

OFFICE OF THE COUNCIL



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BRANDON McCULLOUGH
KATHLEEN E. McINTYRE
SCOTT MORGAN

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

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE REGULAR MEETING OF
MONDAY, MAY 2, 2022**

7:00 P.M.*

**The electronic agenda is compiled, produced
and distributed by the City Council Staff. (734) 466-2250**

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

**1944th Regular Meeting of the Council of the City of Livonia
Monday, May 2, 2022**

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

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF MINUTES - Minutes of the 1943rd Regular Meeting of April 18, 2022

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

CONSENT AGENDA

1. REQUEST FOR DESIGNATION AS A NON-PROFIT ORGANIZATION: Gale Wilcox, Anastasia & Katie's Coffee Shop, re: as required by the State of Michigan to obtain a Charitable Gaming License to allow a raffle fundraiser in the future.
2. REAPPOINTMENT OF JOHN HILTZ TO THE LIVONIA PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2025.
3. APPOINTMENT OF MARTHA PTASHNIK TO THE ZONING BOARD OF APPEALS: Councilmember Scott Bahr, re: to fill the unexpired term of Joel Turbiak, which will expire on July 12, 2023.
4. WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29.
5. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.
6. REQUEST FOR AUTHORIZATION TO PURCHASE SENTINALONE SECURITY SOFTWARE AND SOC: Information Systems Department; for a period of three years, from budgeted funds.

Agenda for the Regular Meeting of May 2, 2022

7. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to add three study rooms, furniture on the second floor and a table for the library conference room at the Bennett Civic Center Library, from budgeted funds.
8. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to replace shelving units for the Youth Non-fiction Collection and Youth paperback collection at the Carl Sandburg Library, from budgeted funds.
9. REQUEST FOR ADDITIONAL EXPENDITURE: Department of Parks and Recreation, re: for Shelden Park Pool Deck Paving to close out the contract with Luigi Ferdinandi & Son Cement Co., Inc., in an amount not-to-exceed \$6,026.55 and the new total not-to-exceed amount of \$61,887.55, from budgeted funds. (CR 114-21).
10. AWARD OF CONTRACT: Department of Parks and Recreation, re: for HVAC Maintenance Service at the Jack E. Kirksey Recreation Center for the period of June 1, 2022 to May 31, 2026, from budgeted funds.
11. AWARD OF BID: Department of Parks and Recreation, re: for the Alexander Blue House roof replacement at Greenmead, from budgeted funds.
12. AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Parking Lot Expansion, from budgeted funds.
13. AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Gathering Area, from budgeted funds.
14. AWARD OF BID: Department of Parks and Recreation, re: for the Leisure Pool UV Replacement at the Jack E. Kirksey Recreation Center, from budgeted funds.
15. AWARD OF BID: Department of Parks and Recreation, re: for the Spa UV Replacement at the Jack E. Kirksey Recreation Center, from budgeted funds.
16. AWARD OF BID: Department of Public Works, re: for the Silver Village roof replacement, from budgeted funds.
17. AWARD OF CONTRACT: Department of Public Works, re: for parking, athletic, and streetlight electrical maintenance and general electrical maintenance at all City buildings and facilities for the period April 1, 2022 through March 31, 2024, with an optional third year extension, from budgeted funds.
18. AWARD OF CONTRACT: Department of Public Works, re: for the City's 2022-2023 Vegetation Control Program, from budgeted funds.
19. REQUEST TO APPROVE RESOLUTION: Department of Public Works, re: to declare that the City of Livonia will not be responsible for paying GLWA for the City of Highland Park's water debt.

Agenda for the Regular Meeting of May 2, 2022

20. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Jolly Road Properties, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Hubbard Avenue, north of Plymouth Road, in the Southeast 1/4 of Section 27.
21. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Madonna University, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed west of Levan Road, on the north of Schoolcraft Road, in the Southwest 1/4 of Section 20.
22. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Livonia Business Center, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Sears Drive, north of Plymouth Road, in the Southwest 1/4 of Section 26.
23. REQUEST TO WAIVE FORMAL BIDDING PROCESS AND APPROVE THE 2022 ASPHALT ROAD PROGRAM BY EXTENDING CONTRACT 20-A UNIT PRICES WITH NAGLE PAVING COMPANY: Engineering Division, re: for Contract 22-A in the amount of \$4,000,000 (CR 106-21)
24. REQUEST TO AMEND THE CONTRACT WITH OHM ADVISORS FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM (CONTRACT 22-A); Engineering Division, re: for same. (CR 336-21)
25. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH QUALIFICATION BASED SELECTION (QBS) PROCESS WITH HUBBELL, ROTH & CLARK, INC. (HRC) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - GREENMEAD REGIONAL DETENTION POND: Engineering Division, re: same. (CR 95-22)

UNFINISHED BUSINESS

26. PROPOSED AMENDMENT TO LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to add Chapter 98, (The City of Livonia Police and Fire Revised Retirement Plan) to Title 2.
27. WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1.
28. REQUEST TO AMEND COUNCIL RESOLUTION 258-21: Department of Civil Service, re: amend job descriptions and increase wages for temporary part-time staff in the Department of Parks and Recreation, from budgeted funds.

Agenda for the Regular Meeting of May 2, 2022

29. REQUEST FOR FEE INCREASE: Department of Parks and Recreation, re: for membership, daily pass and ten visit pass fees at the Jack E. Kirksey Recreation Center and outdoor pool daily pass and season pass fees.
30. SIGN PETITION: Planning Commission, re: Petition 2003-08-SN-08, submitted by Aver Sign Company, requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.
Public Hearing held on Monday, April 11, 2022.
31. WAIVER PETITION: Planning Commission, re: Petition 2021-11-08-06 submitted by Jeffery Scott Architects, requesting to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13.
Public Hearing held on Monday, April 11, 2022.

NEW BUSINESS

32. ACCEPTANCE OF GRANT OF EASEMENT: Department of Law, re: for sanitary sewer secured without monetary consideration from Madonna University, 36600 Schoolcraft Road, for Madonna University Heritage Center, in the Southwest 1/4 of Section 20. Parcel ID #46-078-99-0002-009.

AUDIENCE COMMUNICATION

SUSAN M. NASH, CITY CLERK

NOTICE(S)

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

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

1

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

1. REQUEST FOR DESIGNATION AS A NON-PROFIT ORGANIZATION: Gale Wilcox, Anastasia & Katie's Coffee Shop, re: as required by the State of Michigan to obtain a Charitable Gaming License to allow a raffle fundraiser in the future.

Andrea Edgar, Anastasia Katie's Coffee Shop, 19215 Merriman, presented the request to Council.

Council ice President Toy offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

1.

City Clerk
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Lori Miller, Deputy City Clerk,

AGENDA ITEM

REQUEST FOR DESIGNATION AS A NON-PROFIT ORGANIZATION: Gale Wilcox, Anastasia & Katie's Coffee Shop, re: as required by the State of Michigan to obtain a Charitable Gaming License to allow a raffle fundraiser in the future.

BACKGROUND

MI Work Matters is a 501(c)(3) non-profit organization that offers employment to people with developmental disabilities. Anastasia and Katie's Coffee Shop & Cafe offers employment, training and support in an inclusive environment.

Anastasia & Katie's Coffee Shop & Cafe is hosting a fundraising event on their property on Saturday, May 14th. Mi Work Matters is requesting permission to have a "tin can" raffle at this event.

RECOMMENDATION

Approve as submitted.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. S04182022, MiWork Matters Raffle Request

APPROVED BY



Mi Work Matters is on a mission to create, sustain and advocate for meaningful employment opportunities for people with developmental disabilities.

April 8, 2022

Livonia City Council
33000 Civic Center Drive
Livonia, MI 48154

RE: Council Resolution

City Council Member:

Mi Work Matters is a 501(c)(3) non-profit organization which offers employment to people with developmental disabilities. Anastasia and Katie's Coffee Shop & Café is our venue to offer employment, training, and support in an inclusive environment.

As our organization receives no funding through state or federal channels, we host events that include fundraising. To create community awareness of our mission, we are hosting a Cars & Coffee event, Saturday, May 14th, 2022. We would like to receive permission to include a 'tin can' raffle at this event.

The raffle items are donated by Mi Work Matters board members, families as well as local businesses.

I am grateful to the Livonia City Council for this opportunity to request a council resolution.

Warm regards,

GALE WILCOX



Cofounder/Secretary - Board of Directors

gale.wilcox@MiWorkMatters.org

[248.388.0014](tel:248.388.0014)

MiWorkMatters.org

Like Us On Facebook!

facebook.com/MiWorkMatters/

facebook.com/AnastasiaAndKatiesCoffeeShopAndCafe

Does your foundation, company or organization have grant opportunities that could help Mi Work Matters?



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

RAFFLE LICENSE APPLICATION

For Bureau Use Only

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK.

Q U A L I F I C A T I O N I N F O R M A T I O N	1. Organization Name				2. Organization ID Number or Last License Number Issued	
	3. Organization Street Address		City	State		
	Organization Mailing Address		City	State	Zip Code	County
	4. Has your organization ever received a license such as bingo, raffle or charity game ticket? ☐ Yes - Complete application and submit with the appropriate fee. ☐ No - You must submit the documentation requested on the Qualification Requirements sheet and become qualified before any licenses can be issued. The Qualification Requirements sheet can be obtained from our website at www.michigan.gov/cg or by calling our office at (517) 335-5780.					
5. Is your organization a candidate committee, political committee, political party committee, ballot question committee, independent committee or any other committee as defined by, and organized pursuant to, the Michigan Campaign Finance Act 388 of the Public Acts of 1976, as amended, being sections 169.201 to 169.282 of the Michigan Compiled Laws? ☐ Yes ☐ No						
6. Has your organization received contributions or made expenditures of \$500 or more in the last calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of a candidate, or the qualification, passage, or defeat of a ballot question? ☐ Yes ☐ No						

S I G N A T U R E (S)	7. Provide name, title, home address, and telephone numbers for the PRINCIPAL OFFICER, e.g., president, grand knight, worthy matron, etc., and the vice president or equivalent and one other officer of the organization. SIGNATURE OF PRINCIPAL OFFICER REQUIRED - OR - signatures of the vice president or equivalent and one other officer. NOTE: Executive director signature not acceptable.				
	Name and Title		Street, City, State, ZIP Code	Telephone Numbers	
	Principal Officer			Day ()	
	Title			Evening ()	
	Signature of Principal Officer			Date	
	- OR -				
	Name and Title		Street, City, State, ZIP Code	Telephone Numbers	
	Vice President or Equivalent			Day ()	
	Title			Evening ()	
	Signature of Vice President or Equivalent			Date	
	Name and Title		Street, City, State, ZIP Code	Telephone Numbers	
	Other Officer			Day ()	
	Title			Evening ()	
	Signature of Other Officer			Date	
	By signing above, I CERTIFY that I am at least 18 years of age, the organization applying is a NONPROFIT organization, I have examined this application and there is no misrepresentation or falsification in the information stated or attached, and the facts underlying our original qualification status remain unchanged. I CERTIFY that ALL chairpersons associated with this raffle will read and understand the duties and responsibilities of a Raffle Chairperson as described in the Raffle Guide and Raffle Rules before performing any duties as a chairperson. I FURTHER CERTIFY that I am aware that false or misleading statements will be cause for rejection of this application or revocation of the right to obtain any future licenses and I AM AWARE OF AND AGREE TO the conditions of Act 382 of the Public Acts of 1972, as amended, and the rules and directives of the Michigan Bureau of State Lottery.				

COMPLETE THE ENTIRE APPLICATION AND MAKE A COPY FOR YOUR RECORDS



COMPLETION: Required for licensure.
PENALTY: No license will be issued.

R A F F L E I N F O R M A T I O N	8. Contact Person				9. Raffle Location (building name, if any)			
	Mailing Address Where License Should Be Sent				Street Address			
	City		State	ZIP Code	City			
	Telephone Number (Day) ()		Email Address		ZIP Code		County	
	10. List name, home address, and telephone numbers of the raffle chairperson(s). Must be a member for 6 months. If your organization does not have general membership, chairperson must be a board member for 6 months. Playing card progressive raffles require at least 2 chairpersons. Attach additional list if necessary.							
	Raffle Chairperson		Street, City, State, ZIP Code			Telephone Numbers		
	Name					Day ()		
						Evening ()		
	Name					Day ()		
						Evening ()		
	11. Dates when total value of all prizes awarded in one day is \$500 or LESS.				12. License Fee All drawing dates included on this application must be at the same location. Small Raffle Drawings - \$15 for 1, 2, or 3 dates plus \$5 for each additional drawing date. Large Raffle Drawings - \$50 for each drawing date. a. 1, 2, or 3 small drawing dates \$15 = _____ b. Additional small drawing dates _____ x \$5 = _____ c. Large drawing dates _____ x \$50 = _____ FEE (total lines a, b and c) 			
S M A L L	Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.)							
	Date _____ Time a.m. _____ to _____ a.m.							
	Date _____ Time a.m. _____ to _____ a.m.							
	☐ Check here if there are additional drawing dates and attach list.							
	Dates when total value of all prizes awarded in one day is MORE than \$500.							
L A R G E	Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.)							
	Date _____ Time a.m. _____ to _____ a.m.							
	Date _____ Time a.m. _____ to _____ a.m.							
	☐ Check here if there are additional drawing dates and attach list.							
T I C K E T I N F O R M A T I O N	13. If you are conducting an in-house raffle ONLY where there is no presale of the raffle tickets before the event, there is no need to complete the raffle ticket below.							
	14. • If you are preselling tickets before the event, complete the boxes below in ink; ensure the ticket is printed with all of the required items according to Raffle Rule 506.							
	• Indicate any additional information that will appear on the actual tickets.							
	RAFFLE						001 Ticket #	
	Name of Licensee						Purchaser's Name Purchaser's Address Purchaser's Phone #	
	Drawing Date(s)		Drawing Time(s) a.m.					
	First Prize *							
	Ticket Price							
	Raffle Location							
	<i>(to be added when issued)</i> License Number							
* For large prizes, you may want to include a disclaimer that states "If xxx (indicate number) tickets are not sold, the drawing will revert to a 50/50 raffle with the minimum prize of \$xxx (indicate dollar amount) awarded."								

Make checks payable to: STATE OF MICHIGAN
 Submit completed application, supporting documents, and license fee to:
 Charitable Gaming Division, Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY: 101 E. Hillsdale, Lansing, MI 48933

15. If you will be using an Electronic Management System, provide the following information:

- Supplier Name _____
- Supplier License Number _____
- Submit a sample of the raffle ticket that will be used. Raffle tickets must contain all information shown on the right.

*** NOTE: The licensee must appear as the sole sponsor of the raffle. No other business or group name may appear on the raffle ticket as a sponsor.**

RAFFLE

*Name of Licensee

Ticket Number(s)

Drawing Date Drawing Time

Raffle Location

Top Prize to be Awarded

Where Winning Numbers will
be Publicly Posted

Ticket Price

License Number
(to be added when issued)

16. **Approved Methods:** If you will be using an alternative method that has been approved through a bureau directive, you must ensure the raffle complies with the directive. (View all available raffle directives at www.michigan.gov/cg.)

17. **Request Approval:** If you intend to use an alternative method that has not been approved through a bureau directive, you must submit a detailed description of the proposed raffle with the application. Please explain how the raffle will be conducted including the random selection method that will be used, how a tie will be handled (if applicable), and your record keeping procedures. **(NOTE: THE BUREAU DOES NOT APPROVE GAMES OF SKILL.)**

ADDITIONAL DRAWING DATES WHEN PRIZES AWARDED ARE \$500 OR LESS

[illegible]

ADDITIONAL DRAWING DATES WHEN PRIZES AWARDED ARE MORE THAN \$500

[illegible]

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 07 2018

MI WORK MATTERS
29488 WOODWARD AVE SUITE 431
ROYAL OAK, MI 48073-0903

Employer Identification Number:
83-1297627
DLN:
26053647005628
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a)(2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
July 19, 2018
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

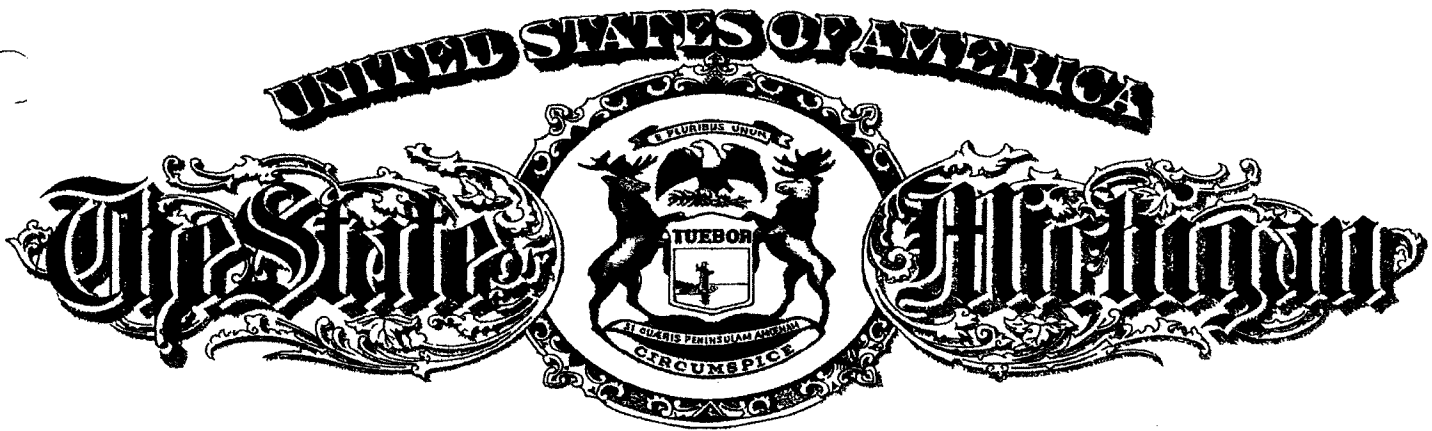
We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.



Department of Licensing and Regulatory Affairs

Lansing, Michigan

This is to Certify That

MI WORK MATTERS

was validly Incorporated on July 19 , 2018 as a Michigan nonprofit corporation, and said corporation is validly in existence under the laws of this state.

This certificate is issued pursuant to the provisions of 1982 PA 162 to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to conduct affairs in Michigan and for no other purpose.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



Sent by electronic transmission

Certificate Number: 18076751250

*In testimony whereof, I have hereunto set my hand,
in the City of Lansing, this 21st day of July , 2018.*

Julia Dale, Director

Corporations, Securities & Commercial Licensing Bureau

Verify this certificate at: URL to eCertificate Verification Search <http://www.michigan.gov/corpverifycertificate>.

