

MINUTES OF THE ONE THOUSAND NINE HUNDRED THIRTY NINTH**REGULAR MEETING OF FEBRUARY 28, 2022**

On February 28, 2022, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the Vice President of the Council at 7:00 p.m. Councilmember McCullough led the meeting with the Pledge of Allegiance.

Roll was called with the following result: Brandon McCullough, Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan and Laura Toy. Absent: Jim Jolly.

Elected and appointed officials present: Paul Bernier, City Attorney; LaShawn Thomas, Director of Governmental Affairs; Susan M. Nash, City Clerk; Sara Kasproicz, 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 McCullough, seconded by McIntyre, and unanimously adopted, it was:

#54-22 RESOLVED, that the Minutes of the 1,938th Regular Meeting of the Council held February 16, 2022 are approved as presented.

Vice President Toy announced President Jolly would not be present tonight as he and his wife welcomed the birth of their son, Gabriel. Toy congratulated the Jolly family and stated all were very excited.

Vice President Toy thanked everyone for their support and assistance in setting up a comfortable environment for her to attend Council meetings in person and stated because she had an adverse reaction to the vaccine, she was not able to be vaccinated.

Vice President Toy announced the flowers present tonight were in honor of Ukraine's national flower and stated both flowers and ribbons would be sold to raise funds to support the citizens of Ukraine during this difficult time.

Mayor Maureen Miller Brosnan thanked Council for their support and indicated she was present to provide an update on the roads in the community and the many problems expressed by Council and residents. Mayor Brosnan stated she had been in touch with Wayne County Commissioner Terry Marecki, who she invited to attend tonight's meeting. Mayor Brosnan stated she is thankful Livonia is informed regarding all County updates and felt the focus should be on ideas and solutions, rather than the problems.

Mayor Brosnan indicated a useful tool has been developed to allow residents to report problems directly to the City and County via a new City of Livonia app that is available on both Google Play and the Apple App Store. She encouraged residents to download the app to tag the exact location of a road problem and the information is shared between Livonia and the County. Mayor Brosnan stated this will allow the best use of all resources where needed the most. Mayor Brosnan concluded the app can be used to access many of the City's website's features and benefits and introduced Wayne County Commissioner Terry Marecki to speak on the issues regarding local roads in further detail.

Wayne County Commissioner Terry Marecki thanked Council for their welcoming invitation and stated she felt the new City app will be a very exciting tool for citizens to utilize. Commissioner Marcki stated she is very aware of how unhappy residents were following the last snowstorm with plowing of the streets. Commissioner Marecki provided a detailed statement of how the order of streets to be plowed is worked out by the County.

Commissioner Marecki elaborated and explained the County is also suffering from a worker shortage and the area that includes Livonia was down 10 snowplow drivers during the last cycle. Commissioner Marecki encouraged residents to report all County road problems directly to the 1-888-ROAD-CREW hotline that is run by Wayne County. She also encouraged residents to reach out to her directly via her email or office phone to directly report any issue, road-related or otherwise. She concluded she hoped the information provided tonight was helpful and stated she was optimistic improvements will be seen every day.

Councilmember Donovic thanked Commissioner Marecki for attending the meeting and answering questions of Council. He indicated he hoped the County will continue to improve the processes and means by which the roads are both maintained and plowed throughout the community.

Councilmember McCullough thanked Commissioner Marecki for the helpful information and stated hopefully the newly introduced app by the Mayor will help the County improve how it handles road processes. He indicated during the last snowstorm many of the roads were impassable and suggested a collaborative approach between the City and County might be the best option moving forward.

Councilmember McIntyre thanked Commissioner Marecki for the comprehensive and responsive information provided on the subject matter of roads. She indicated a question has been raised on the "All Things Livonia" page on social

media about materials used to cold patch roads. She inquired what ingredients cold patch involved. Councilmember McIntyre concluded she appreciated Commissioner Marecki attending and presenting the information to Council and residents.

