major arteries for traffic flow; and WHEREAS, the condition of city roads, sidewalks and trees within the public rights-of-way reflects the overall condition of the city and has a direct impact on property values; and

WHEREAS, a well-maintained system of roads and public rights-of-way reflects a community planning for the future that will continue to attract new business and residents for the city; and

WHEREAS, the Department of Public Works and Engineering Division staff have reviewed the conditions of these roads and public rights-of-way and found substantial deterioration that will require a regular replacement and repair program in order to provide safe and acceptable roads and public rights-of-way for Livonia residents and businesses; and

WHEREAS, the method of repairing and replacing roads through special assessment of local residents is deemed undesirable since the cost of future special assessments is anticipated to be much higher than in the past and will create a financial burden for many residents; and

WHEREAS, the Council of the City of Livonia has determined that in order to properly repair and/or replace roads, sidewalks and trees within the public rights-of-way, it is necessary to levy and collect a tax of 0.89 of 1

mill for a limited term of ten years on all real and personal property subject to taxation in the City of Livonia, in addition to amounts previously authorized;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Livonia, by a three-fifths (3/5) vote of the members of said Council and pursuant to the provisions of Section 21 of Act 279 of the Public Acts of 1909, as amended, does hereby propose that the Livonia City Charter be amended by changing Section 1 in Chapter VIII, which changed section shall read as follows:

CHAPTER VIII GENERAL TAXATION

Section 1. Power to Tax; Tax Limit. The City shall have the power to annually levy and collect taxes for municipal purposes, but such levy shall not exceed one-half (1/2) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City; provided, however, that in addition thereto the City shall have the power to annually levy and collect taxes each year, commencing on December 1, 1965, in an amount not to exceed one-tenth (1/10) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for police protection and law enforcement personnel, equipment, supplies and facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1978 in an amount not to exceed fifteen one-hundredths (15/100) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for fire, police and snow removal personnel, equipment, supplies and facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1984 in an amount not to exceed one-tenth (1/10) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for library personnel, equipment, supplies and library facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1990 in an amount not to exceed sixty-three one-thousandths (63/1000) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole purpose of defraying City expenses and liabilities for the collection and disposal activities required for curbside recycling and yard waste composting programs; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1999 in an amount not to exceed four-fiftieths (4/50) of one (1) per centum of the taxable value of all real and

personal property subject to taxation in the City for the sole purpose of providing additional revenues for the establishment of a community recreation center and for recreation personnel, equipment, supplies, operations and facilities in the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a ten year period commencing on December 1, 2002 in an amount not to exceed eighty-nine one-thousandths (89/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for repairing or replacing public roads, sidewalks and trees within the City; provided, further, that in addition thereto, the City shall have the power, only if the City first withdraws from the Wayne County Transportation Authority (which funds are currently used in part for the operation of the Suburban Mobility Authority for Regional Transportation), to annually levy and collect taxes each year commencing on July 1, 2006 in an amount not to exceed five one-hundredths (5/100) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for the City's community transit program and capital improvements within the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a five year period, commencing on December 1, 2011 in an amount not to exceed one hundred seventy one-thousandths (170/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for police and fire personnel and support costs in the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a five year period, commencing on December 1, 2011 in an amount not to exceed twenty-five one-thousandths (25/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for staff, maintenance, and support costs for cultural and senior services in the City, including the Livonia Senior Center and Greenmead Historical Village; provided, further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a ten year period commencing on December 1, 2012 in an amount not to exceed eighty-nine one-thousandths (89/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for repairing or replacing public records, sidewalks and trees within the City; provided, further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a ten year period commencing on December 1, 2022 in an amount not to exceed eighty-nine one-thousandths (89/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for repairing or replacing public roads, sidewalks and trees within the City.

RESOLVED FURTHER, that the provisions of the existing section of the Charter of the City of Livonia which is altered, abrogated or affected by this proposal, if adopted, now reads as follows:

**CHAPTER VIII
GENERAL TAXATION**

Section 1. Power to Tax; Tax Limit. The City shall have the power to annually levy and collect taxes for municipal purposes, but such levy shall not exceed one-half ($1/2$) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City; provided, however, that in addition thereto the City shall have the power to annually levy and collect taxes each year, commencing on December 1, 1965, in an amount not to exceed one-tenth ($1/10$) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for police protection and law enforcement personnel, equipment, supplies and facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1978 in an amount not to exceed fifteen one-hundredths ($15/100$) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for fire, police and snow removal personnel, equipment, supplies and facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1984 in an amount not to exceed one-tenth ($1/10$) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole and exclusive purpose of providing additional revenues for library personnel, equipment, supplies and library facilities of the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1990 in an amount not to exceed sixty-three one-thousandths ($63/1000$) of one (1) per centum of the assessed value of all real and personal property subject to taxation in the City for the sole purpose of defraying City expenses and liabilities for the collection and disposal activities required for curbside recycling and yard waste composting programs; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year commencing on December 1, 1999 in an amount not to exceed four-fiftieths ($4/50$) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for the establishment of a community recreation center and for recreation personnel, equipment, supplies, operations and facilities in the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a ten year period commencing on December 1, 2012 in an amount not to exceed eighty-nine one-thousandths ($89/1000$) of one (1)