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU		
Date Received	AC1	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.
JUL 16 2018		
Name Laura Hathaway		TranInfo:1 23080712-1 07/13/18
Address 29488 Woodward Ave, Suite 431		Chk#: 1056 Amt: \$20.00
City Royal Oak	State MI	ID: HATHAWAY COMPANIES INC
ZIP Code 48073		FILED
EFFECTIVE DATE:		JUL 19 2018

ADMINISTRATOR
CORPORATIONS DIVISION

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:
mi Work Matters

ARTICLE II

The purpose or purposes for which the corporation is formed are:
The purpose of mi Work Matters is to create, sustain, and advocate for meaningful, competitive employment opportunities for Michigan individuals with disabilities.

ARTICLE III

1. The corporation is formed upon a non-stock basis.
(Stock or Nonstock)

2. If formed on a stock basis, the total number of shares the corporation has authority to issue is n/a. If the shares are or are to be divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class to the extent that the designations, numbers, relative rights, preferences, and limitations have been determined are as follows:

ARTICLE III (cont.)

3. a. If formed on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")

none

b. The description and value of its personal property assets are: (if none, insert "none")

none

c. The corporation is to be financed under the following general plan:

Fundraising, grants, membership

d. The corporation is formed on a Directorship basis.
(Membership or Directorship)

ARTICLE IV

1. The name of the resident agent at the registered office is:

Laura Hathaway

2. The address of its registered office in Michigan is:

29488 Woodward Ave, Suite 431, Royal Oak, Michigan 48073
(Street Address) (City) (ZIP Code)

3. The mailing address of the registered office in Michigan if different than above:

_____, Michigan _____
(Street Address or PO Box) (City) (ZIP Code)

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name

Residence or Business Address

Laura Hathaway

14280 Borgman St, Oak Park, MI 48237

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this 1 day of July, 2018

Laura J. Holmberg

BYLAWS of Mi Work Matters

**As Adopted by the Board of Directors
on August 5, 2019**

ARTICLE I

Office, Corporate Seal, Purpose

Section 1.01 Registered Office: The registered office of Mi Work Matters (the “Corporation”) in Michigan is that shown in the Articles of Incorporation, or in a resolution of the Board of Directors filed with the appropriate Department of the State of Michigan changing the registered office.

Section 1.02 Other Offices: The Corporation may have such other offices as the Board of Directors determine.

Section 1.03 Corporate Seal: The Corporation may have a corporate seal of a design and form to be determined by the Board of Directors.

Section 1.04 Nature of Corporation: The Corporation is a nonprofit corporation formed under State of Michigan statutes, which is organized and shall be operated in accordance with the meaning and provisions of Section 501(c)(3) of the Internal Revenue Code.

Section 1.05 Primary Purpose: The purpose for which the Corporation is organized is to increase employment opportunities for people with developmental disabilities.

ARTICLE II

Board of Directors

Section 2.01. General Powers: As stewards of the public trust, the Board of Directors (“the Board”) shall be responsible for governance, the ongoing process of due diligence to assure the health and effectiveness of the Corporation. The Board shall have the power to govern the affairs and property of the Corporation, in keeping with the policies it establishes that define the Board’s scope of authority and limitations.

Section 2.02 No Voting Membership: The Corporation is a directorship organization and has no voting members.

Section 2.03 Property: No Director shall have any right, title, or interest in or to, the property of the Corporation.

Section 2.04. Number of Directors: The Board shall consist of at least five (5) and no more than fifteen (15) members, as determined from time to time by the Board. All Directors shall have identical rights and responsibilities.

Section 2.05. Tenure: Directors shall serve a term of three (3) years from the date of their election. A full three-year term shall be considered to have been served upon the passage of three (3) annual meetings. Directors shall take office immediately following the close of the annual meeting at which they are elected. No Director shall serve more than two (2) consecutive three-year terms. Fulfilling an incomplete term is not considered part of the term limit. After a Board Member serves the maximum allowed terms, they must exit the Board of Directors for one (1) year but may serve in any committee position. Directors shall serve staggered terms to balance continuity with new perspective.

Section 2.06 Initial Board of Directors Term of Office: In order to establish staggered terms, the first directors shall be divided as equally as possible into three (3) groups. One group (approximately 1/3 of the first directors) shall serve an initial term of one (1) year. Another group (approximately 1/3 of the first directors) shall serve an initial term of two (2) years. The third group (approximately 1/3 of the first directors) shall serve an initial term of three (3) years.

Section 2.07. Board Members: Members of the Board of Directors shall adhere to all policies and procedures established by the Board.

Section 2.08. Composition of the Board of Directors: Board members shall be sought who reflect the qualifications and diversity determined by the Board in its policies.

Section 2.09. Nomination and Election: The Nominating Committee shall present a slate of prospective Board members for election by the Board at the annual meeting. The newly elected Board members shall take office immediately following the close of the meeting at which they are elected.

Section 2.10. Vacancies: Any vacancy occurring in the Board of Directors and any position to be filled by reason of an increase in the number of Directors may be filled, upon recommendation of a qualified candidate by the Nominating Committee, by the affirmative vote of the majority of the Board. A Director elected to fill the vacancy shall be elected for the unexpired term of his/her predecessor in office.

Section 2.11. Resignation: A Director may resign at any time by filing a written resignation with the President of the Board. President will notify the board of resignation within forty-eight (48) hours of receipt. Resignation will be acknowledged in writing or by electronic transmission by all of the remaining members of the Board of Directors.

Section 2.12. Removal: The Board may remove any Officer or Director for cause by two-thirds (2/3) vote of all Directors then in office, at any regular or special meeting of the Board, provided that a statement of the reason or reasons shall have been mailed by Registered Mail to the Officer or Director proposed for removal at least ten (10) days before any final action is taken by the Board. This statement shall be accompanied by a notice of the time when, and the place where, the Board is to take action on the removal. The Officer or Director shall be given an opportunity to be heard and the matter considered by the Board at the time and place mentioned in the notice.

Section 2.13. Confidentially; Conflict of Interest:

- a) Confidentiality: Directors will have access to certain confidential information of the Corporation that may be of a private nature. Directors will sign a Confidentially & Conflict of Interest Statement for Directors, and a copy of said signed Statement will be maintained by the Secretary or designee.
- b) Conflict of Interest:
 - i. In the event any Director has a conflict of interest that might properly limit such Director's fair and impartial participation in Board deliberations or decisions, such Director shall inform the Board as to the circumstances of such conflict. If those circumstances require the nonparticipation of the affected Director, the Board may nonetheless request from the Director any appropriate non-confidential information which might inform its decisions. "Conflict of interest" as referred to herein, shall include but shall not be limited to, any transaction by or with the Corporation in which a Director has a direct or indirect personal interest, or any transaction in which a Director is unable to exercise impartial judgment or otherwise act in the best interests of the Corporation.
 - ii. No Director shall cast a vote, nor take part in the final deliberation in any matter in which he/she/they, members of his/her/their immediate family, or any organization to which such Director has allegiance, has a personal interest in that may be seen as competing with the interest of the Corporation. Any Director who believes he/she/they may have such a conflict of interest shall so notify the Board prior to deliberation on the matter in question, and the Board shall make the final determination as to whether any Director has a conflict of interest in any matter. The minutes of the Board meeting shall reflect disclosure of any conflict of interest and the recusal of the interested Director.

ARTICLE III

Officers of the Board of Directors

Section 3.01. Positions: There shall be four (4) elected officers of the Board of Directors: President, Vice President, Secretary, and Treasurer. The roles and qualifications of these Officers shall be determined by the Board in its policies.

Section 3.02. Nomination and Election: The Nominating Committee shall present a slate of prospective Officers to the Board of Directors. The nominated Officers shall be drawn from among the members of the Board of Directors. The election of Officers shall be held at the annual meeting of the Board, immediately following the election of the Board members. The newly elected Officers shall take office immediately following the close of the meeting at which they are elected and the term of office shall be three years.

Section 3.03. Tenure: The term for each Officer shall be the three-year period commencing with the date of the annual meeting of the Board of Directors. No single individual may be elected for more than (2) consecutive three-year terms in any single office. After an Officer serves the maximum allowed terms, they must exit the Board of Directors for one (1) year but may serve in any committee position.

Section 3.04. Immediate Past President: In the event that the term limit of the individual who is Immediate Past President shall have expired, the Board of Directors shall have the authority to retain this individual on the Board, in the position of Immediate Past President, until such a time as another individual holds said office.

Section 3.05 Presidential Succession: In cases of temporary absence, the succession shall be Vice President, Treasurer, followed by Secretary. In the event that the elected President is unable to fulfill his/ her term, the Vice President shall become President. In cases of permanent absence, the Vice President position shall not automatically succeed to the president. Any individual Board member shall be a candidate for President.

ARTICLE IV

Meetings of the Board of Directors

Section 4.01. Regular and Annual Meeting: The Board shall meet at least six (6) times per year, one of which shall be the annual meeting, held in October of each year. Notice shall be given to each Director no less than ten (10) days and no more than sixty (60) prior to the date of every regular meeting of the Board. Stipulation of the annual Board calendar shall fulfill the requirement for notice.

Section 4.02. Special Meetings: Special meetings of the Board of Directors may be called by the President or by a majority of the Board filing a written request for such a meeting with the President and stating the object, date, and hour therefore. Due notice of special meetings shall be given seven (7) days prior to such a meeting.

Section 4.03. Voting Quorum: One-half (1/2) plus one (1) of the Directors then in office shall constitute a quorum for the transaction of business at any regular or special meeting of the Board of Directors, except where otherwise required by these Bylaws. Voting is by majority unless otherwise specified in these Bylaws.

Section 4.04. Meeting Notice: Notice of all regular and special meetings of the Board, an agenda of all items to be discussed at such meetings, and agenda support materials shall be circulated to all Directors prior to the meeting. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 4.05. Action: Any action required by the Board of Directors may be taken without a meeting if all Directors receive notice of said proposed action in writing or by electronic transmission, and a majority of Directors consent thereto in writing or by electronic transmission. Response to the information shall constitute a waiver of notice requirements. The writing(s) or electronic transmission(s) shall be filed with the minutes of proceedings of the Board and maintained in the official files. The quorum requirement for any such action shall be as stated in Section 4.03.

Section 4.06. Proxy and Alternates: An absentee Board member may authorize another director to act for such director by proxy signed by the absentee Board member. A Director may serve as a proxy for only one other Director. The validity and revocability of the proxy shall be as determined by the laws of the State of Michigan.

ARTICLE V *Staff*

The Board of Directors shall have the discretion to appoint a chief staff person, who shall be responsible for carrying out the work of the Corporation in accordance with the policies established from time to time by the Board of Directors.

ARTICLE VI *Committees*

Section 6.01. Establishment and Operation of Committees: The Board of Directors may act by and through committees specified in resolutions adopted by a majority of the whole number of Board of Directors to the extent specified by the resolution. The Board of Directors shall determine from time to time the members and duties of each Committee. Members of the committee may or may not be members of the Board of Directors of the Corporation.

Section 6.02 Non-Board Members as Committee Members. Committee members may be non-members of the Board of Directors. Non-Board Members will sign a Confidentiality & Conflict of Interest Statement for Non-Board Members, and a copy of said signed Statement will be maintained by the Secretary or designee.

Section 6.03 Ad Hoc Committees. The Corporation may create Ad Hoc Committees at any time.

Section 6.04 Executive Committee. The Executive Committee shall consist of the Officers of the Corporation. The Executive Committee has the discretion to meet to perform those duties of an emergency nature between regularly scheduled Board meetings. Any official action taken shall be reported to the Board of Directors at or before the next regularly scheduled meeting.

A special meeting of the Executive Committee may be called by the President, or any two other officers with at least two (2) days' notice to the members of the Executive Committee by telephone and/or confirmed electronic message. The notice must include time, place, and purpose of the meeting.

ARTICLE VII
Fiscal Year, Fiscal Agents, and
Books and Records

Section 7.01 Fiscal Year: The fiscal year of the organization shall begin on July 1 and terminate on June 30.

Section 7.02 Fiscal Agents: The Corporation may designate such fiscal agents, investments advisors and custodians as the Board of Directors may select by resolution. The Board of Directors may at any time, with or without cause, discontinue the use of the services of any such fiscal agent, investment advisor or custodian.

Section 7.03 Books and Records: The Board of Directors of this Corporation shall keep or cause to be kept:

- Records of all proceedings of the Board of Directors, and Committees; and
- All financial statements of this Corporation;
- Articles of Incorporation and Bylaws of this Corporation and all amendments and restatements; and
- Other records and books of account necessary and appropriate to the conduct of corporate business.

ARTICLE VIII
Rules of Order

The rules of order in the current edition of Robert's Rules of Order shall govern the conduct of all meetings of the Mi Work Matters Organization except where they may be in conflict with the Articles of Incorporation, these Bylaws, or other policies adopted by the Board of Directors.

ARTICLE IX
Indemnification

Section 9.01 Personal Indemnification; Exceptions: The Corporation shall indemnify any present or former Director, officer, employee or agent of this Corporation, and may extend any such indemnification to any employee or agent as deemed appropriate, to the fullest extent possible against expenses, including attorneys' fees, judgments, fines, settlements and reasonable expenses actually incurred by such person relating to his or her conduct as a Director, officer, employee, or agent of this Corporation, except that the mandatory indemnification required by this sentence shall not apply: (i) to a breach of the duty of loyalty to the Corporation; (ii) for acts or omissions not in good faith or which involved intentional misconduct or knowing violation of the law; (iii) for a transaction from which such person derived an improper personal benefit; or (iv) against judgments, penalties, fines and settlements arising from any proceeding by or in the right of the Corporation, or against expenses in any such case, where such person shall be adjudged liable to the Corporation.

Section 9.02 Reliance; Exercise of Powers of Indemnification: Service on the Board of Directors of the Corporation, or as an officer thereof, is deemed by the Corporation to have been undertaken and carried on in reliance by such persons on the full exercise by the Corporation of all powers of indemnification which are granted to it under this Article and the Michigan Nonprofit Corporation Act as amended from time to time. Accordingly, the Corporation shall exercise all of its powers whenever, as often as necessary and to the fullest extent possible to indemnify such persons. Such indemnification shall be limited or denied only when and to the extent provided above, unless the Michigan Nonprofit Corporation Act or other applicable legal principles limit or deny the Corporation's authority to so act. This Article and the indemnification provisions of the Michigan Nonprofit Corporation Act (to the extent not otherwise governed by controlling precedent) shall be construed liberally in favor of the indemnification of such person.

ARTICLE X
Liability

A Director or volunteer officer's liability to the Corporation for money damages for any action taken, or for any failure to take action as a director or volunteer officer shall be limited to the following:

- 1) The amount of a financial benefit received by a director or volunteer officer to which he or she is not entitled;
- 2) Intentional infliction of harm on the corporation;
- 3) A violation of section 551 of Michigan's Nonprofit Corporation Act for accepting or receiving a distribution contrary to the Act;
- 4) An intentional criminal act; and/or
- 5) For liability imposed under section 497(a) of Michigan's Nonprofit Corporation Act, upon the termination of a derivative proceeding.

ARTICLE XI
Amendments

These Bylaws may be amended at a regular meeting by a two-thirds vote of all Directors then in office, provided that notice of the proposed amendment, together with a copy thereof, shall be distributed to each Director at least ten (10) days prior to the meeting at which the amendment is to be considered.

ARTICLE XII
Dissolution

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or such organization(s), as said Court shall determine which are organized and operated exclusively for such purposes.

Adopted by the Board of Directors on _____, _____, 2019.

Date: _____

By: _____
_____, President, on behalf of the
Board of Directors of Mi Work Matters

MI WORK MATTERS

CONFIDENTIALITY & CONFLICT OF INTEREST STATEMENT FOR MEMBERS OF BOARD OF DIRECTORS

Confidentiality.

A Director may have access to certain confidential information of Mi Work Matters (the Corporation) that is of a private nature. Director agrees that he/she/they will not use, disclose or divulge, whether directly or indirectly, such confidential information to any person or entity except as may be required in the normal conduct of service to the Corporations or as may be authorized or directed by the Corporation or its designee.

This term and the confidentiality requirements described herein shall survive, whether during or after the expiration of Director's term of service on the Corporation's Board of Directors. Director agrees that he/she/they will be responsible to the Corporation and indemnify the Corporation for any claim asserted by a third person that said confidential information was improperly provided, or made accessible, by Director.

Conflict of Interest.

- c) In the event any Director has a conflict of interest that might properly limit such Director's fair and impartial participation in the Corporation's deliberations or decisions, such Director shall inform the Corporation as to the circumstances of such conflict. If those circumstances require the nonparticipation of the affected Director, the Corporation may nonetheless request from the Director any appropriate non-confidential information which might inform its decisions. "Conflict of interest" as referred to herein, shall include but shall not be limited to, any transaction by or with the Corporation in which a Director has a direct or indirect personal interest, or any transaction in which a Director is unable to exercise impartial judgment or otherwise act in the best interests of the Corporation.

- d) No Director shall cast a vote, nor take part in the final deliberation in any matter in which he/she/they, members of his/her/their immediate family, or any organization to which such Director has allegiance, has a personal interest in that may be seen as competing with the interest of the Corporation. Any Director who believes he/she/they may have such a conflict of interest shall so notify the Corporation prior to deliberation on the matter in question, and the Corporation shall make the final determination as to whether any Director has a conflict of interest in any matter. The minutes of the meeting of the Board of Directors shall reflect disclosure of any conflict of interest and the recusal of the interested Director.

I have received, read and understand fully the Confidentiality & Conflict of Interest Statement and will comply with the Statement by abiding by the term of Confidentiality and by bringing any potential Conflict of Interest situations to the Corporation for consideration.

Date

Signature

Printed Name of Director

MI WORK MATTERS

CONFIDENTIALITY & CONFLICT OF INTEREST STATEMENT FOR COMMITTEE MEMBERS WHO ARE NOT MEMBERS OF THE BOARD OF DIRECTORS

Confidentiality.

A Committee Member may have access to certain confidential information of Mi Work Matters (the Corporation) that is of a private nature. Committee Member agrees that he/she/they will not use, disclose or divulge, whether directly or indirectly, such confidential information to any person or entity except as may be required in the normal conduct of service to the Corporations or as may be authorized or directed by the Corporation or its designee.

This term and the confidentiality requirements described herein shall survive, whether during or after the expiration of Committee Member's term of service on a committee of the Corporation. Committee Member agrees that he/she/they will be responsible to the Corporation and indemnify the Corporation for any claim asserted by a third person that said confidential information was improperly provided, or made accessible, by Committee Member.

Conflict of Interest.