Todd Zilincik, City Engineer, thanked Commissioner Marecki for her presentation on the road situation. Mr. Zilincik indicated many of the roads throughout Livonia are actually maintained by the County. He indicated many of the City's road crews have been working to repair potholes on the City-maintained roads and encouraged residents to contact DPW at (734) 466-2655 to report pothole issues, or to use the newly implemented City app.

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

#55-22 RESOLVED, that upon the motion by Councilmember Scott Bahr, seconded by Councilmember Rob Donovic, at the Regular Meeting held February 28, 2022, the Council does hereby refer the subject matter of cooperation between Wayne County and the City of Livonia with respect to road maintenance and snow removal to the Capital Outlay and Infrastructure Committee for its report and recommendation.

During Audience Communication, Jodee Hall, President of Livonia Goodfellows, 18675 Irving, was present to address Council about finding a new location to run their charity. Ms. Hall stated she does not know where to go, as both the School District and the Administration have not been able to suggest a place for them. Ms. Hall stated they need a great deal of space to do their charitable activities and was hopeful Council could give her some ideas or suggestions.

Patty Riggio, 37234 Bretton Drive, commended the City for its' great snow plowing during the last snowstorm. She indicated she has encountered problems reporting pothole issues and plowing along the Eight Mile Road corridor as well as the intersection of Seven Mile and Newburgh. She indicated whenever she attempts to report a road problem on the City's new app, she is kicked out of the system.

Ron Riggio, 37234 Bretton Drive, expressed frustration with the intersection of Seven Mile and Newburgh as well. He stated the City did a great job with the last snow removal cycle but felt the contractors used in the subdivisions left too much snow and ice on the aprons of homeowners' properties and inquired if this could be addressed. Mr. Riggio concluded by stating his concern with how the trash trucks leave behind glass bits in the roadway and felt the trash removal company should do a better job.

Councilmember McIntyre presented commendations on behalf of Council to the Junior Varsity and Varsity Franklin High School Pom teams, who recently won the State Championship competition. Various coaches and members of the two pom teams were present on behalf of Franklin High School.

Vice President Toy announced Tuesday, March 1st is “Fat” Tuesday and Wednesday, March 2nd is Ash Wednesday.

Councilmember McIntyre asked the Administration to invite a representative from the Great Lakes Water Authority (GLWA) to attend a Council meeting in the near future, before the proposed water and sewer rate increases are implemented.

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

#56-22 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Scott Bahr, at the Regular Meeting held February 28, 2022, with respect to a proposed amendment to Council Resolution 47-22, adopted on February 16, 2022, regarding the City’s 2022 Road Millage, the Council does hereby amend and revise Council Resolution 47-22 so as to read as follows:

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 [SMART]), 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, 2016 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 ten year period commencing on December 1, 2016 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, 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 [SMART]), 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; 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, 2016 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 ten year period commencing on December 1, 2016 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.

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 such proposed amendment to the Attorney General of the State of Michigan for his 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 Bahr, seconded by McCullough, it was:

#57-22 RESOLVED, that having considered an email communication from Davide Piccirilli, dated January 26, 2022, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to host a graduation party at his home located at 18891 Aspen Drive, on Saturday, June 11, 2022, from 6:00 p.m. until midnight, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances

between the hours of 6:00 p.m. and midnight in connection with this event to be held on Saturday, June 11, 2022.

#58-22 RESOLVED, that having considered a communication from the Mayor, dated February 2, 2022, concerning the reappointment of Richard McDowell to the Board of Ethics, and pursuant to Section 2.200.070 of the Livonia Code of Ordinances, as amended, the Council does hereby consent to and confirm the reappointment of Richard McDowell, 19538 Norwich, Livonia, Michigan 48152, to the Board of Ethics for a three year term commencing March 1, 2022 and expiring March 1, 2025.