per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for repairing or replacing public roads, sidewalks and trees within the City; provided, further, that in addition thereto, the City shall have the power, only if the City first withdraws from the Wayne County Transportation Authority (which funds are currently used in part for the operation of the Suburban Mobility Authority for Regional Transportation), to annually levy and collect taxes each year commencing on July 1, 2006 in an amount not to exceed five one-hundredths (5/100) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for the City's community transit program and capital improvements within the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a five year period, commencing on December 1, 2011 in an amount not to exceed one hundred seventy one-thousandths (170/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for police and fire personnel and support costs in the City; provided further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a five year period, commencing on December 1, 2011 in an amount not to exceed twenty-five one-thousandths (25/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for staff, maintenance, and support costs for cultural and senior services in the City, including the Livonia Senior Center and Greenmead Historical Village; provided, further, that in addition thereto, the City shall have the power to annually levy and collect taxes each year for a ten year period commencing on December 1, 2012 in an amount not to exceed eighty-nine one-thousandths (89/1000) of one (1) per centum of the taxable value of all real and personal property subject to taxation in the City for the sole purpose of providing additional revenues for repairing or replacing public roads, sidewalks and trees within the City.

RESOLVED FURTHER, that the City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for her approval and transmit a copy of the proposed amendment to the Attorney General of the State of Michigan for her approval as provided by law.

RESOLVED FURTHER, that the proposed Charter amendment shall be and the same is ordered to be submitted to the qualified electors of the City at a Special City Election to be held on August 2, 2022, and the City Clerk is hereby directed to give notice of election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such proposed Charter amendment to the vote of the electors as required by law.

RESOLVED FURTHER, that Tuesday, August 2, 2022 is hereby designated as the date for holding a Special Election on the proposed Charter amendment and question.

RESOLVED FURTHER, that the proposed amendment shall be submitted to the electors in the following form, to wit:

To maintain, repair, and replace public roads, sidewalks, and certain right-of-way trees in Livonia, shall Chapter VIII, Section 1 of the City Charter be amended to renew the levy and collection annually for ten years commencing December 1, 2022, a tax not exceeding 0.89 of 1 mill? Estimated revenue from 0.89 of 1 mill would be approximately \$_____ when first levied in 2022.

Yes /_____/

No /_____/

RESOLVED FURTHER, that the proposed amendment shall be published in full, together with the existing Charter provisions altered, abrogated or affected thereby, at least once in the official newspaper of the City of Livonia at least ten (10) days prior to said Special City Election to be held on August 2, 2022.

RESOLVED FURTHER, that the City Clerk be and is hereby ordered and directed to post within the voting booths and in the polling places in which said election is conducted, a verbatim statement of said proposed amendment and to post and publish such other notices or copies of the proposed amendment pertaining to the submission of said amendment in said election as may be required by law and to do and perform all necessary acts in connection with such election as may be required by law.

On a motion by McCullough, seconded by Vice President Toy, it was:

#48-22 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated January 26, 2022, submitted pursuant to Council Resolution No. 375-21, and a communication from Mayor Maureen Miller Brosnan, dated November 19, 2021, requesting an increase in compensation for the classification of Director of Administrative Services to align with the current salaries of Department Heads with similar responsibilities and to re-title the classification of Director of Administrative Services to Chief of Staff, the Council does hereby concur in the recommendations made by the Committee of the Whole and the Mayor and the request for an increase in compensation for the classification of Director of Administrative Services and to re-title the classification of Director of Administrative Services to Chief of Staff is hereby approved and authorized as outlined in the

aforementioned communication and attachment thereto, retroactive to January 1, 2022.

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

AYES: Morgan, McCullough, Toy, Donovic, and Jolly.

NAYS: McIntyre and Bahr.

The President declared the resolution adopted.

McCullough gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTIONS 020 AND 030 OF CHAPTER 08 (DEPARTMENT OF ADMINISTRATIVE SERVICES) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for word repeated herein. The above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

Bahr took from the table, for second reading and adoption, the following Ordinance:

AN ORDINANCE AMENDING SECTION 035 OF TITLE 15, CHAPTER 56 (PERMITS AND INSPECTION FEES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Morgan, McCullough, McIntyre, Toy, Bahr, Donovic, and Jolly.

NAYS: None.