- e) In the event any Committee Member has a conflict of interest that might properly limit such Committee Member's fair and impartial participation in the Corporation's deliberations or decisions, such Committee Member shall inform the Corporation as to the circumstances of such conflict. If those circumstances require the nonparticipation of the affected Committee Member, the Corporation may nonetheless request from the Committee Member any appropriate non-confidential information which might inform its decisions. "Conflict of interest" as referred to herein, shall include but shall not be limited to, any transaction by or with the Corporation in which a Committee Member has a direct or indirect personal interest, or any transaction in which a Committee Member is unable to exercise impartial judgment or otherwise act in the best interests of the Corporation.

- f) No Committee Member shall cast a vote, nor take part in the final deliberation in any matter in which he/she/they, members of his/her/their immediate family, or any organization to which such Committee Member has allegiance, has a personal interest in that may be seen as competing with the interest of the Corporation. Any Committee Member who believes he/she/they may have such a conflict of interest shall so notify the Corporation prior to deliberation on the matter in question, and the Corporation shall make the final determination as to whether any Committee Member has a conflict of interest in any matter. The minutes of both the meeting of the Committee and the meeting of the Board of Directors shall reflect disclosure of any conflict of interest and the recusal of the interested Committee Member.

I have received, read and understand fully the Confidentiality & Conflict of Interest Statement and will comply with the Statement by abiding by the term of Confidentiality and by bringing any potential Conflict of Interest situations to the Corporation for consideration.

Date

Signature

Printed Name of Non-Board Committee Member

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

2

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

2. REAPPOINTMENT OF JOHN HILTZ TO THE LIVONIA PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2025.

LaShawn Thomas, Director of Government Affairs presented the request to Council.

John Hiltz was appreciative of the opportunity to serve in the past and hoped to continue his appointment.

Council Member Rob Donovic commended John Hiltz for his knowledge and service to the community and offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

2.

Mayor's Office
April 4, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Janice Centers, Executive Assistant to the Mayor - Program Supervisor,

AGENDA ITEM

REAPPOINTMENT OF JOHN HILTZ TO THE LIVONIA PLYMOUTH ROAD DEVELOPMENT
AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2025.

BACKGROUND

Honorable Members of the City Council, City of Livonia
RE: Reappointment of John Hiltz to the Plymouth Road Development Authority

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. John Hiltz, 34000 Plymouth Road, Livonia, Michigan 48150, as a member of the Plymouth Road Development Authority for a term that will expire on May 16, 2025.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

RECOMMENDATION

Reappoint John Hiltz to the Livonia Plymouth Road Development Authority for a three-year term.

FISCAL CONSIDERATION

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan, Mayor

Date: April 05, 2022

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

3

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

3. APPOINTMENT OF MARTHA PTASHNIK TO THE ZONING BOARD OF APPEALS: Councilmember Scott Bahr, re: to fill the unexpired term of Joel Turbiak, which will expire on July 12, 2023.

Councilmember Scott Bahr presented the request to Council.

Councilmember Rob Donovic asked Martha Ptashnik what the best high school is in Livonia. Martha replied that she a Churchill alumnus and the math department Chair at Churchill, noting that her children attended Stevenson and she started her career at Franklin, teaching also at Emerson and Holmes.

Councilmember Rob Donovic offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

3.

Council Office
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

APPOINTMENT OF MARTHA PTASHNIK TO THE ZONING BOARD OF APPEALS:
Councilmember Scott Bahr, re: to fill the unexpired term of Joel Turbiak, which will expire on July 12, 2023.

BACKGROUND

Dear Honorable Members of the City Council:

I am herewith submitting to you, for your consideration and approval, the resignation of Joel Turbiak and the appointment of Martha Ptashnik, 19251 Glen Eagles Dr., Livonia, MI 48152, to the Zoning Board of Appeals, to fill the unexpired term, set to expire on July 12, 2023.

Your favorable consideration of this appointment would be greatly appreciated.

Sincerely,

Scott Bahr
Councilmember

RECOMMENDATION

To approve the resignation and appointment as submitted.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. S041822 Joel Turbiak ZBA Resignation Letter

APPROVED BY

From: Turbiak, Joel <jturbiak@livonia.gov>

Sent: Tuesday, March 29, 2022 5:06 PM

To: Bahr, Scott <sbahr@livonia.gov>

Subject: ZBA Resignation Letter

Dear Councilman Bahr,

It has been a tremendous honor to serve the City of Livonia as a member of the ZBA for almost 3.5 years. I thank you for your confidence in me and for giving me the opportunity through your appointment.

I've thoroughly enjoyed my time on the board. I have grown in so many ways during this time, thanks to my colleagues on the ZBA, the citizens of, and business in, Livonia, and the amazing teams in the Inspection and Legal Departments.

That said, given my growing family and the priority that they have in my life, and given my doubt that I would not otherwise be able to dutifully fulfill the work that God is calling me to, the time has come for me to step down and allow someone else to benefit from this opportunity to serve our great city.

I will whole-heartedly serve until you can find a replacement.

Please let me know when my last meeting will be.

Sincerely,

Joel Turbiak

Joel Turbiak

ZBA Member

City of Livonia | Zoning Board of Appeals

(734) 788-4440

jturbiak@livonia.gov

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

4

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

5. WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest 1/4 of Section 29.

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

Council Vice President Laura Toy agreed with the Planning Commission on this request, applauds the petitioner and offered an approving resolution on the Consent agenda.

Council President Jim Jolly asked since this a waiver petition, if the site plan petition will come back separately. Mark Taormina responded they have reviewed all of the details and the two were brought together.

Councilmember Rob Donovic asked to confirm if the service bays would be located inside. Ben Tiseo, Tiseo Architects, 19815 Farmington Road, confirmed the bays are for minor work, oil changes, filters, tire rotation, not intended to be a repair shop.

Councilmember Donovic agreed that it was an improvement to the building and asked if the rest of the building was going to be changed. Ben Tiseo confirmed that the proposal is to put up a vertical facade incorporating composite darker wood framing. The whole building would be repainted and adding new panels on the signage. New pavement and an underground storm water in the back, a vinyl fence will prevent visibility when cars are being restored.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

5.

Planning
March 24, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest $\frac{1}{4}$ of Section 29.

BACKGROUND

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2022-02-02-03 - Tiseo Architects, Inc. on behalf of Plymouth Auto Sales

Dear Council Members:

At the 1,185th Public Hearing and Regular Meeting held by the City Planning Commission on March 22, 2022, the following resolution was unanimously adopted:

RECOMMENDATION

#03-18-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on March 22, 2022, on Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest $\frac{1}{4}$ of Section 29, the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02-03 be approved subject to the following conditions:

1. That the Site Plan identified as P1 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
2. That the number of vehicles to be displayed outdoors shall be limited to a total of eighty-eight (88) and that no vehicle for sale shall be displayed closer than twenty feet (20') from the front lot line.
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 except for what may be authorized under the Zoning Ordinance as part of a temporary sales event, any type of exterior advertising related to the sale of the vehicles designed to attract the attention of passing motorists, such as promotional flags or streamers, shall be prohibited.
5. That the display of any vehicles on car lifts is strictly prohibited.
6. That there shall be no outdoor storage of auto parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation,
7. That the hours of operation shall be limited to the following: Monday through Friday from 9:00 a.m. to 6:00 p.m. and on Saturday, from 10:00 a.m. to 4:00 p.m.
8. That the Landscape Plan identified as L1 dated February 17, 2022, as revised, prepared by Elements Studio Inc., is hereby approved and shall be adhered to.
9. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
10. 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.
11. That the Petitioner shall work with staff and the Plymouth Road Development Authority (PRDA) on plans to install additional landscaping and other streetscape improvements (i.e., brick piers and fencing) along Plymouth Road.
12. That the Exterior Elevations Plan identified as P3 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
13. 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.
14. Unless a trash dumpster is constructed on site, all refuse, including tires and auto parts, shall be stored inside the building until such time they are taken away by an appropriate contractor.
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 no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
17. That the storage of vehicles in the rear storage yard area shall be limited to thirty-seven (37) vehicles and parked in an orderly manner.

18. That the storage yard shall be resurfaced with crushed rock, gravel or a material approved by the Engineering Division prior to the issuance of the Certificate of Occupancy by the Inspection Department and shall be properly graded and drained to dispose of all surface water and maintained in a dust-proof condition; provided, further, that—pursuant to Section 9.10—the storage yard shall be hard surfaced with a pavement type and thickness as approved by the Engineering Division within two (2) years from the date that the Certificate of Occupancy is issued unless waived by City Council.

19. That any lighting equipment added to the site shall be directed and shielded/hooded so as to minimize glare trespassing on adjacent properties and roadways, and that the height of such equipment shall be limited to twenty feet (20').

20. That repairs and maintenance work on vehicles conducted on this site shall conform to Section 6.05 of the Livonia Vision 21 Zoning Ordinance, and such repairs as bumping, painting, spraying, or rustproofing shall not be permitted.

21. 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.

22. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time an occupancy permit is applied for; and

23. 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.

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

#03-19-2022 RESOLVED, That the City Planning Commission does hereby determine to waive the provisions of Section X of Article VI of the Planning Commission Rules of Procedure, regarding the effective date of a resolution after the seven-day period from the date of adoption by the Planning Commission, in connection with Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2022-02-02-03_Plymouth Auto_E-COUNCIL Pkt

APPROVED BY



Date: March 28, 2022

Mark Taormina, Planning and Economic Development Director



Date: March 31, 2022

Maureen Miller Brosnan, Mayor

Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29.

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL

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

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

Date Filed: 2-17-2022 Petition 2022-02-02-23
Site Address: 36534 Plymouth Rd Sidwell 115 03 0006 000 Zoning of Property C-2
Requesting Approval To Operate a used car auto dealership with service
Applicant: Benedetto Tiseo, FAIA, NCARB Business/Company: Tiseo Architects, Inc.
Applicant's Address: 19815 Farmington Rd City: Livonia State: MI Zip Code: 48152
Applicant's Phone # (248) 888-1300 Applicant's Email ben@tiseo.com
Contact Person: Benedetto Tiseo, FAIA, NCARB Business/Company: Tiseo Architects, Inc.
Contact's Address: 19815 Farmington Rd City: Livonia State: MI Zip Code: 48152
Contact's Phone # (248) 888-1300 Contact's Email ben@tiseo.com

Please provide the following information:

Site Plan showing:

- Property dimensions, including road right-of-way & building setback lines
- Foot print of building(s), including dimensions & square footage
- All easements, protective walls, sidewalks & existing trees
- Any significant topographic features (existing or proposed)
- Parking layout, including type of surface material, sizes of spaces & aisles
- Method used in calculating parking requirement
- Location of light standards servicing parking lot & cutout showing type & height
- Location of trash receptacle, including description of screening
- Location of signs

Detailed Landscape Plan including:

- listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
- architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened

4) **General Floor Plan** showing:

- floor layout
- entrances & exits
- restaurants are required to illustrate seating arrangement & capacity

5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), **a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us**

6) **Legal Description** of the property to be considered (Clearly Printed)

7) Three (3) completed application forms & **three (3)** sets of full-size drawings

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

FEE COMPUTATION

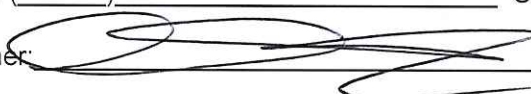
0

sq. ft. of new construction x \$20.00 per 1,000 sq. ft.

(NOTE: Round off to nearest 1,000)

Total Amount Due \$ 600.00

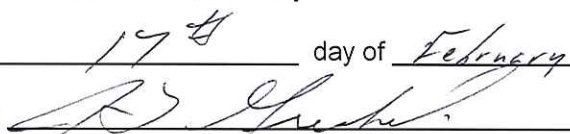
\$600.00

Owner of Property: Plymouth Auto Sales, LLC (Purchaser)
Owner's Address: 9300 Haggerty Rd City: Plymouth State: MI Zip Code: 48170
Owner's Phone # (734) 414-1400 Owner's Email julian@plymouthautosales.com
Signature of Owner:  Print Name: Julian Shahinllari

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of MI

on this 17th day of February 20 22

Signature of Notary



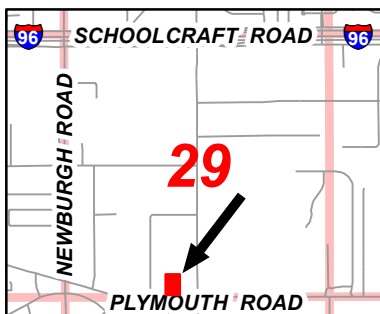
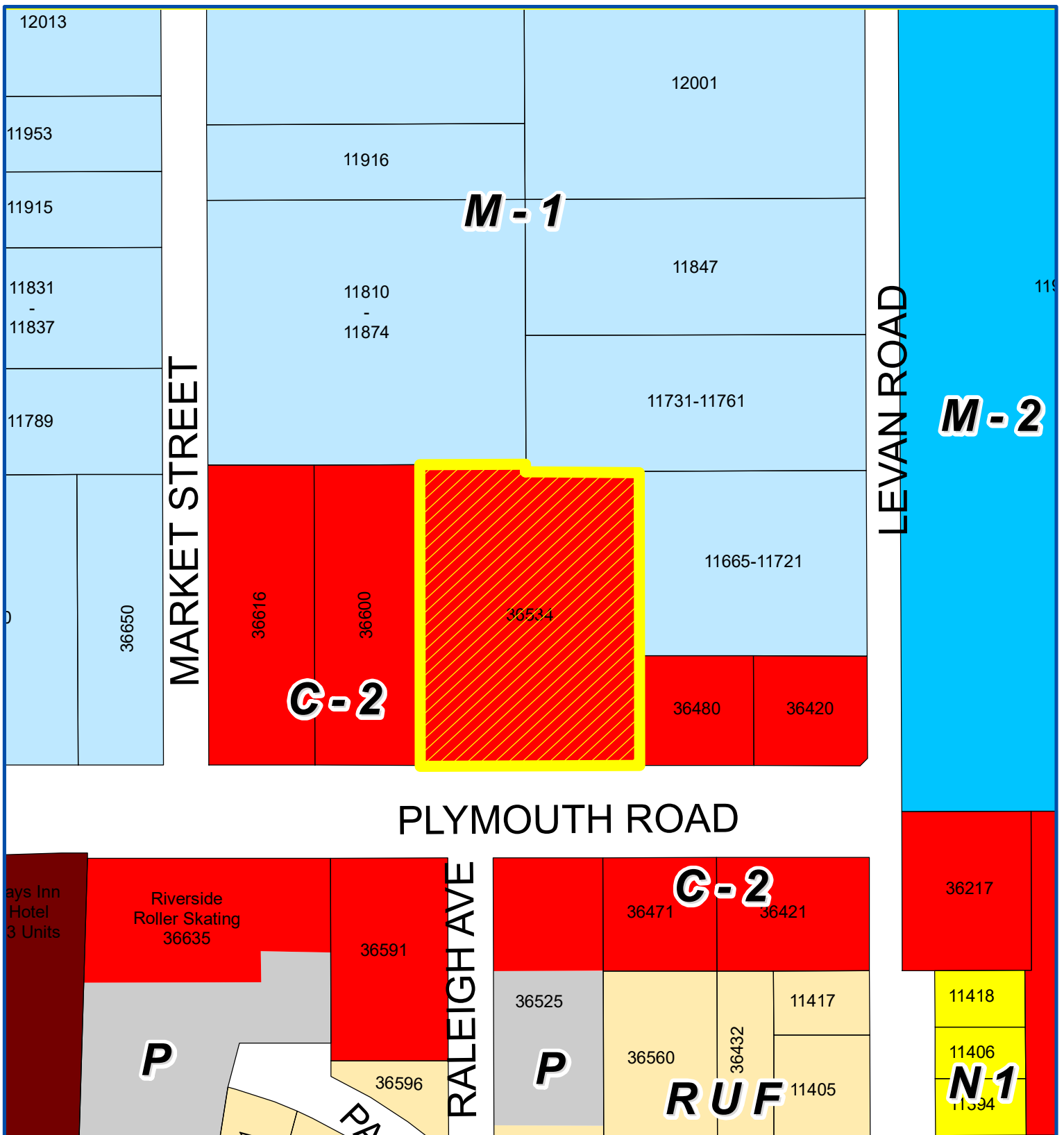
J.L. GRESKOWIAK
NOTARY PUBLIC - MICHIGAN
WAYNE COUNTY

MY COMMISSION EXPIRES OCT. 30, 2028
ACTING IN Wayne COUNTY

Acting in the County of Wayne

RECEIVED
OFFICE OF THE CITY CLERK
2022 FEB 17 AM 11:36

RECEIVED
FEB 18 2022
CITY OF LIVONIA
PLANNING COMMISSION



Address & Zoning Map

Petition 2022-02-02-03
 Plymouth Auto Sales
 36534 Plymouth Road
 to operate a used auto dealership with
 repair facilities and outdoor display of vehicles

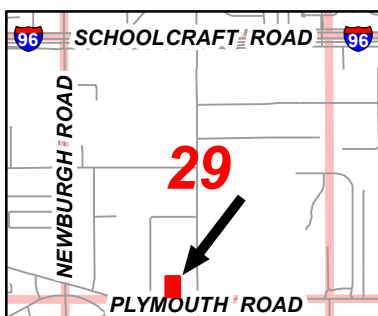


Not to Scale

City of Livonia
 Planning Department



PLYMOUTH ROAD



Aerial Map

Petition 2022-02-02-03
Plymouth Auto Sales
36534 Plymouth Road
to operate a used auto dealership with
repair facilities and outdoor display of vehicles



Not to Scale



City of Livonia
Planning Department

P_lANNING COMMISSION STAFF NOTES

PUB_lIC MEETING

ITEM 2

Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest $\frac{1}{4}$ of Section 29.

March 15, 2022: Study Meeting:

This petition requests waiver use approval to operate a used auto dealership (Plymouth Auto Sales) with repair facilities and outdoor display of vehicles on property located on the north side of Plymouth Road just west of Levan Road. The subject property was previously occupied by Dick Scott's Freedom Powersports. The subject property measures 290 feet in frontage along Plymouth Road by a depth of approximately 397 feet and has a land area of 113,888 square feet (2.61 acres). Located on the property is a 12,095-square foot commercial building. The zoning is C-2, General Business.

City Council granted waiver use approval to Dick Scott's Freedom Powersports in 2011 (CR #146-11). Conditions #2 and #3 of the approving resolution (see below) restricted the operation to only motorcycle sales and display:

2. *That the outside display shall be limited to motorcycles only, and that the display of any automobiles either within the parking lot or front yard of the subject property shall first require the submittal of a revised site plan and review and approval of the Planning Commission.*
3. *That the number of motorcycles to be displayed outdoors shall be limited to fourteen (14) within the areas shown on the site plan, and that no motorcycles for sale shall be displayed closer than twenty feet (20') from the front lot line.*

Because Plymouth Auto Sales is seeking to display and sell vehicles other than motorcycles, waiver use approval is required pursuant to Section 6.05.