#59-22 RESOLVED, that having considered a communication from the City Planning Commission, dated January 27, 2022, approved for submission by the Mayor, which transmits its resolution #01-05-2022, adopted on January 25, 2022, with regard to Petition 2021-12-02-25, submitted by HD Group, Inc., on behalf of Portillo's, requesting waiver use approval 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, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2021-12-02-25 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Sheet Number C0.0 prepared by Kimley-Horn and Associates, Inc., dated December 8, 2021, is hereby approved and shall be adhered to;
2. That appropriate recordable legal instrumentation, such as a cross access agreement, that gives notice and outlines the terms of how the subject property would share parking and access with abutting property(s), be supplied to the Inspection Department at the time a building permit is applied for;
3. That the Landscape Plan identified as Sheet Number L1.0 and the Landscape Notes and Detail Plan identified as Sheet Number L1.1, prepared by Kimley-Horn and Associates, Inc., both dated December 8, 2021, are hereby approved and shall be adhered to;
4. That all disturbed lawn areas shall be sodded in lieu of hydro-seeding;
5. 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;

6. That the maximum customer seating count shall not exceed a total of 184 interior seats and forty-four (44) outdoor patio seats;
7. That the Building Elevation Plans, prepared by Jensen & Jensen, dated January 19, 2022, are hereby approved, and shall be adhered to;
8. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible character material and color to other exterior materials on the building;
9. That the three walls of the trash dumpster area shall be constructed out of building materials that shall complement that of the building and the enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass and maintained and when not in use closed at all times;
10. That all pole mounted light fixtures shall not exceed a height of twenty feet (20') above grade and shall be shielded to minimize glare trespassing on adjacent properties and roadway;
11. 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;
12. That no LED light band or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
13. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited;
14. That the issue concerning Fire Department Connection proximity to hydrant, as outlined in the correspondence dated December 14, 2021, from Livonia Fire & Rescue, shall be resolved to the satisfaction of the Fire Department and Inspection Department;
15. That the petitioner shall submit a traffic study to the City prior to review by the City Council;
16. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for building permits; and
17. 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.

#60-22 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated January 27, 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 accept the quote submitted by Lexipol, LLC, 6b Liberty, Suite 200, Aliso Viejo, CA 92656 for the purchase of an annual subscription of policies and procedures for law enforcement, to include continued updates and daily training bulletins, for a cost of \$1,808.10 for the annual law enforcement supplemental manual(s) and \$20,625.10 for the annual law enforcement policy manual & daily training bulletins, for a total amount not to exceed \$22,453.20; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$22,453.20 from budgeted funds in Account No. 101-304-818-000 (Contractual Services) for this purpose; FURTHER, the Council does hereby approve payment of the annual subscription fee for a period of five years, from February 1, 2022 to January 31, 2027, as long as the subscription fee increases by no more than 5% annually; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as Lexipol, LLC is a sole source entity for providing the aforementioned services, and no advantage to the City would result from competitive bidding, and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended.

#61-22 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated February 3, 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 authorize the purchase of eight (8) marked and four (4) unmarked police vehicles to be used by the Patrol, Traffic and Intelligence Bureaus utilizing the State of Michigan and the counties of Oakland and Macomb consortium bid pricing in a total amount not to exceed \$463,063.81, to be expended from funds already budgeted for this purpose as specified below:

Six (6) marked vehicles which would be utilized by officers assigned to uniform patrol assignments, with such proposed purchase to utilize \$231,766.81 budgeted in Account No. 101-325-985-000;

Two (2) marked vehicles which would be utilized by officers assigned to uniform traffic assignments, with such proposed purchase to utilize \$76,138.00 budgeted in Account No. 101-302-985-000;

Four (4) unmarked vehicles which would be utilized by officers assigned to undercover assignments, with such proposed purchase to utilize \$155,159.00 budgeted in Account No. 101-329-985-000.