The President declared the foregoing Ordinance duly adopted, and would become effective on publication.

On a motion by Bahr, seconded by Donovic, and unanimously adopted, it was:

#49-22 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated January 18, 2022, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby approve the proposed Second Amendment ("Second Amendment") to the license agreement between the City of Livonia and 123.net, Inc., a Michigan corporation, 24700 Northwestern Highway, Suite 700, Southfield, Michigan 48075 ("123.net"), previously approved pursuant to Council Resolution 135-14, adopted on May 7, 2014, which permitted 123.net to occupy a portion of the Livonia Police Communications Tower ("license"), together with a Service Order ("Service Order") prepared by 123.net by which 123.net will provide the City with dark fiber for 16 sites enumerated therein and 1gb of internet at 15050 Farmington Road, for a monthly total of \$7,823.90, less a discount of \$1,800.00 per month, for a net of \$6,234.00 monthly for a 10-year term; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$74,808.00, defraying the first year's services under the Service Order from budgeted amounts in Information Services Account No. 101-228-982-000; and FURTHER, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the proposed Second Amendment to the License between the City of Livonia and 123.Net in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, and the City Clerk is hereby requested to do all things necessary or incidental to the full performance of this resolution.

On a motion by Vice President Toy, seconded by Donovic, and unanimously adopted, it was:

#50-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 10, 2022, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the Mayor and City Clerk to execute a contract through December 31, 2023, with the option to extend for an additional two years at the same terms, with Eganix, Inc., 1091 Centre Road, Suite 120, Auburn Hills, MI 48326, for providing all materials, labor, and equipment necessary to perform fats, oils and grease ("fog") prevention treatment in areas of the City's sewer system that are known to be susceptible to fog build up, for an annual amount not to exceed \$80,000.00; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$80,000.00 from funds budgeted in Account No. 592-559-818-050 (Fat, Oil & Grease Prevention) for this

purpose; FURTHER, the Council does hereby authorize such action without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Sections 3.04.140.D.3 and 3.04.140.D.4 of the Livonia Code of Ordinances, as amended because Eganix is a sole source provider and the City has joined with the City of Southfield in making this purchase; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with Eganix, Inc., and to do all other things necessary or incidental to the full performance of this resolution

On a motion by McCullough, seconded by Donovic, and unanimously adopted, it was:

#51-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 21, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, to which is attached a proposed agreement between the City of Livonia and Plante Moran Cresa, LLC, 3000 Town Center, Suite 100, Southfield, MI 48075 to provide professional Space Needs Assessments and Capital Planning services, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached agreement between the City of Livonia and Plante Moran Cresa, LLC, 3000 Town Center, Suite 100, Southfield, MI 48075, subject to approval as to form and substance by the Department of Law, to provide professional Space Needs Assessments and Capital Planning services in an amount not to exceed \$120,000.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$120,000.00 from funds budgeted in Account No. 418-000-813-000 (Building Improvement Fund–Professional Services) for this purpose.

On a motion by Vice President Toy, seconded by Donovic, and unanimously adopted, it was:

#52-22 RESOLVED, that having considered a communication from the Director of Finance, dated January 24, 2022, which is approved for submission by the Mayor, requesting to refer the subject matter of the American Rescue Plan Act to the Committee of the Whole, the Council does hereby refer the subject matter of the American Rescue Plan Act to the Committee of the Whole to update Council on the final rule governing the expenditure of grant funds and to discuss allocation of the remaining funds.

On a motion by McIntyre, seconded by Bahr, and unanimously adopted, it was:

#53-22 RESOLVED, that having considered a communication from the Director of Housing, dated February 2, 2022, wherein it is requested that Council Resolution 20-22, adopted on January 19, 2022, be amended to reflect that the Livonia Housing Commission Executive Director position adjustment be retroactive to December 1, 2021, the Council does hereby amend and revise Council Resolution 20-22 so as to read as follows:

RESOLVED, that having considered a communication from the Director of Housing, dated January 6, 2022, and a communication from Mayor Maureen Miller Brosnan to the Livonia Housing Commission, dated December 7, 2021, requesting an increase in compensation for the classification of Director of Housing to align with the current salaries of other Housing Directors in comparable communities, the Council does hereby concur in the recommendation made by the Personnel Review Committee and the Livonia Housing Commission, pursuant to Resolution LHC#27-21, and the increase in compensation for the classification of Director of Housing is hereby approved and authorized as outlined in the aforementioned communications and attachments thereto, retroactive to December 1, 2021.

There was no Audience Communication at the end of the meeting.

On a motion by Vice President Toy, seconded by McCullough, and unanimously adopted, this 1,938th Regular Meeting of the Council of the City of Livonia was adjourned at 7:47 p.m.

Susan M. Nash, City Clerk