Bordering the site to the west are Body Rock Fitness Center and a multi-tenant office building, both of which are zoned C-2. Abutting to the east along Plymouth Road are C-2 zoned properties that contain the Time Out Bar & Grill and a gas station. To the north is an M-1 (Light Manufacturing) zoning district that contains a number of industrial buildings and uses. To the south, across Plymouth Road, are a variety of commercial uses that are zoned C-2.

Per Section 6.05, the following special requirements apply to new and used car lots and showrooms:

- 1. No vehicles shall be parked within twenty feet (20') from the front lot line or at the side lot line adjacent to the street.*
- 2. The total number of vehicles proposed to be displayed or stored shall be subject to recommendation by the Planning Commission and approved by City Council and*
- 3. Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.*

Additionally, Section 6.06 outlines the requirements for automobile and light truck repair facilities, including:

- 1. All repair work must be carried out within an enclosed building.*
- 2. Automobile and light truck repair shall not permit such repairs as bumping, painting, spraying, or rustproofing.*
- 3. The total number of vehicles proposed to be stored shall be subject to recommendation by the Planning Commission and approved by the City Council and*
- 4. Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.*

As proposed, the existing building would be divided into a showroom, office space and a large service area where vehicles would be repaired. In addition to servicing the dealership's vehicles, the repair operations would be open to the general public. The service area, accessible via two (2) existing overhead doors located along the rear of the building, would contain four (4) repair bays. The upper level of the building, which totals approximately 1,823 square feet in gross floor area, would be used for offices, storage, a conference room, and a kitchen area.

Currently, parking for approximately thirty (30) cars is available in a paved lot on the west side of the building. Additional parking is provided in a gravel lot located at the rear (north end) of the property. Plymouth Auto Sales is proposing to expand the paving on the west side of the property for vehicle display and customer parking, as well as maintain the gravel lot at the rear of the property for employee parking and vehicle storage. The expanded asphalt parking lot would measure approximately 160 feet along Plymouth Road by a depth of 256 feet. According to the plans, the expanded parking lot would contain ninety-two (92) spaces, eighty-eight (88) of which would be used for vehicle display. The paved

service area immediately behind the building would also be expanded. This area would include a loading area, truck well and eleven (11) parking spaces, including four (4) spaces for repair shop customers. The gravel lot would provide inventory storage for thirty-seven (37) vehicles plus seventeen (17) spaces for employee parking, including what might be needed for a future tenant/user of the second-floor office. Section 9.10 of the zoning ordinance specifies that all parking areas, regardless of size, must be hard surfaced. The existing gravel lot is in very poor condition and the site plan does not indicate any improvements to this area other than underground stormwater detention and adding some fencing and landscaping. A six foot (6') high chain link fence would be installed along the sides and rear of the lot and a six foot (6') high vinyl privacy fence across the front to screen its view from Plymouth Road. Access would be provided via a twenty-two foot (22') wide gate located in the southeast corner of the lot.

Required parking for auto dealerships is based on two components of the operation: sales and service. For sales, the ordinance requires is one (1) parking space for each 200 square feet of use area, and for automobile and light truck repair establishments, the requirement is two (2) spaces for each service bay plus one (1) space for each employee. Furthermore, since the plans anticipate the use of the second floor for office space not associated with the dealership or service operations, additional parking will be required. Parking for a general office use is based on a ratio of one (1) space for each 200 square foot of floor area. Altogether, the ordinance requires no fewer than forty-two (42) parking spaces for customers and employees of the businesses, including the second-floor office. The site plan shows 105 striped parking spaces within the paved areas of the site. Of this, the dealership is proposing to display eighty-eight (88) vehicles, leaving seventeen (17) paved spaces available for customers. Seventeen (17) additional unstriped parking spaces would be provided for employees in the gravel lot, resulting in an overall shortage of eight (8) spaces for customers and employees. City Council may modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable.

Landscaping would be provided throughout the site, including along Plymouth Road and the front of the building, the west and north property lines, as well as within areas of the parking lot. As required, a twenty-foot (20') wide setback would be maintained between the road right-of-way and the vehicle display lot. Pursuant to Section 10.03, where a site abuts a public right-of-way, the following plantings are required: one (1) deciduous or evergreen tree for every forty (40) linear feet of road frontage (or fraction thereof) one (1) ornamental tree for every 100 linear feet of road frontage (or fraction thereof) and eight (8) shrubs for every forty (40) linear feet of road frontage (or fraction thereof). Based on these standards, the site's road frontage requires no fewer than six (6) full size trees, three (3) ornamental trees, and forty-eight (48) shrubs. The submitted landscape

plan shows four (4) existing pear trees within the Plymouth Road right-of-way. These trees, which are maintained by the PRDA, are included in the list of full-size trees. To comply with the planting requirement, the plan adds two (2) Autumn Gold Ginkgo trees within the required twenty-foot (20') setback between Plymouth Road and the vehicle display lot. In addition, on either side of the vehicle display lot, located approximately 35-40 feet from the right-of-way line, the plan shows two (2) Skyline Thornless Honey locust trees. For the required ornamental trees, three (3) Ivory Silk Japanese trees are proposed in the landscaped area in front of the building. This area also includes the required shrubs.

Internal parking lot landscaping is required in an amount equal to not less than 5% of the paved areas of the site. Each landscape island must be a minimum of 300 square feet in area and be planted with at least one (1) tree. In this case, according to the plan, the requirement is for 2,719 square feet of parking lot landscaping. The plan shows six (6) separate areas, totaling 2,754 square feet, that would contain a total of ten (10) trees. Along the sides of the property, the ordinance calls for one (1) shade tree every thirty feet (30'). Based on the depth of the property, fourteen (14) trees are required along both the east and west sides of the property. On the west side, the plan shows fourteen (14) trees spaced relatively evenly from one end to the other located within an eight foot (8') wide planting strip. On the east side, there is an existing twenty-four foot (24') wide driveway that runs nearly the full length of the property—thus, the Petitioner is seeking a waiver to the tree planting requirement. The plan does not indicate any Plymouth Road Development Authority (PRDA) streetscape improvements.

The site plan does not indicate the location of a dumpster enclosure. According to the petitioner, all refuse, including tires and auto parts, would be stored inside the building until such time they are taken away by an appropriate contractor.

Proposed exterior lighting includes pole-mounted LED fixtures measuring twenty feet (20') in height. The submittal does not include a site photometric plan—thus, it is not possible to determine the exact illumination levels. No residential areas would be affected by the development.

Underground stormwater detention is proposed at the rear of the property beneath the gravel parking lot. Details of the detention system would be reviewed by either the Engineering Division or Wayne County following a successful completion of the waiver use review process.

Currently the building's front, as well as a portion of the west elevation, contain an asphalt-shingled mansard roof. The petitioner is planning to replace the mansard with a vertical canopy (parapet) that would be finished with a composite

wood material. Other exterior changes include painting the existing brick and block on the front and sides of the building.

For signage, the proposed auto dealership would be allowed one (1) wall sign not to exceed eighty (80) square feet in area (1 square foot for each 1 lineal foot of building frontage) and one (1) monument ground sign at thirty (30) square feet in area, six feet (6') in height and setback ten feet (10') from Plymouth Road. Any additional signage would require a variance from the Zoning Board of Appeals.

March 22, 2022: Public Hearing:

Several issues were discussed at the Study Meeting included the intended hours of operation, customer parking, car delivery and storage, future use of the second level office space, the auto repair services, and site lighting.

The owner indicated that the main hours of operation would be from 9a to 6p, Monday thru Friday, and 10a to 4p on Saturdays. Most vehicle searches are now done via the internet, which reduces the demand for customer parking. It was pointed out that vehicles are usually delivered on smaller haulers, ideally three (3) at a time, and that ample room will be available behind the building to accomplish this without interfering with traffic, either internally on the property or on Plymouth Road. The storage lot at the rear of the property would be used not only for employee parking, but also for cars in need of being prepped or repaired. Regarding site lighting, the Petitioner will submit a detailed photometric plan with a grid showing the various illumination levels throughout the property.

Approving Resolution: That the request to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road is hereby approved, subject to the following conditions:

1. That the Site Plan identified as P1 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
2. That the number of vehicles to be displayed outdoors shall be limited to a total of eighty-eight (88) and that no vehicle for sale shall be displayed closer than twenty feet (20') from the front lot line.
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 except for what may be authorized under the Zoning Ordinance as part of a temporary sales event, any type of exterior advertising related to the sale of the vehicles designed to attract the attention of passing motorists, such as promotional flags or streamers, shall be prohibited.
5. That the display of any vehicles on car lifts is strictly prohibited.
6. That there shall be no outdoor storage of auto parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation, and the overhead doors, when not in use for vehicles entering or exiting the service facility, shall be closed at all times.
7. That the hours of operation shall be limited to the following: Monday through Friday from 9:00 a.m. to 6:00 p.m. and on Saturday, from 10:00 a.m. to 4:00 p.m.
8. That the Landscape Plan identified as L1 dated February 17, 2022, as revised, prepared by Elements Studio Inc., is hereby approved and shall be adhered to.
9. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
10. 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.
11. That the Petitioner shall work with staff and the Plymouth Road Development Authority (PRDA) on plans to install additional landscaping and other streetscape improvements (i.e., brick piers and fencing) along Plymouth Road.
12. That the Exterior Elevations Plan identified as P3 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
13. 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.

14. Unless a trash dumpster is constructed on site, all refuse, including tires and auto parts, shall be stored inside the building until such time they are taken away by an appropriate contractor.
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 no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
17. That the storage of vehicles in the rear storage yard area shall be limited to thirty-seven (37) vehicles and parked in an orderly manner.
18. That the storage yard shall be resurfaced with crushed rock, gravel or a material approved by the Engineering Division prior to the issuance of the Certificate of Occupancy by the Inspection Department and shall be properly graded and drained to dispose of all surface water and maintained in a dust-proof condition; provided, further, that; pursuant to Section 9.10 the storage yard shall be hard surfaced with a pavement type and thickness as approved by the Engineering Division within two (2) years from the date that the Certificate of Occupancy is issued unless waived by City Council.
19. That any lighting equipment added to the site shall be directed and shielded/hooded so as to minimize glare trespassing on adjacent properties and roadways, and that the height of such equipment shall be limited to twenty feet (20').
20. That repairs and maintenance work on vehicles conducted on this site shall conform to Section 6.05 of the Livonia Zoning Ordinance, and such repairs as bumping, painting, spraying, or rustproofing shall not be permitted.
21. 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.
22. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time an occupancy permit is applied for; and

23. Pursuant to Section 13.13 of the Livonia 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.

Denying Resolution: That this request to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road is denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use is in compliance with all of the special and general waiver use standards and requirements as set forth in Sections 6.05, 6.06 and 13.13 of the Livonia Zoning Ordinance.
2. That the City is currently well served with similar uses to what is being proposed.
3. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.
4. That the petitioner has not sufficiently demonstrated that the proposed use would be compatible to and in harmony with surrounding uses in the area.
5. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use and
6. That the proposed use is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

LEGAL DESCRIPTION

LOTS 6 AND 7, EXCEPT THE NORTH 10 FEET OF LOT 7 OF "PLYMOUTH-LEVAN INDUSTRIAL SUBDIVISION", PART OF THE SOUTHWEST 1/4 OF SECTION 24, T. 15, R. 9 E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 84 OF PLATS, PAGE 19, WAYNE COUNTY RECORDS.

DRAWING INDEX

ARCHITECTURAL

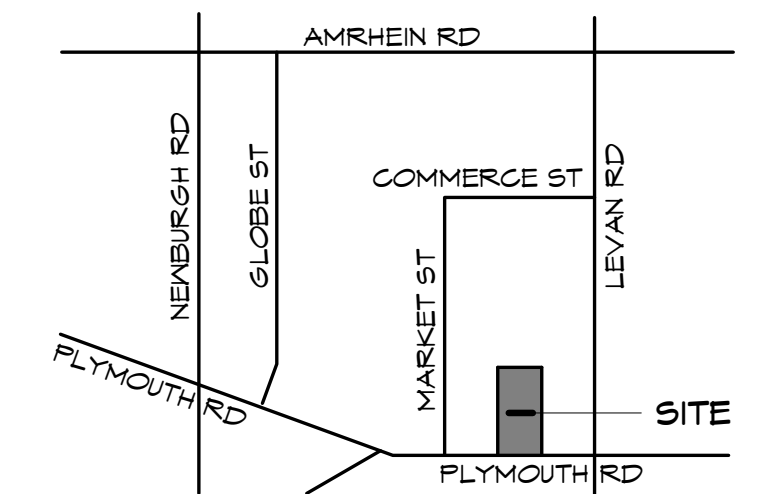
- P1 SITE DATA, PRELIMINARY SITE PLAN
P2 PRELIMINARY 1ST & 2ND FLOOR PLANS
P3 EXTERIOR ELEVATIONS
P4 1ST FLOOR DEMOLITION PLAN

LANDSCAPE

- L1 LANDSCAPE PLAN
L2 DETAILS, SNOW STORAGE & IRRIGATION

FOR REFERENCE ONLY

1 OF 1 ALTA/ACSM LAND TITLE SURVEY



VICINITY MAP

SCALE: No Scale



Preliminary

Site/Building Data

Zoning Section 3.11 : C-2 General Business

Site Area:	113,888 Sq Ft	2.61 Acres
Section 13.13(6)(I) Landscaping Required 15%:	17,083 Sq Ft	
Open Space Actual:	18,165 Sq Ft	15.95%

Building Area:	Gross
Existing 1st Floor:	9,734 Sq Ft
Existing 2nd Floor:	2,361 Sq Ft
Existing Total:	12,095 Sq Ft

Section 3.11 C-2 Waiver Uses: New & Used Car Lots and Showrooms (Section 6.05)

Section 6.05: Automobile Sales & Rental Mobile Homes Sales
Districts Permitted: C-2 (1) Current Zoning = C-2
Minimum Lot Size: Minimum 1/2 Acre (2) Actual = 2.61 Acres
Minimum Lot Width: Minimum 100 Ft (2) Actual = 290 Ft
Minimum Parking Setback Front/Side: 20 Ft (3) Actual = 20 Ft
Lighting: Shielded From Residential (4) NA - No Adjacent Residential
Number of Vehicles Permitted: Planning Commission (5) Requesting = 100 vehicles
Number of Vehicles Permitted: City Council (5) Requesting = 100 vehicles
Access: Minimum 120 Ft ROW (6) Actual = 120 Ft
Outdoor Storage: No Disabled/Damaged Vehicles (7) Yes

Section 4.02 Schedule of Regulations C-2 General Business

Bldg Height

Max (Stories): 2 Existing = 2
Max (Feet): 35 Existing = 21'-0"

Bldg Setback

Min Front (Feet): 15 Existing = 62
Min Side (Feet): 8 Existing = 25 & 184
Min Rear (Feet): 8 Existing = 205

Section 9.05 Minimum Parking Spaces

New & Used Car Lots & Showrooms: 1/200 Sq Ft Use Area	4,658 Sq Ft	
Ratio	200 Sq Ft	
Parking Required	23 Spaces	
Customer Sales	13 Spaces	
Employee Showroom	6 Spaces	
Shop Customer Service	4 Spaces	
Actual Customer & Employee Provided	23 Spaces	
Shop: 1/Employee	4,007 Sq Ft	
Ratio	1/Employee	
Employees	2 Each	
Parking Required	2 Spaces	Rear Secured Area

(Future Tenant) 2nd Floor Office: 1/200 Sq Ft Use Area	1,823 Sq Ft	
Ratio	200 Sq Ft	
Future Parking Required	9 Spaces	Rear Secured Area
Total Required Parking	34 Spaces	

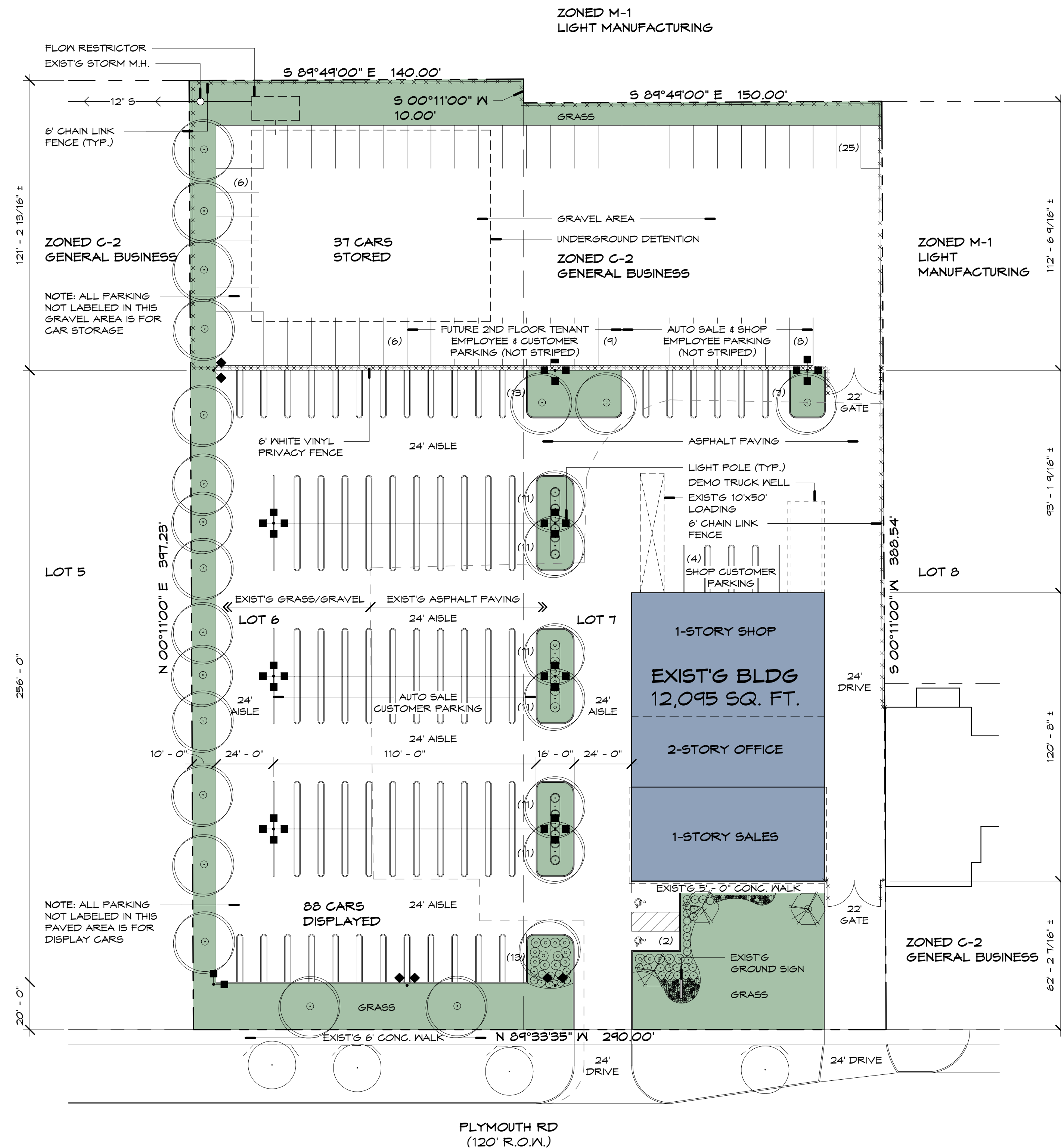
Provided Customers Parking	23 Spaces (Including ADA)	
Provided Parking Employees:	11 Spaces	Rear Secured Area
Total Parking Provided	34 Spaces	
Difference	0 Spaces	