Requested Vehicles to Purchase

Two (2) 2022 Ford Utility AWD Interceptors from Signature Ford, 1960 E. Main Street, Owosso, MI 48867, at a cost of \$37,796.00 each, for a total amount not to exceed \$75,592.00, through the Macomb County consortium;

One (1) 2022 Chevrolet Traverse AWD from Berger Chevrolet, 2525 28th Street, Grand Rapids, MI 49512, in the amount of \$38,449.00, through the Macomb County consortium;

One (1) 2022 Ford Explorer 4X4 XLT from Signature Ford, 1960 E. Main Street, Owosso, MI 48867, in the amount of \$39,047.00, through the Macomb County consortium;

One (1) 2022 Ford Bronco Sport Badlands 4X4 from Signature Ford, 1960 E. Main Street, Owosso, MI 48867, in the amount of \$35,681.00, through the Macomb County consortium;

One (1) 2022 Ford Mustang Fastback from Signature Ford, 1960 E. Main Street, Owosso, MI 48867, in the amount of \$41,982.00, through the Macomb County consortium;

One (1) 2022 Chevrolet Tahoe from Todd Wenzel Chevrolet, 3156 Highland Drive, PO Box 310, Hudsonville, MI 49426, in the amount of \$42,182.00, through the Oakland County consortium;

One (1) 2022 Dodge Durango Police Pursuit Package AWD from LaFontaine CDJR – Lansing, 6131 S. Pennsylvania Avenue, Lansing, MI 48911, in the amount of \$38,342.00, through the State of Michigan consortium;

Four (4) 2022 Dodge Durango Police Packages AWD from LaFontaine CDJR – Lansing, 6131 S. Pennsylvania Avenue, Lansing, MI 48911, at a cost of \$37,947.00 each, for a total amount not to exceed \$151,788.00, through the State of Michigan consortium;

FURTHER, the Council does hereby determine to authorize the said purchases without competitive bidding inasmuch as the same is based upon the low State of Michigan, Macomb County or Oakland County consortium bids and such action is taken in accordance with the provisions set forth in Section 3.04.140.D4 of the Livonia Code of Ordinances, as amended.

#62-22 RESOLVED, that having considered a communication from the Chief of Police, dated February 3, 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 authorize a two-year service agreement, for the period May 1, 2022 through April 30, 2024, with Motorola Solutions, Inc., 500 W. Monroe Street, Chicago, IL 60661, for providing hands-on customer support for the Police Department's Public Safety Radio System, which includes a 24/7/365 support center to manage service requests, track cases and dispatch repair teams when necessary as well as infrastructure repair and/or replacement of certain equipment, technical support to answer questions and resolve problems, and provide network preventative maintenance and testing, in an amount not to exceed \$21,000.00 for the first year, commencing May 1, 2022 to April 30, 2023, and for the second year a 4% increase to \$21,840.00, commencing May 1, 2023 to April 30, 2024, to be expended by utilizing Public Safety Communication Funds in Account No. 261-000-818-000 (Contractual Services) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding for the reason that Motorola Solutions, Inc. is a sole source provider of the Motorola proprietary information and equipment utilized by the Police Department and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a service agreement with Motorola Solutions, Inc., subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#63-22 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated February 1, 2022, approved for submission by the Mayor, the Council does hereby approve the annual Memorial Day ceremony to be held on Saturday, May 28, 2022, from 8:30 a.m. to 10:00 a.m.; FURTHER, the Council does hereby request that the Wayne County Department of Public Service allow the City of Livonia to close Farmington Road north and southbound from Five Mile Road to Roycroft between the hours of 8:30 a.m. to 10:00 a.m. or until the road is returned to normal traffic operation; that the City of Livonia will assume liability for any damage claims which may arise as a result of the road closure, as to Wayne County only; and that Senior Police Officer Michael Arakelian is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia.

#64-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 27, 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 accept the bid of Crimboli Nursery, Inc., 50145 Ford Road, Canton, MI 48187, for performing all work required in connection

with the City's 2022 Right-Of-Way Tree Planting Program for a total cost not to exceed \$101,200.00, based upon the Public Service Division's estimate of units involved, and subject to final payment based upon the actual units completed in accordance with the unit prices accepted herein, said estimated cost and unit prices having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$101,200.00 from funds already budgeted in Account No. 204-781-818-047 for this purpose; FURTHER, in the event the low bidder is unable to supply certain species of trees or is unable to complete the contract, the Council does hereby accept the unit price bid of the second lowest bidder, MTH Landscaping, Inc., 240 W. Cooper Road, Sandusky, MI 48471 to supply those species for the City's 2022 Right-Of-Way Tree Planting Program for an estimated total cost not to exceed \$143,325.00; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder(s) and to do all other things necessary or incidental to the full performance of this resolution.