Exterior Lot Used Cars Displayed	88 Each Maximum
Interior Showroom Used Cars Displayed	11 Each Maximum
Exterior Rear Car Storage	37 Each Maximum

Section 9.08 Off Street Loading

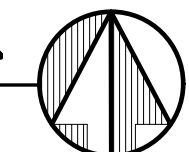
Size: 10' x 50' Existing 10' x 50'
1,401 to 20,000 Gross Sq Ft: 1 Space Existing 1 Space

Section 10.03(2)(b)(I) Interior Landscaping	54,370 Sq Ft Paved Parking Area
Required 5% Paved Parking Area	2,719 Sq Ft
Provided Sq Ft	2,754 Sq Ft 5.07%



PRELIMINARY SITE PLAN

SCALE: 1" = 30'-0"



Preliminary

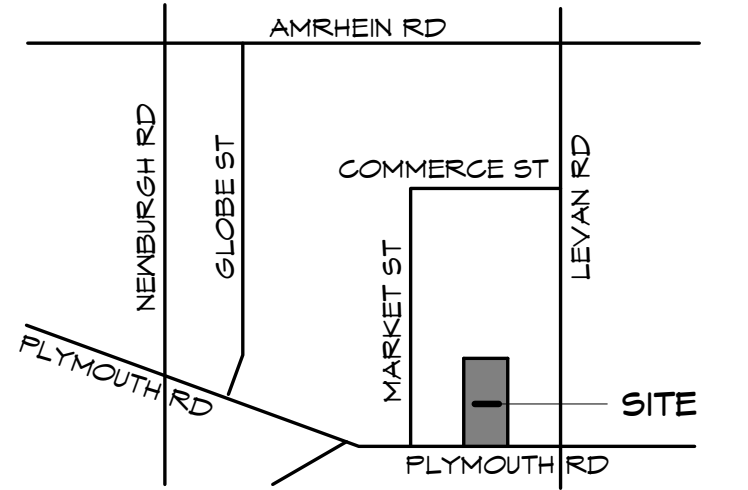
Site/Building Data

Zoning Section 3.11 : C-2 General Business			
Section 13.13(6)(l) Landscaping Required 15%:	Site Area:	113,888 Sq Ft	2.61 Acres
	Existing 1st Floor:	9,734 Sq Ft	
	Existing 2nd Floor:	2,361 Sq Ft	
	Open Space Actual:	18,165 Sq Ft	15.95%
Existing Total: 12,095 Sq Ft			
Section 3.11 C-2 Waiver Uses: New & Used Car Lots and Showrooms (Section 6.05)			
Section 6.05: Automobile Sales & Rental Mobile Homes Sales			
Districts Permitted: C-2 (1) Current Zoning = C-2			
Minimum Lot Size: Minimum 1/2 Acre (2) Actual = 2.61 Acres			
Minimum Lot Width: Minimum 100 Ft (2) Actual = 290 Ft			
Minimum Parking Setback Front/Side: 20 Ft (3) Actual = 20 Ft			
Lighting: Shielded From Residential (4) NA - No Adjacent Residential			
Number of Vehicles Permitted: Planning Commission (5) Requesting = 100 vehicles			
Number of Vehicles Permitted: City Council (5) Requesting = 100 vehicles			
Access: Minimum 120 Ft ROW (6) Actual = 120 Ft			
Outdoor Storage: No Disabled/Damaged Vehicles (7) Yes			
Section 4.02 Schedule of Regulations C-2 General Business			
Bldg Height			
Max (Stories): 2 Existing = 2			
Max (Feet): 35 Existing = 21'-0"			
Bldg Setback			
Min Front (Feet): 15 Existing = 62			
Min Side (Feet): 8 Existing = 25 & 184			
Min Rear (Feet): 8 Existing = 205			
Section 9.05 Minimum Parking Spaces			
New & Used Car Lots & Showrooms: 1/200 Sq Ft Use Area			
Ratio			
Parking Required			
Customer Sales			
Employee Showroom			
Shop Customer Service			
Actual Customer & Employee Provided			
Shop: 1/Employee			
Ratio			
Employees			
Parking Required			
(Future Tenant) 2nd Floor Office: 1/200 Sq Ft Use Area			
Ratio			
Future Parking Required			
Total Required Parking			
Provided Customers Parking			
Provided Parking Employees:			
Total Parking Provided			
Difference			
Exterior Lot Used Cars Displayed			
Interior Showroom Used Cars Displayed			
Exterior Rear Car Storage			
Section 9.08 Off Street Loading			
Size: 10' x 50' Existing 10' x 50'			
1,401 to 20,000 Gross Sq Ft: 1 Space Existing 1 Space			
Section 10.03(2)(b)(i) Interior Landscaping			
Required 5% Paved Parking Area			
Provided Sq Ft			

PARKING KEY

- CAR STORAGE PARKING
- FUTURE 2ND FLOOR TENANT EMPLOYEE & CUSTOMER PARKING (NOT STRIPED)
- AUTO SALE & SHOP EMPLOYEE PARKING (NOT STRIPED)
- SHOP CUSTOMER PARKING
- AUTO SALE CUSTOMER PARKING

NOTE: ALL PARKING NOT SHADED IS DESIGNATED FOR DISPLAY CARS



VICINITY MAP

SCALE: No Scale



LEGAL DESCRIPTION

LOTS 6 AND 7, EXCEPT THE NORTH 10 FEET OF LOT 7 OF "PLYMOUTH-LEVAN INDUSTRIAL SUBDIVISION", PART OF THE SOUTHWEST 1/4 OF SECTION 29, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 84 OF PLATS, PAGE 19, WAYNE COUNTY RECORDS.

DRAWING INDEX

- ARCHITECTURAL
- P1 SITE DATA, PRELIMINARY SITE PLAN
- P2 PRELIMINARY 1ST & 2ND FLOOR PLANS
- P3 EXTERIOR ELEVATIONS
- P4 1ST FLOOR DEMOLITION PLAN

LANDSCAPE

- L1 LANDSCAPE PLAN
- L2 DETAILS, SNOW STORAGE & IRRIGATION

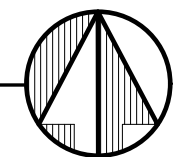
FOR REFERENCE ONLY

1 OF 1 ALTA/ACSM LAND TITLE SURVEY



PRELIMINARY SITE PLAN

SCALE: 1" = 30'-0"



Tiseo Architects, Inc.

19815 Farmington Road
Livonia, Michigan
48152-1444

248.888.1300
fax 248.888.1313
www.tiseo.com



Plymouth
Auto Sales

36534 Plymouth Rd
Livonia, Michigan

Drawn by: Kimberly Nakhleh
Checked by: Benedetto Tiseo

Seal / Signature

Date	
Issued for:	Date:
SITE PLAN APPROVAL	17 FEB 2022
REVISIONS	08 MAR 2022
REVISIONS	21 MAR 2022

NOT FOR
CONSTRUCTION

SITE DATA,
PRELIMINARY SITE
PLAN

Project No. Sheet No.
21029 P1

Date Printed:



19815 Farmington Road
Livonia, Michigan
48152-1444

248.888.1300
fax 248.888.1313
www.tiseo.com



**Plymouth
Auto Sales**

36534 Plymouth Rd
Livonia, Michigan

Drawn by: Kimberly Nakhleh
Checked by: Benedetto Tiseo

Seal / Signature



B. Tiseo

Date: 17 FEB 2022

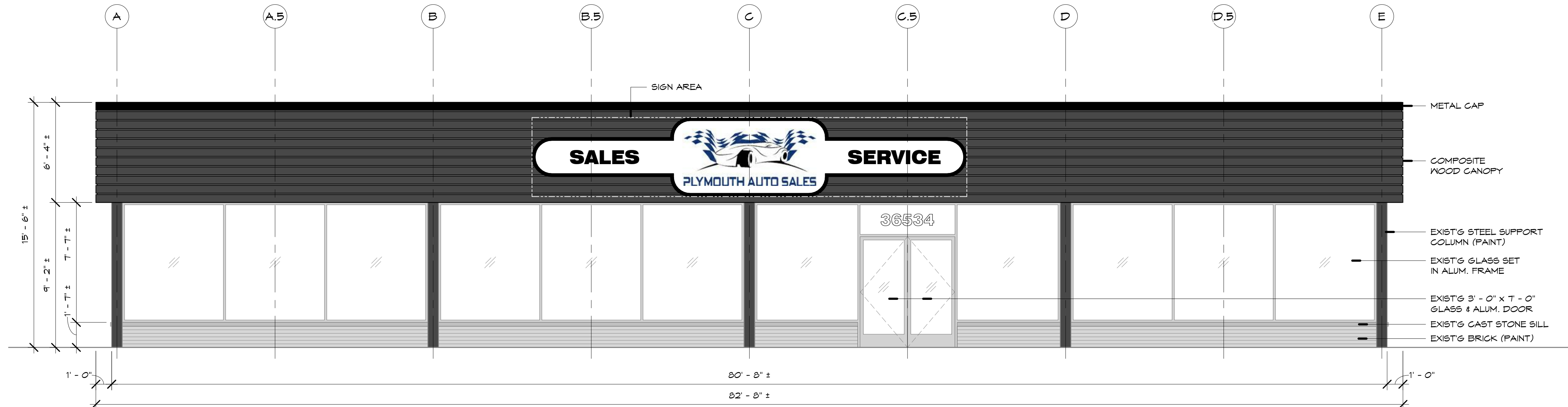
Issued for: SITE PLAN APPROVAL
Date: 17 FEB 2022

**NOT FOR
CONSTRUCTION**

**EXTERIOR
ELEVATIONS**

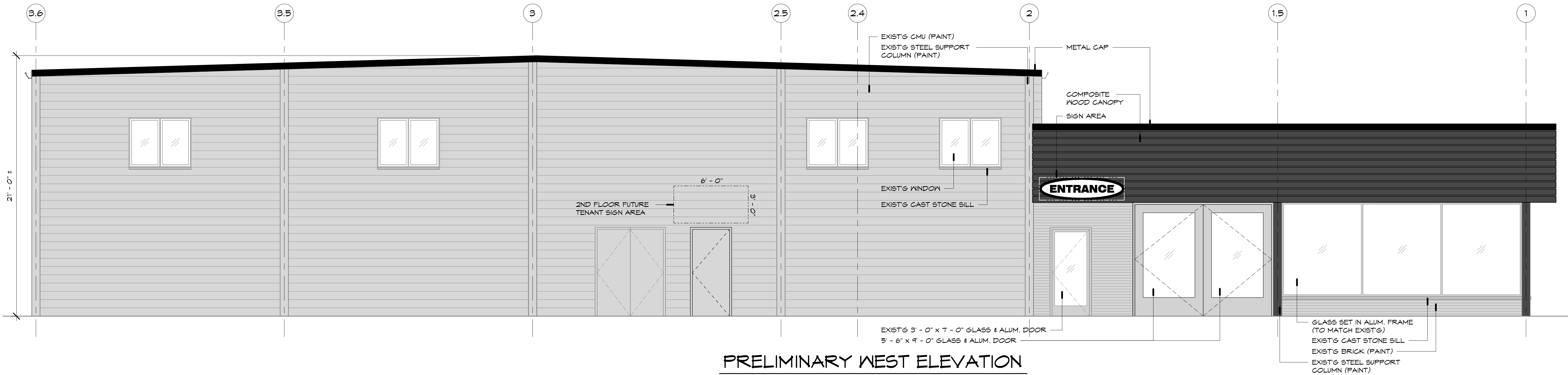
Project No. 21029
Sheet No. P3

Date Printed:



PRELIMINARY SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



PRELIMINARY WEST ELEVATION

SCALE: 1/4" = 1'-0"

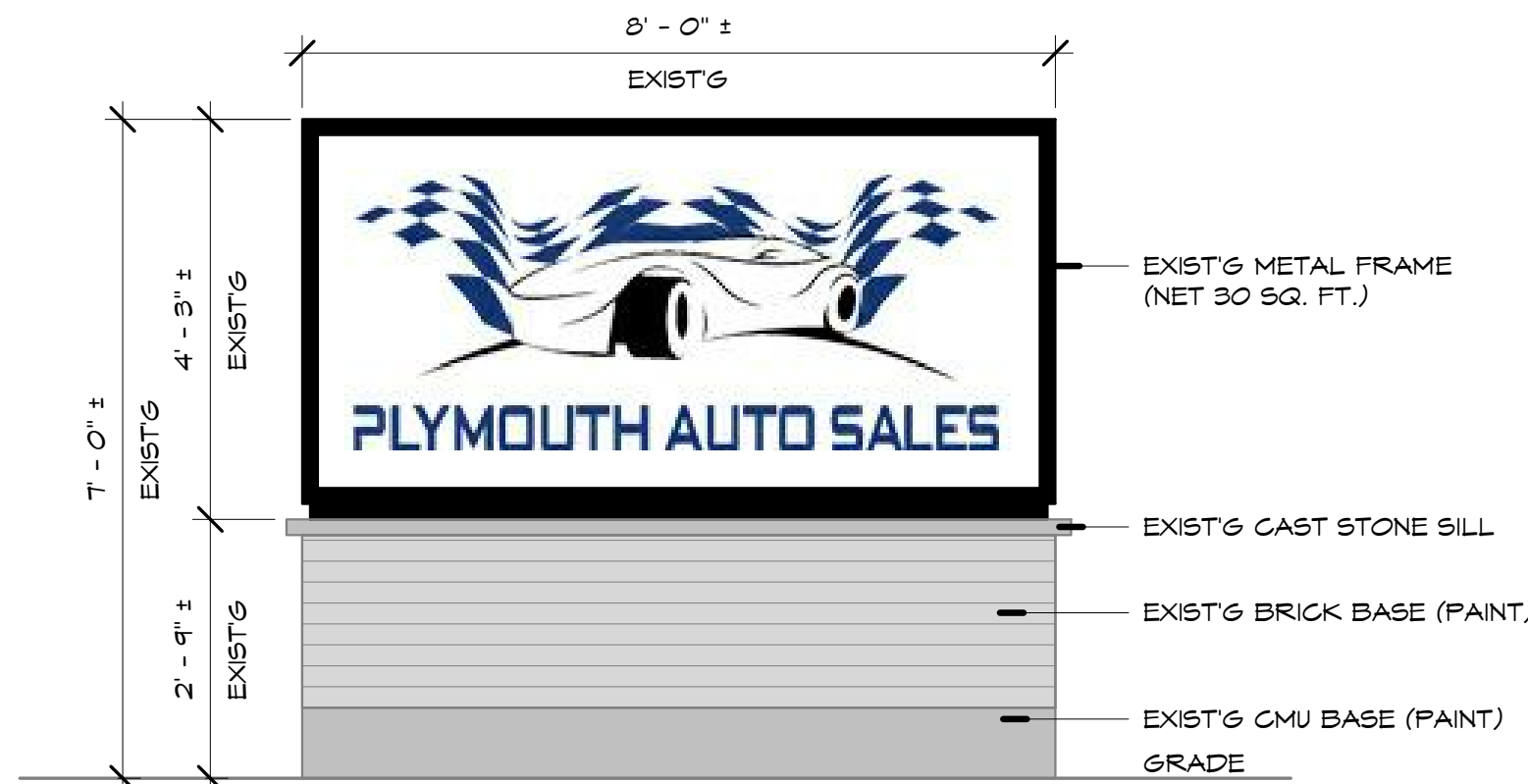
BUILDING SIGNAGE

PLYMOUTH AUTO MAIN BLDG SIGN	=	137 SQ. FT.
ENTRANCE SIGN	=	13 SQ. FT.
2ND FLOOR FUTURE TENANT SIGN	=	18 SQ. FT.
TOTAL PROPOSED	=	168 SQ. FT.
TOTAL ALLOWED	=	290 SQ. FT.



EXIST'G GROUND SIGN PHOTO

SCALE: No Scale



EXIST'G GROUND SIGN

SCALE: 1/2" = 1'-0"

TISEO Tiseo Architects, Inc.
19815 Farmington Road
Livonia, Michigan
48152-1444
248.888.1300
fax 248.888.1313
www.tiseo.com



**Plymouth
Auto Sales**

36534 Plymouth Rd
Livonia, Michigan

Drawn by: Kimberly Nakhleh
Checked by: Benedetto Tiseo

Seal / Signature



B. Tiseo

Date 17 FEB 2022

Issued for: Date:
SITE PLAN APPROVAL 17 FEB 2022

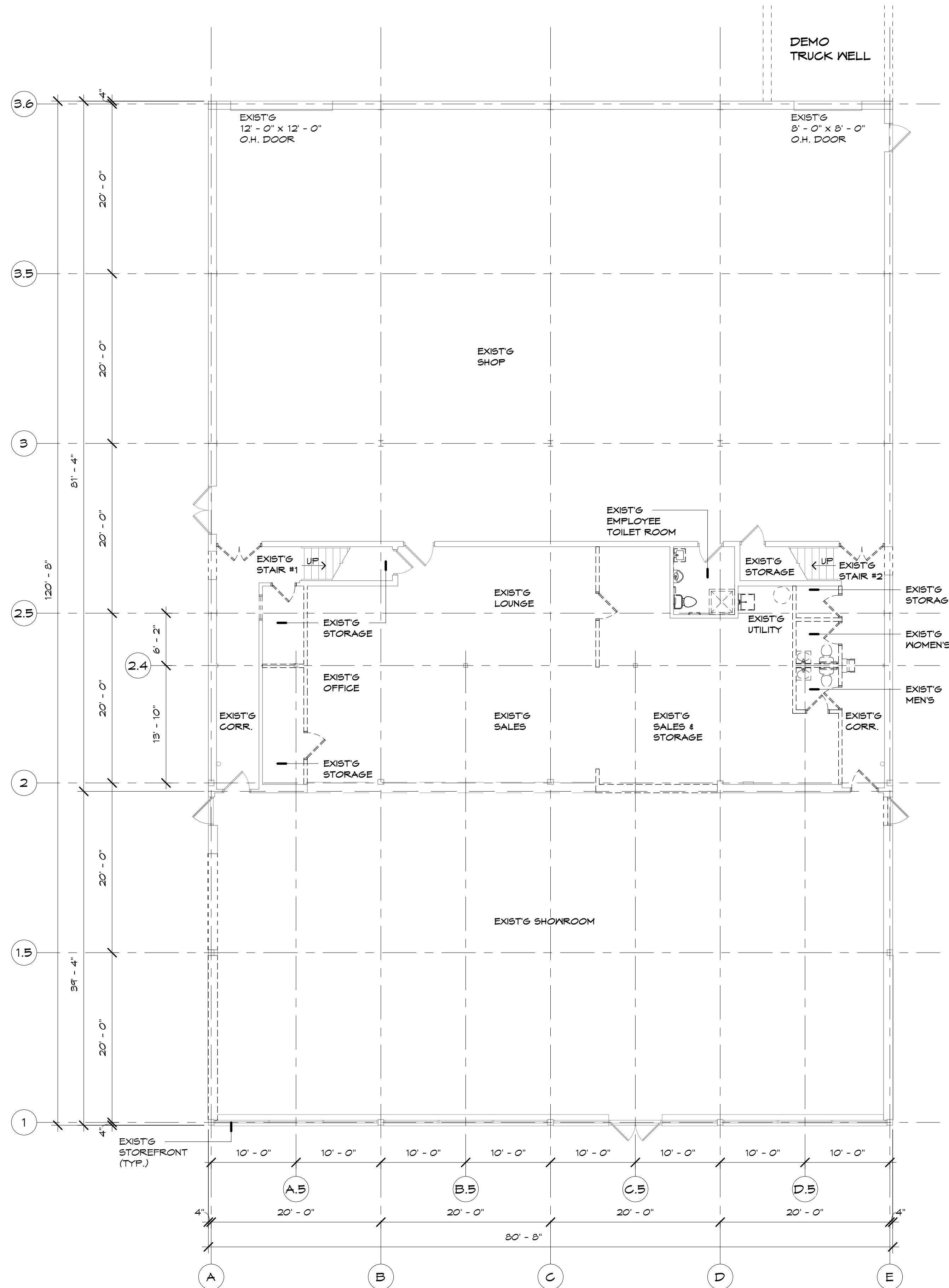
**NOT FOR
CONSTRUCTION**

**1ST FLOOR
DEMOLITION PLAN**

Project No. Sheet No.

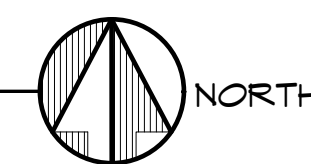
21029 P4

Date Printed:



1ST FLOOR DEMOLITION PLAN

SCALE: 1/8" = 1'-0"



PLANT SCHEDULE

Shade Trees					
Key	Qty.	Botanical Name	Common Name	Size	Remarks
CO	5	Celtis occidentalis	Hackberry	3" Cal.	Min. 6' Branch Ht.
GB	4	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	3" Cal.	Min. 6' Branch Ht.
GD	6	Gymnocladus dioica 'Espresso'	Espresso Kentucky Coffeetree	3" Cal.	Min. 6' Branch Ht.
GT	6	Gleditsia triacanthos var. inermis 'Skycole'	Skyline Thornless Honeylocust	3" Cal.	Min. 6' Branch Ht.
QB	2	Quercus bicolor	Swamp White Oak	3" Cal.	Min. 6' Branch Ht.
QR	3	Quercus rubra	Red Oak	3" Cal.	Min. 6' Branch Ht.

Ornamental Trees					
Key	Qty.	Botanical Name	Common Name	Size	Remarks
SR	3	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	2" Cal.	Min. 6' Branch Ht.

Evergreen Shrubs					
Key	Qty.	Botanical Name	Common Name	Size	Remarks
TE	12	Taxus x media 'Everlow'	Everlow Yew	18" Spd.	4' O.C.

Deciduous Shrubs					
Key	Qty.	Botanical Name	Common Name	Size	Remarks
HP	36	Hydrangea paniculata 'Fire Light Tidbit'	Fire Light Tidbit Hydrangea	18" Spd.	3' O.C.
SJ	23	Spiraea japonica 'Magic Carpet'	Magic Carpet Spirea	18" Spd.	4' O.C.

Perennials & Ornamental Grasses					
Key	Qty.	Botanical Name	Common Name	Size	Remarks
AB	16	Amsonia 'Blue Ice'	Blue Ice Blue Star	1 Gallon	2' O.C.
CP	68	Cerastostigma plumbaginoides	Plumbago	Plug	10" O.C.
SA	33	Sesleria autumnalis	Autumn Moor Grass	1 Gallon	18" O.C.

Miscellaneous Materials	
Quantity	Material Type
322 L.F.	Aluminum Edging
27.25 C.Y.	Screened Topsoil for Lawn, Planting Beds & Tree Planting Pits
5 C.Y.	Finished Compost for Planting Beds & Tree Planting Pits
10 C.Y.	Shredded Hardwood Mulch
16,255 S.F.	Lawn Seed w/ Hydromulch
100 L.F.	Tree Protection Fence

CITY OF LIVONIA LANDSCAPE REQUIREMENT CHART

REQUIRED SNOW STORAGE

	REQUIREMENT	PROVIDED
	10% OF REQUIRED PARKING STALL AREA	
REQUIRED PARKING STALL AREA: 23 SPACES X 200 SF/STALL=4,600 S.F.	460 S.F. SNOW STORAGE AREA	1,565 S.F. SNOW STORAGE AREA

REQUIRED FRONTAGE LANDSCAPING

	REQUIREMENT	PROVIDED
	1 TREE / 40 L.F. 1 ORNAMENTAL TREE / 100 L.F. 8 SHRUBS / 40 L.F.	
PLYMOUTH RD. FRONTAGE DISTANCE: 240 L.F.	6 TREES 2.4 ORNAMENTAL TREE 48 SHRUBS	4 EX. TREES, 2 TREES 3 ORNAMENTAL TREES 53 SHRUBS

REQUIRED PARKING LOT LANDSCAPING - SCREENING

	REQUIREMENT	PROVIDED
	A 3' HIGH, 5' WIDE OPAQUE SCREEN WHEN PARKING IS VISIBLE FROM PUBLIC R.O.W.	
PLYMOUTH ROAD FRONTAGE	REQUESTING WAIVER PER SECTION 10.03.4 DISPLAY AREA SCREENING: "THE CITY COUNCIL MAY MODIFY OR WAIVE THESE REQUIREMENTS WHERE OUTDOOR DISPLAY IS INTEGRAL TO THE PRINCIPAL USE OF THE PROPERTY (E.G., OUTDOOR VEHICLE SALES)."	

REQUIRED PARKING LOT LANDSCAPING - INTERNAL

	REQUIREMENT	PROVIDED
	MIN. 5% PAVED PARKING AREA 1 TREE / 300 S.F. LANDSCAPE AREA	
PAVED PARKING AREA: 54,370 S.F.	2,719 S.F. INT. LANDSCAPE AREA 9.1 TREES	2,754 S.F. INT. LANDSCAPE AREA 10 TREES

REQUIRED GREENBELT BUFFERING - C-2 ADJACENT TO C-2

	REQUIREMENT	PROVIDED
	1 SHADE TREE / 30 L.F.	
WEST BOUNDARY DISTANCE: 397.23 L.F.	13.2 SHADE TREES	14 SHADE TREES
EAST BOUNDARY DISTANCE: 145 L.F.	4.8 SHADE TREES	REQUEST WAIVER PER PRE-EXISTING NONCONFORMING SITE CONDITIONS

REQUIRED GREENBELT BUFFERING - C-2 ADJACENT TO M-1

	REQUIREMENT	PROVIDED
	1 TREE / 20 L.F. 50% EVERGREEN TREES	
NORTH BOUNDARY DISTANCE: 300 L.F.	15 TREES	REQUEST WAIVER PER PRE-EXISTING NONCONFORMING SITE CONDITIONS
EAST BOUNDARY DISTANCE: 243.5 L.F.	12.2 TREES	

ABBREVIATIONS

TYPE	DESCRIPTION
ALUM.	ALUMINUM
APPROX.	APPROXIMATELY
CAL.	CALIPER
C.Y.	CUBIC YARD
DIA.	DIAMETER
DWGS.	DRAWINGS
EX.	EXISTING
GAL.	GALLON
HT.	HEIGHT
L.F.	LINEAR FEET
MAX.	MAXIMUM
MIN.	MINIMUM
O.C.	ON CENTER
S.F.	SQUARE FEET
SPD.	SPREAD
TYP.	TYPICAL

REFERENCE SYMBOLS



GENERAL NOTES

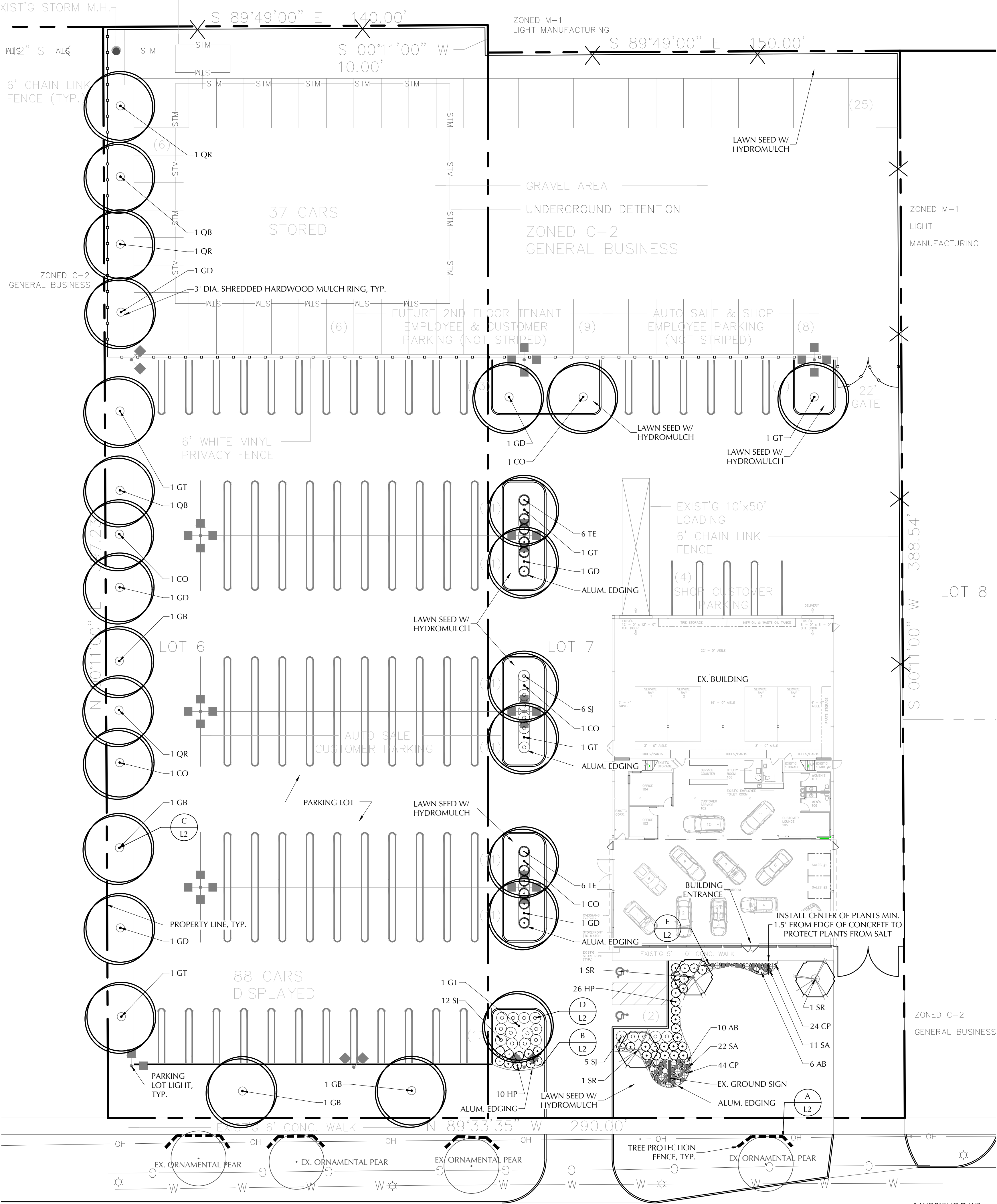
- Quantities shown are for the convenience of the contractor only. Contractor is responsible for verifying quantities, and for providing sufficient materials to complete the job per plan.
- Some field adjustments may be necessary to ensure that there are no conflicts between existing and proposed plants.
- Fine grade, fertilize and seed all disturbed lawn areas resulting from construction. All lawn areas shall drain completely and shall not pond or puddle. Aerate existing lawn where it has been compacted by equipment.

VEGETATION REMOVAL NOTE

All existing trees, shrubs, brush, and stumps to be removed except for four existing Ornamental Pear trees along Plymouth Road.

MIXED PERENNIAL PLANTING NOTE

In the planting bed in front of the building, Amsonia 'Blue Ice' (AB), Cerastostigma plumbaginoides (CP), and Sesleria autumnalis (SA) are to be planted in a mixed composition as shown on the Landscape Plan.



ELEMENTS STUDIO inc
LANDSCAPE ARCHITECTURE
907 Britten Ave., Lansing, MI 48910
www.ElementsStudio.net | P: (517) 599-7152

CLIENT:
Mr. Ben Tiseo
Tiseo Architects, Inc.
19815 Farmington Road
Livonia, MI 48152
P: 248.888.1300

PLYMOUTH AUTO SALES
36534 PLYMOUTH RD. LIVONIA, MICHIGAN
LANDSCAPE PLAN

PRELIMINARY
NOT FOR
CONSTRUCTION



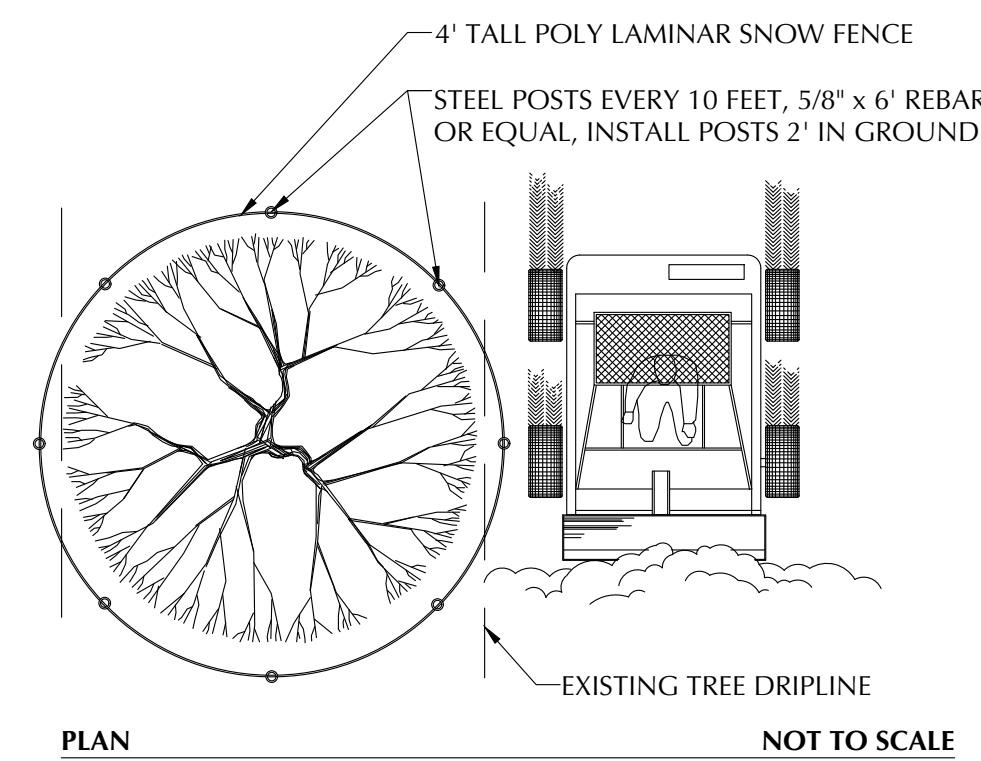
ISSUED:	
2/14/22	Client Rvw.
2/17/22	Site Plan Approval

PROJECT NUMBER:
T12201
DRAWN BY:
KF, JF
CHECKED BY:
JF

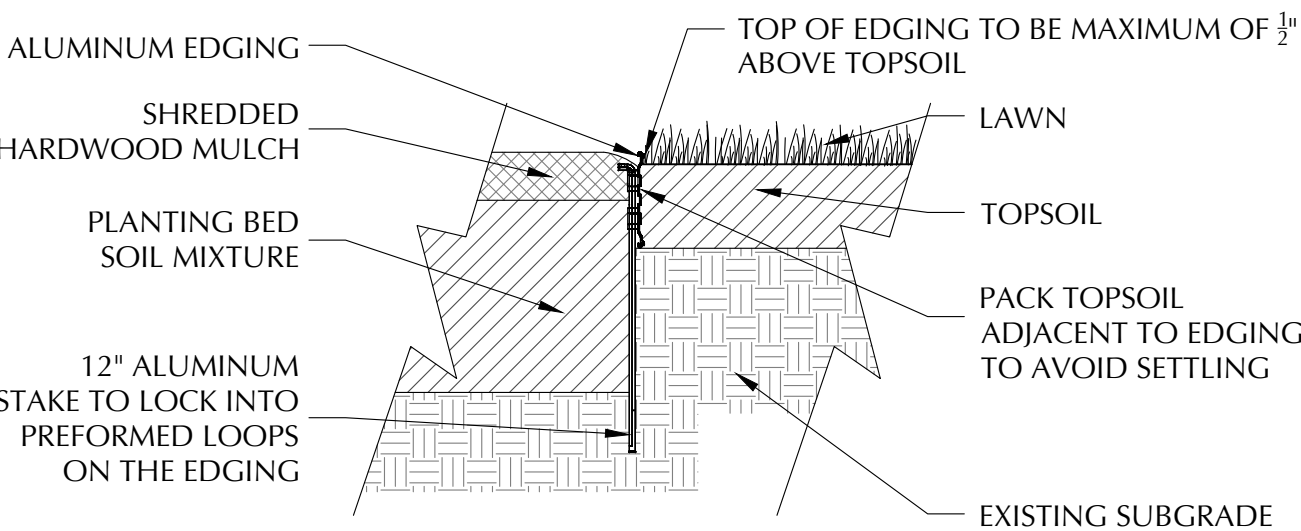
SCALE:
AS INDICATED

SHEET NUMBER:
L1
SHEET 1 OF 2

FILE PATH: ES2022/T12201/AUTOCAD/T12201_LAB_01LP - COPYRIGHT ©2022 ELEMENTS STUDIO, INC.