#65-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 27, 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 accept the unit price bid of G's Trees, Inc., 1665 Lafayette, Lincoln Park, MI 48146 for performing all work required in connection with the City's 2022 Right-Of-Way Tree and Stump Removal Program for an estimated total cost not to exceed \$282,160.00, said estimated cost and unit prices having been in fact the sole bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$282,160.00 from funds budgeted in Account No. 226-528-818-045 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.

#66-22 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated February 4, 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 Ford F250 pickup truck, at a cost of \$30,414.00, from Signature Ford, 1960 E. Main Street, Owosso, Michigan 48867; and the upfitting of said vehicle by Truck & Trailer Specialties, 900 Grand Oaks Dr., Howell, MI 48843, at a cost of \$35,096.00, for a total amount not to exceed \$65,510.00, to be utilized by the Water Department and to replace a similar vehicle which has surpassed its life expectancy; FURTHER, an amount not to exceed \$65,510.00 is hereby authorized to be expended from funds already budgeted in Water and Sewer Account No. 592-148-

000 for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is being purchased through the State of Michigan Procurement Agreement (071B7700180) and Macomb County Contract #21-18 for the new vehicle purchase; and through the Rochester Hills Co-Op Award Agreement (RFP-RH-20-023) for the upfitting of said vehicle; 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 vehicle at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicle.

#67-22 RESOLVED, that having considered a communication from the City Engineer, dated February 2, 2022, which bears the signature of the Director of Public Works and is approved for submission by the Mayor, to which is attached various lists of sidewalks requiring installation or replacement within miscellaneous locations throughout the City of Livonia, to include four (4) small target areas in Sections 8, 17, 19 and 32, along with scattered locations throughout the City, said lists being included herein by reference, in connection with the 2022 Sidewalk Repair Program and for reasons stated, the Council does hereby require the respective owners of lots and premises referred to in said lists, to install or to remove and replace sidewalk at such premises, and the City Clerk is hereby requested to do all things necessary to carry out the provisions of this resolution which is made pursuant to section 12.04.340 of the Livonia Code of Ordinances, as amended; FURTHER, said notice shall set forth that the respective owners of lots and premises herein referred to shall complete said sidewalk work no later than July 8, 2022, after which date the Engineering Division shall arrange for the construction and/or reconstruction of the said sidewalks; FURTHER, the Council does hereby authorize the construction and/or reconstruction of various sections of sidewalks and crosswalks at several locations within the City inasmuch as the same are the City's responsibility.

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

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

NAYS: None.

McIntyre gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 020 TO TITLE 10,
CHAPTER 48 (RIGHT OF WAY AND PRIVATE PARKING)
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.

McCullough took from the table, for second reading and adoption, 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.

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

AYES: McCullough, Donovic, Morgan, and Toy.

NAYS: McIntyre and Bahr.

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

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

#68-22 RESOLVED, that having considered a communication from the City Planning Commission, dated January 27, 2022, approved for submission by the Mayor, which transmits its resolution #01-06-2022, adopted on January 25, 2022, with regard to Petition 2021-12-02-26 submitted by HD Group, Inc., on behalf of Portillo's, requesting waiver use approval 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, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2021-12-02-26 is hereby approved and granted, subject to the following conditions:

1. That the use of a Tavern license at this location is subject to City Council waiving the 1,000-foot separation restriction required

between other such licensed businesses per Section 6.22 of the Livonia Vision 21 Zoning Ordinance;

2. 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; and
3. That 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.