L2 NOT TO SCALE

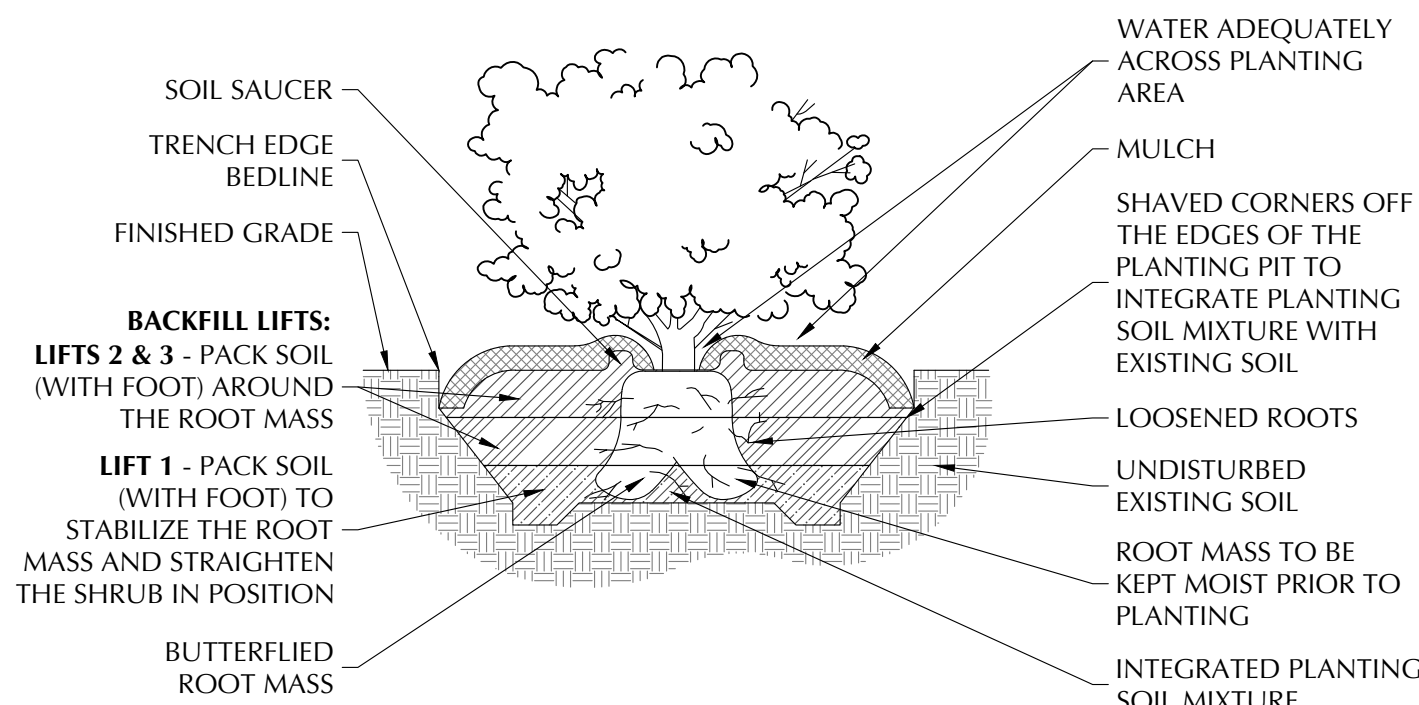


L2 NOT TO SCALE

Diagram illustrating the steps for planting a tree in a trench:

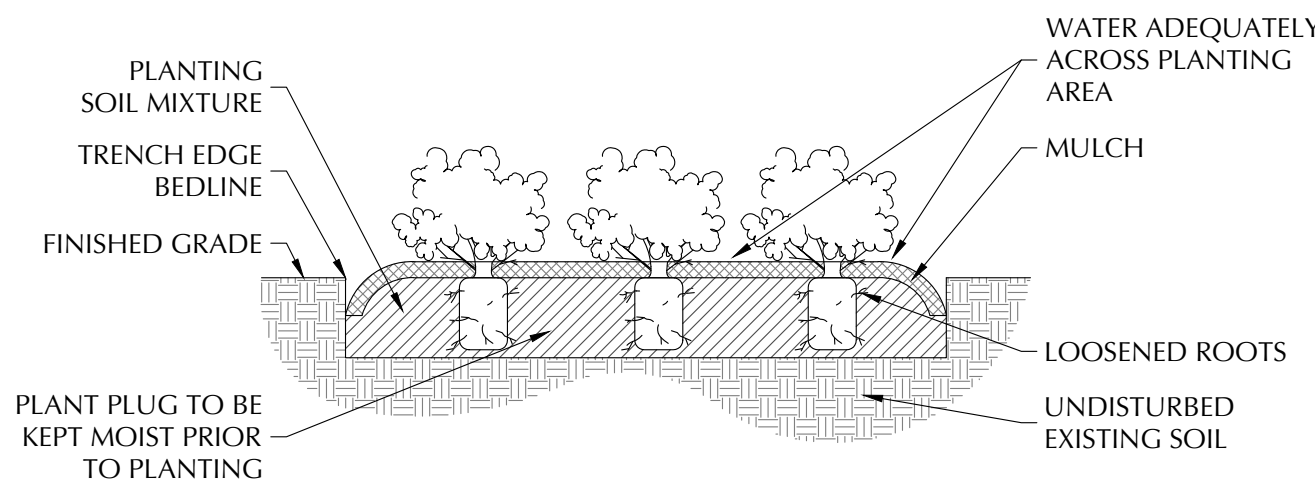
- EXPOSE ROOT COLLAR AND PRUNE ANY GIRDLING / CIRCLING ROOTS
- SOIL SAUCER
- REMOVE TWINE, BASKET WIRE, AND BURLAP FROM THE TOP OF THE ROOTBALL
- TRENCH EDGE BEDLINE
- FINISHED GRADE
- BACKFILL LIFTS:**
 - LIFTS 2 & 3 - PACK SOIL (WITH FOOT) AROUND THE ROOT BALL
 - LIFT 1 - PACK SOIL (WITH FOOT) TO STABILIZE THE ROOT BALL AND STRAIGHTEN THE TREE IN POSITION
- WATER ADEQUATELY ACROSS PLANTING AREA
- MULCH
- SHAVED CORNERS OFF THE EDGES OF THE PLANTING PIT TO INTEGRATE PLANTING SOIL MIXTURE WITH EXISTING SOIL
- UNDISTURBED EXISTING SOIL
- ROOT BALL TO BE KEPT MOIST PRIOR TO PLANTING

L2 NOT TO SCALE



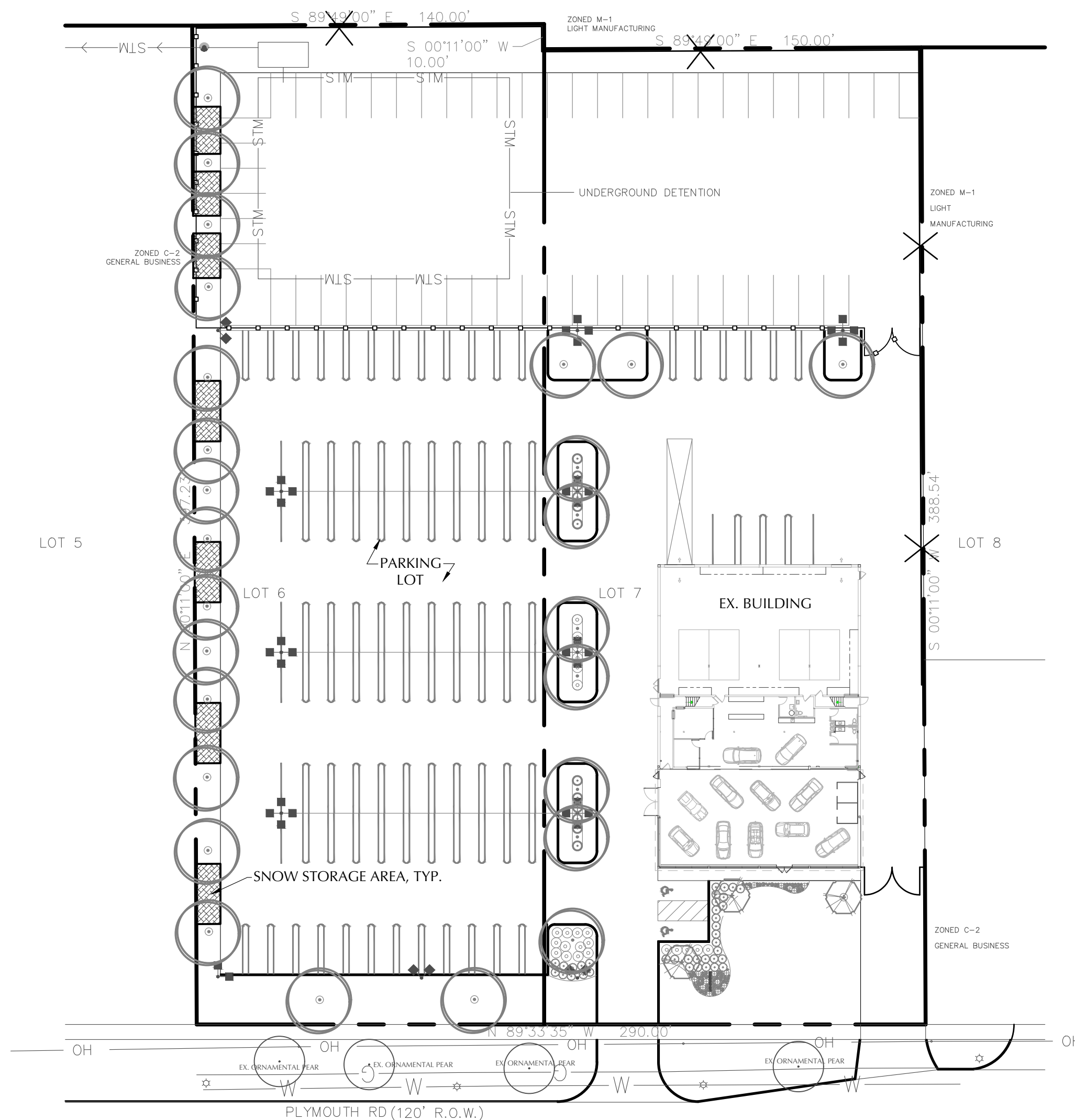
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NOT TO SCALE

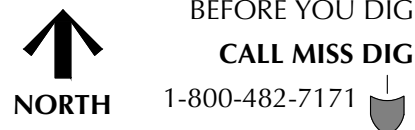
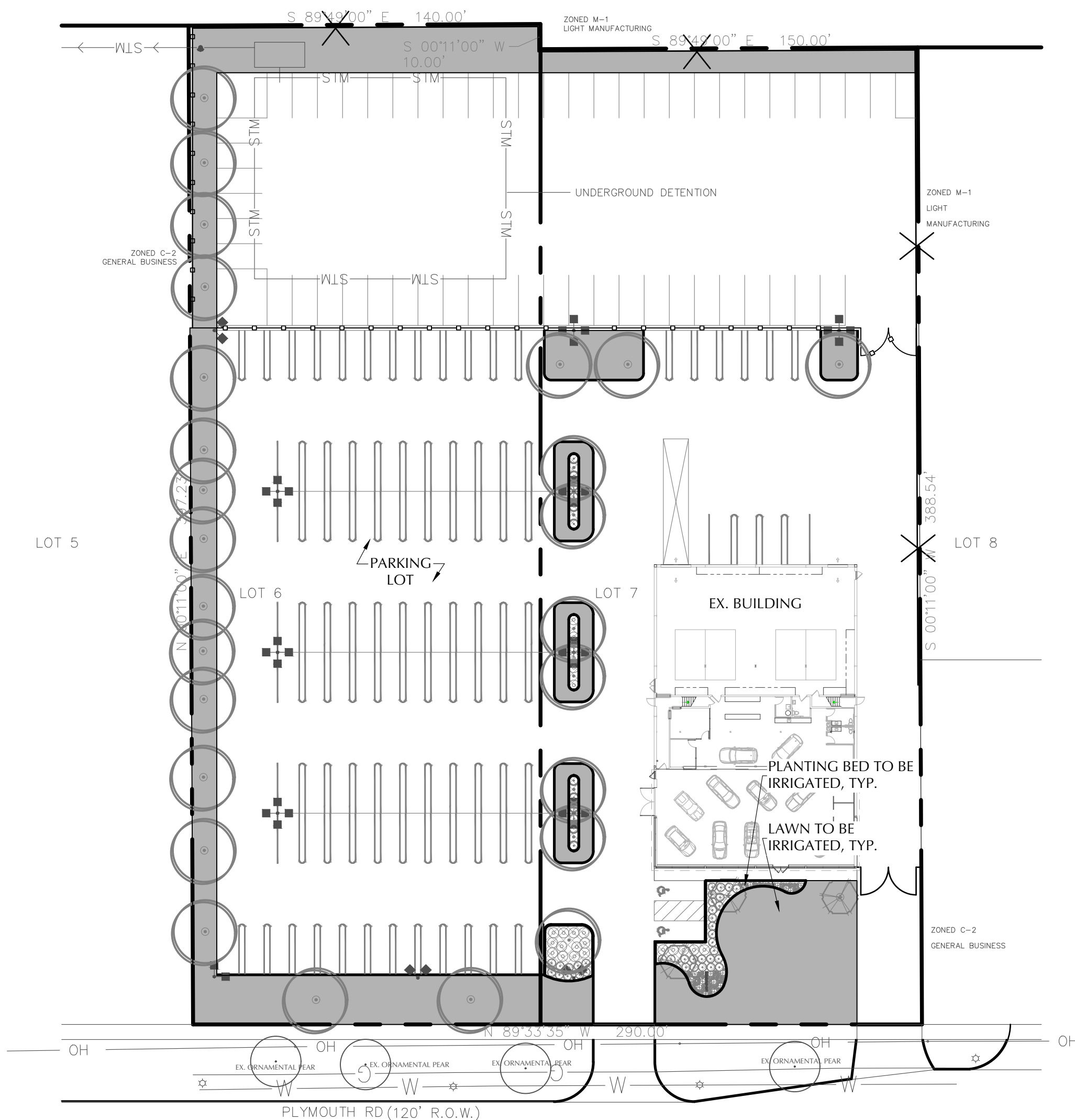


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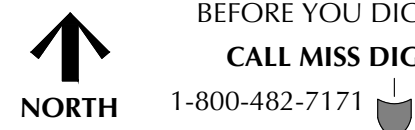
1. Install irrigation system for all proposed planting beds and lawn areas.
2. Provide separate irrigation zones for lawn and planting beds so that run frequencies and times can be customized for the water needs of each type of planting
3. Minimize overspray onto hard surfaces.
4. Irrigation system to include rain sensor and weather-responsive controller.



SCALE: 1" = 40'
SCALE IN FEET: 0' 20' 40' 80'

 AREAS WHERE SNOW
WILL BE STORED

SCALE: 1" = 40'
SCALE IN FEET: 0' 20' 40' 80'



 PLANTING BED AREAS TO IRRIGATE (1,445 S.F.)
 LAWN AREAS TO IRRIGATE (16,255 S.F.)

CLIENT:
Mr. Ben Tiseo
Tiseo Architects, Inc.
19815 Farmington Road
Livonia, MI 48152
P: 248.888.1300