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

#69-22 RESOLVED, that having considered a communication from the City Planning Commission, dated January 27, 2022, approved for submission by the Mayor, which transmits its resolution #01-06-2022, adopted on January 25, 2022, with regard to Petition 2021-12-02-26 submitted by HD Group, Inc., on behalf of Portillo's, requesting waiver use approval 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, the Council does hereby waive the 1,000-foot separation requirement as set forth in Section 6.22 of the Livonia Vision 21 Zoning Ordinance.

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

#70-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated January 31, 2022, which bears the signature of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the bid of Sinclair Recreation, 128 E. Lakewood Blvd., Suite 40, Holland, MI 49424, for the removal of existing structures at Ben Celani Play Area, west of ball diamond #2, and installation of a senior playground, safety surfacing, and accessible path from the parking lot at Ben Celani Play Area, for a total amount not to exceed \$150,000.00; FURTHER, the Council accepts the recommendation of the Selection Committee consisting of representatives of the Departments of Parks and Recreation and Public Works, which determined that said bid offered the best design and value for the City

notwithstanding that it was not the low bid; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$150,000.00 from funds already budgeted in Account No. 101-758-974-000 for this purpose, to be reimbursed by a grant from the Michigan Economic Development Corporation (MEDC) in the amount of \$100,000.00 and a grant from Healthy Livonia in the amount of \$50,000.00; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, with Sinclair Recreation 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:

#71-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated February 1, 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 accept the bid of Penchura L.L.C., 889 S. Old US 23, Brighton, MI 48114 for performing all work required in connection with the addition of a 6,800 square foot universal playground, safety surfacing, and accessible path from the parking lot at Ben Celani Play Area, for a total amount not to exceed \$600,000.00; FURTHER, the Council accepts the recommendation of the Selection Committee consisting of representatives of the Departments of Parks and Recreation and Public Works, which determined that said bid offered the best design and value for the City notwithstanding that it was not the low bid; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$600,000.00 from funds already budgeted in Account No. 208-756-974-000 for this purpose, to be partially reimbursed via grants in the amount of \$142,733.00 from Wayne County, \$250,000.00 from the Celani Family Foundation, \$100,000.00 from the Community Development Block Grant (CDBG) and \$100,000.00 from Healthy Livonia; FURTHER, the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, with Penchura L.L.C. and to do all other things necessary or incidental to the full performance of this resolution.

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

#72-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks & Recreation, dated February 2, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, to which is attached a proposed contract for providing design and consulting services that

include a wayfinding system, and to guide and assist with specifications for signage fabrication for the City's parks and facilities, the Council does hereby accept the quote of Everwild, 1802 Perrysburg Holland Rd., Holland, OH 43528 to provide design and consulting services in connection with a wayfinding system and to guide and assist with specifications for signage fabrication for the City's parks and facilities, in an amount not to exceed \$33,500.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$33,500.00 from funds already budgeted in Account No. 208-756-813-000 for this purpose; FURTHER, the Council does hereby authorize such action without competitive bidding due to the excellence Everwild demonstrated and the knowledge it gained through its role in the Parks and Recreation rebranding, and such action is taken in accordance with Section 3.04.140.D.2.A of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the proposed contract, approved as to form and substance by the Department of Law, with Everwild 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:

#73-22 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated February 4, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, and to which is attached a list of donations to be accepted, the Council does, for and on behalf of the City of Livonia, accept various gifts and cash donations in the amount of \$40,255.40 from the sources indicated therein; FURTHER, the Council does hereby appropriate and credit the amount of \$24,000.00 to Account No. 208-000-674-010; \$5,000.00 to Account No. 270-285-135; \$3,290.40 to Account No. 270-000-674-010; \$5,965.00 to 211-000-674-216; and \$2,000.00 to Account No. 208-339-000, representing the total cash donation, for the purposes designated by the donors.

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

On a motion by Bahr, seconded by McCullough, and unanimously adopted, this 1,939th Regular Meeting of the Council of the City of Livonia was adjourned at 8:13 p.m.

Susan M. Nash, City Clerk