PLYMOUTH AUTO SALES
36534 PLYMOUTH RD. LIVONIA, MICHIGAN
DETAILS, SNOW STORAGE & IRRIGATION

PRELIMINARY
NOT FOR
CONSTRUCTION



ISSUED:	
2/14/22	Client Rvw.
2/17/22	Site Plan Approval

PROJECT NUMBER:
TI2201

DRAWN BY:
KF, JF

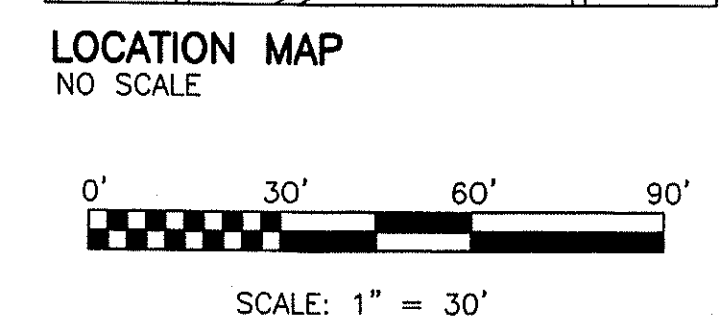
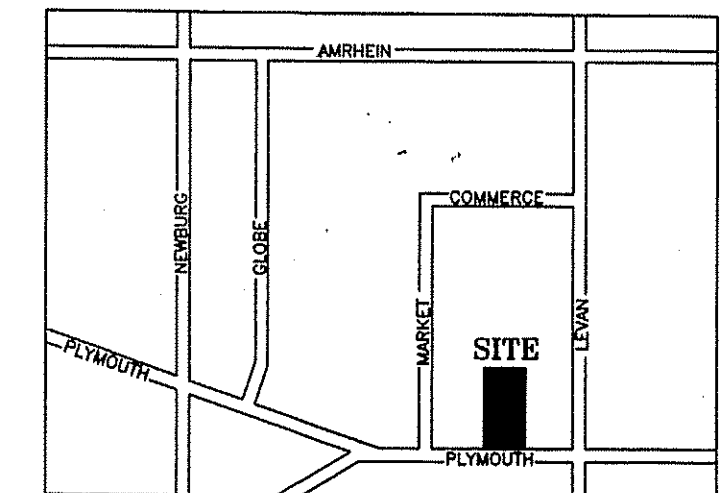
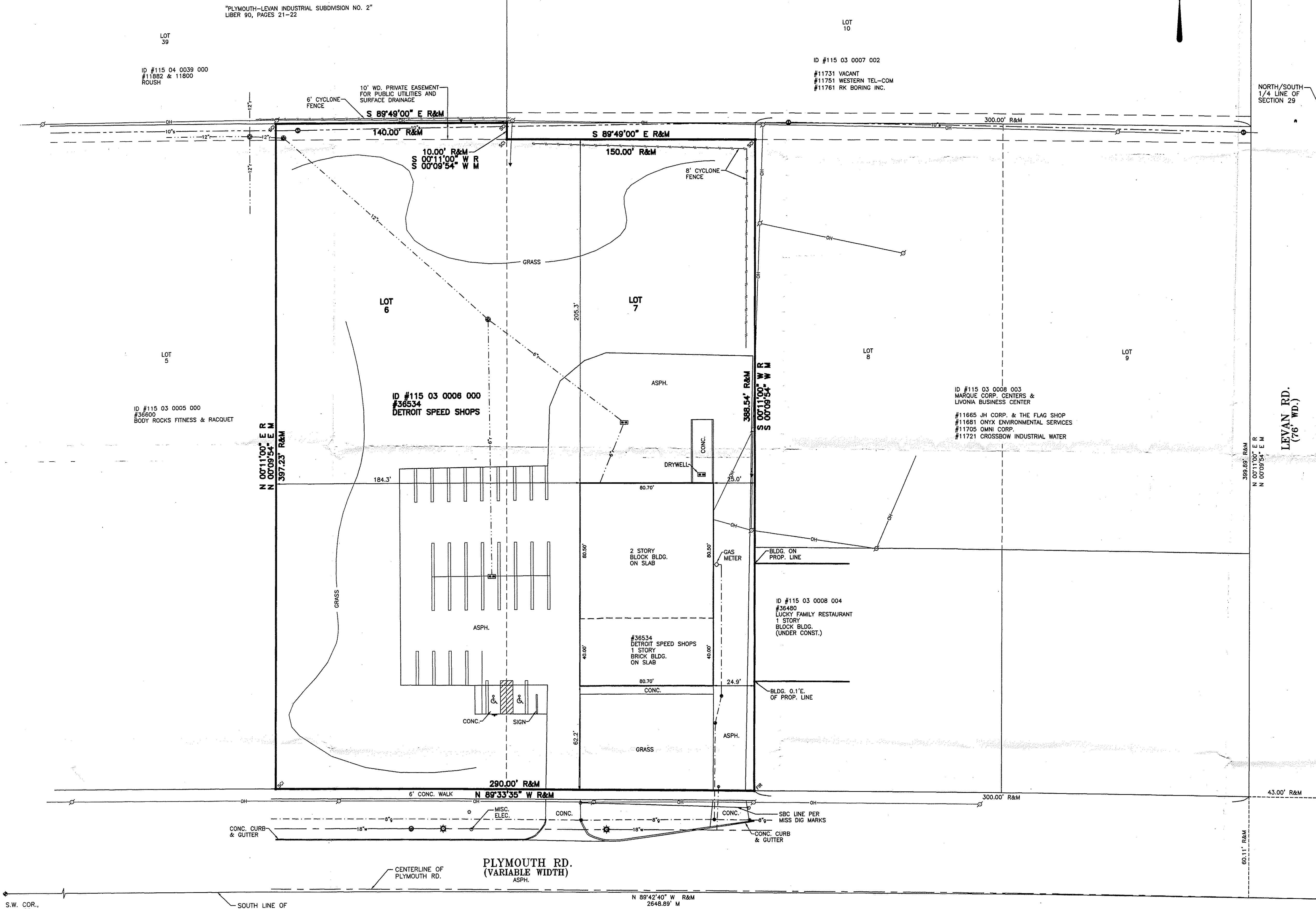
CHECKED BY:
JF

SCALE:
AS INDICATED

SHEET NUMBER:

L2

SHEET 2 OF 2



LEGAL DESCRIPTION
LOTS 6 AND 7, EXCEPT THE NORTH 10 FEET OF LOT 7 OF "PLYMOUTH-LEVAN INDUSTRIAL SUBDIVISION", PART OF THE SOUTHWEST 1/4 OF SECTION 29, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 89 OF PLATS, PAGE 19, WAYNE COUNTY RECORDS.

FLOODPLAIN
SUBJECT PROPERTY LIES IN FLOOD ZONE "C" WHICH IS AN AREA OF MINIMAL FLOODING PER FLOOD INSURANCE RATE MAP FOR THE CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN. COMMUNITY-PANEL NUMBER 260233 0005 B EFFECTIVE DATE: NOVEMBER 4, 1981

PARKING NOTE
1. 28 REGULAR SPACES
2. 2 HANDICAPPED SPACES

UTILITY COMPANIES

AT&T
31100 PLYMOUTH RD.
ROOM 301
LIVONIA, MI 48150
(734) 523-7575
(734) 523-7589 FAX

DTE ENERGY
2000 SECOND AVE. (518 S.B.)
DETROIT, MI 48226
(313) 235-9043
(313) 235-9366 FAX

CONSUMERS ENERGY (GAS)
530 W. WILLOW ST.
LANSING, MI 48909
(517) 374-0419 FAX

BRIGHT HOUSE NETWORK
25000 CAPITOL AVE.
REDFORD, MI 48239
(313) 538-3911 EXT. 1112
(313) 538-1237 FAX

UTILITY NOTE
UNDERGROUND UTILITY LINES AND STRUCTURES SHOWN ARE PER RECORDS MADE AVAILABLE BY UTILITY OR MUNICIPALITY, AND BY FIELD OBSERVATION WHERE POSSIBLE.

LEGEND		
RECORDED	R	STORM MANHOLE
MEASURED	M	STORM CATCH BASIN
SET CAPPED IRON	SCI	SANITARY MANHOLE
FOUND CAPPED IRON	FCI	GATE VALVE & WELL
FOUND IRON PIPE	FIP	WATER/GAS SHUT OFF
FOUND IRON ROD	FIR	UTILITY POLE
GAS MAIN	---	SIGN
WATERMAIN	---	LIGHT
STORM SEWER	---	HANDICAPPED STALL
SANITARY SEWER	---	GYWIRE
OVERHEAD WIRES	---	GAS MARKER
FENCE	---	

SURVEYOR'S CERTIFICATE

CERTIFY TO:
COLLIERS INTERNATIONAL
FIRST AMERICAN TITLE INSURANCE COMPANY
RMCH INVESTMENT COMPANY, L.L.C.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 2005. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS." FURTHER MORE, IT IS CERTIFIED THAT NO PORTION OF THE PROPERTY LIES WITHIN A FEDERALLY DESIGNATED FLOOD PLAIN, THERE ARE NO ENCROACHMENTS EITHER ONTO OR OFF OF THE PROPERTY, AND ALL IMPROVEMENTS ARE LOCATED WITHIN THE PROPERTY LINES.

Greg L. Ash
GREG L. ASH, P.L.S. #28400
DATE 4/28/04

FILE NO.: 2766-0006	DWG. NO.: 2766-006
DESIGNED BY:	SHEET No.
DRAWN BY: KFB	1 OF 1
CHECKED BY: ALH	
SCALE: 1" = 30'	

04/28/06 CLIENT

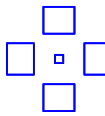
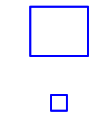
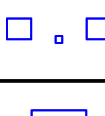
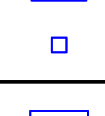
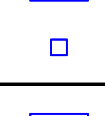
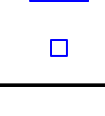
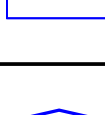
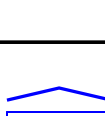
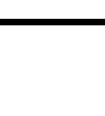
COLLIERS INTERNATIONAL
2 CORPORATE DRIVE
SUITE 300
SOUTHFIELD MI 48076

9800 W. ANN ARBOR RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657

GLA
SURVEYORS & ENGINEERS

ALTA/ACSM LAND TITLE SURVEY
DETROIT SPEED SHOPS
36534 PLYMOUTH RD.
LOT 6 & PART OF LOT 7, PLYMOUTH-LEVAN IND. SUB.

STATE OF MICHIGAN
GREG L. ASH
PROFESSIONAL SURVEYOR
No. 28400
LICENSED PROFESSIONAL SURVEYOR

Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Lumens Per Lamp	Light Loss Factor	Wattage
	P1	7	Lithonia Lighting	DSX1 LED P4 40K T5M MVOLT	DSX1 LED P4 40K T5M MVOLT	LED	15042	0.9	500
	P2	1	Lithonia Lighting	DSX1 LED P4 40K LCCO MVOLT	DSX1 LED P4 40K LCCO MVOLT	LED	8838	0.9	125
	P3	2	Lithonia Lighting	DSX1 LED P4 40K T2M MVOLT HS	DSX1 LED P4 40K T2M MVOLT with houseside shield	LED	11846	0.9	250
	P4	4	Lithonia Lighting	DSX1 LED P4 40K BLC MVOLT	DSX1 LED P4 40K BLC MVOLT	LED	11878	0.9	125
	P5	1	Lithonia Lighting	DSX1 LED P4 40K T2M MVOLT	DSX1 LED P4 40K T2M MVOLT	LED	14457	0.9	125
	P6	0	Lithonia Lighting	DSX1 LED P1 40K T2M MVOLT	DSX1 LED P1 40K T2M MVOLT	LED	6948	0.9	54
	WP1	2	Lithonia Lighting	DSXW1 LED 10C 1000 40K T2S MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T2S OPTIC, 4000K, @ 1000mA.	LED	3957	0.9	38.8
	WP2	1	Lithonia Lighting	DSXW1 LED 10C 1000 40K TFM MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE TFM OPTIC, 4000K, @ 1000mA.	LED	3945	0.9	38.8
	WP3	1	Lithonia Lighting	DSXW1 LED 10C 1000 40K T2M MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T2M OPTIC, 4000K, @ 1000mA.	LED	3771	0.9	38.8

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Front Lot	✖	6.5 fc	12.5 fc	0.1 fc	125.0:1	65.0:1	0.5:1
Grade @ 0'	+	2.5 fc	12.5 fc	0.0 fc	N/A	N/A	0.2:1
Property Line	+	0.3 fc	0.9 fc	0.0 fc	N/A	N/A	0.3:1
Rear Lot	✖	2.2 fc	10,6 fc	0.2 fc	53.0:1	11.0:1	0.2:1

General Note

- SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
- CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0"
- LIGHTING ALTERNATES REQUIRE NEW PHOTOMETRIC CALCULATION AND RESUBMISSION TO CITY FOR APPROVAL.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

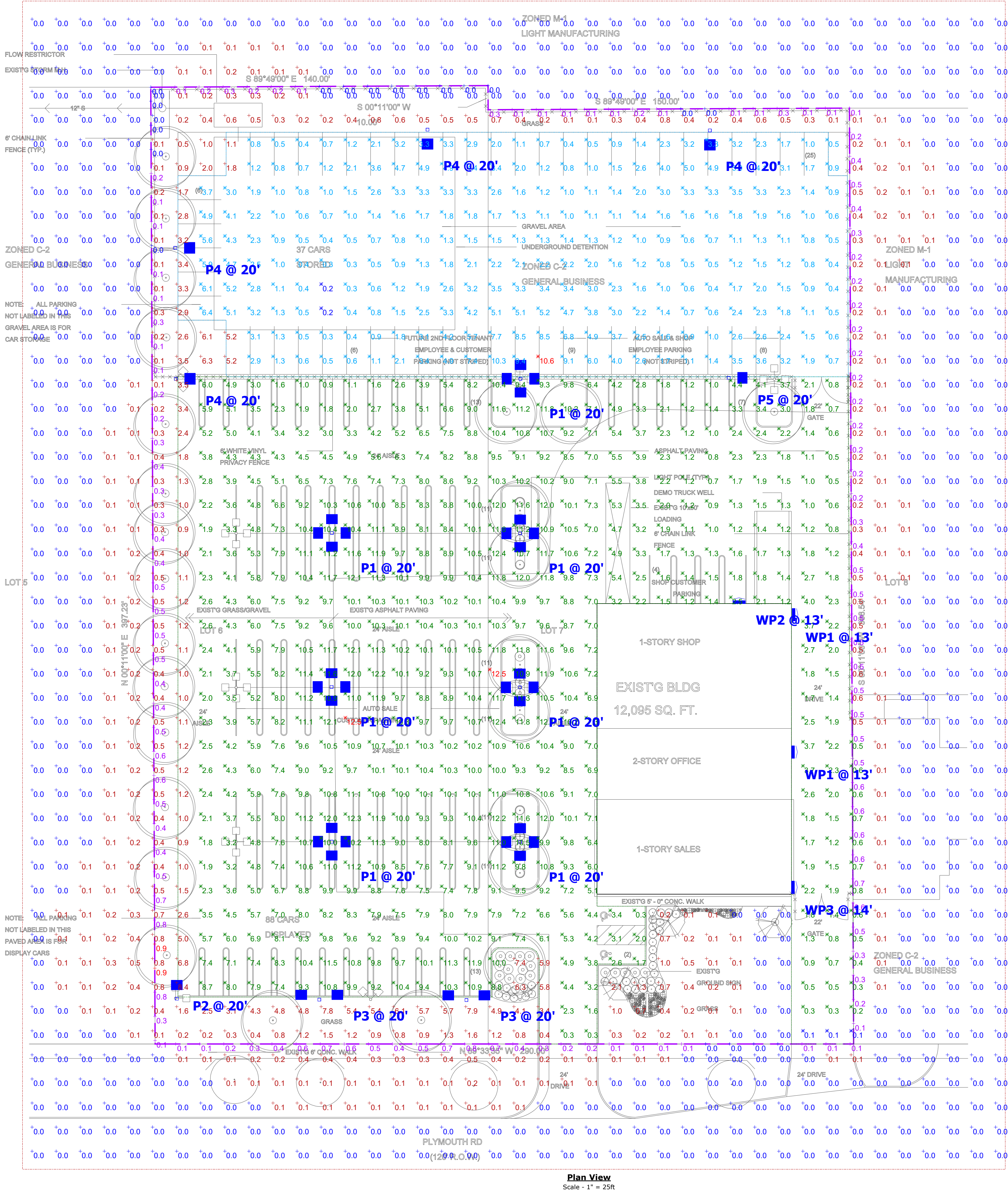
THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705.

FOR ORDERING INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.



Plan View
Scale - 1" = 25ft



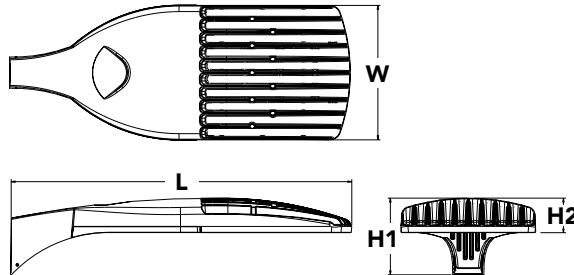
D-Series Size 1 LED Area Luminaire



d#series

Specifications

EPA:	1.01 ft ² (0.09 m ²)
Length:	33" (83.8 cm)
Width:	13" (33.0 cm)
Height H1:	7-1/2" (19.0 cm)
Height H2:	3-1/2"
Weight (max):	27 lbs (12.2 kg)



Catalog
Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX1 LED					
Series	LEDs	Color temperature	Distribution	Voltage	Mounting
DSX1 LED	Forward optics P1 P4 ¹ P7 ¹ P2 P5 ¹ P8 P3 P6 ¹ P9 ¹ Rotated optics P10 ² P12 ² P11 ² P13 ^{1,2}	30K 3000 K 40K 4000 K 50K 5000 K	T1S Type I short (Automotive) T2S Type II short T2M Type II medium T3S Type III short T3M Type III medium T4M Type IV medium TFTM Forward throw medium T5VS Type V very short ³ T5S Type V short ³ T5M Type V medium ³ T5W Type V wide ³ BLC Backlight control ⁴ LCCO Left corner cutoff ⁴ RCCO Right corner cutoff ⁴	MVOLT ⁵ XVOLT (277V-480V) ^{6,7,8} 120 ⁹ 208 ⁹ 240 ⁹ 277 ⁹ 347 ⁹ 480 ⁹	Shipped included SPA Square pole mounting RPA Round pole mounting ¹⁰ WBA Wall bracket ³ SPUMBA Square pole universal mounting adaptor ¹¹ RPUMBA Round pole universal mounting adaptor ⁹ Shipped separately KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) ¹²

Control options	Other options	Finish (required)
Shipped installed NLTAIR2 nLight AIR generation 2 enabled ¹³ PIRHN Network, high/low motion/ambient sensor ¹⁴ PER NEMA twist-lock receptacle only (controls ordered separate) ¹⁵ PER5 Five-pin receptacle only (controls ordered separate) ^{15,16} PER7 Seven-pin receptacle only (controls ordered separate) ^{15,16} DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) ¹⁷ DS Dual switching ^{18,19,20}	PIR High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 5fc ^{20,21} PIRH High/low, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 5fc ^{20,21} PIR1FC3V High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc ^{20,21} PIRH1FC3V Bi-level, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc ^{20,21} FA0 Field adjustable output ^{20,21} Shipped installed HS House-side shield ²³ SF Single fuse (120, 277, 347V) ⁹ DF Double fuse (208, 240, 480V) ⁹ L90 Left rotated optics ² R90 Right rotated optics ² HA 50°C ambient operations ¹ BAA Buy America(n) Act Compliant Shipped separately BS Bird spikes ²⁴ EGS External glare shield	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white



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DSX1-LED
 Rev. 07/19/21
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Ordering Information

Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) ²⁵
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) ²⁵
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) ²⁵
DSHORT SBK U	Shorting cap ²⁵
DSX1HS 30C U	House-side shield for P1, P2, P3, P4 and P5 ²³
DSX1HS 40C U	House-side shield for P6 and P7 ²³
DSX1HS 60C U	House-side shield for P8, P9, P10, P11 and P12 ²³
PUMBA DOBXD U*	Square and round pole universal mounting bracket (specify finish) ²⁵
KMA8 DOBXD U	Mast arm mounting bracket adaptor (specify finish) ¹²
DSX1EGS (FINISH) U	External glare shield

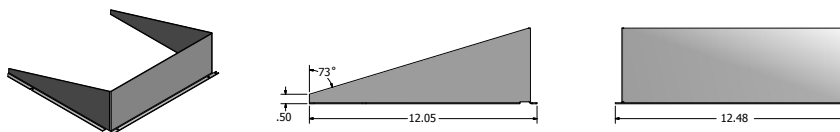
For more control options, visit [DTL](#) and [ROAM](#) online.

NOTES

- HA not available with P4, P5, P6, P7, P9 and P13.
- P10, P11, P12 or P13 and rotated optics (L90, R90) only available together.
- Any Type 5 distribution with photocell, is not available with WBA.
- Not available with HS.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- XVOLT only suitable for use with P3, P5, P6, P7, P9 and P13.
- XVOLT works with any voltage between 277V and 480V.
- XVOLT not available with fusing (SF or DF) and not available with PIR, PIRH, PIR1FC3V, PIRH1FC3V.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V. XVOLT not available with fusing (SF or DF).
- Suitable for mounting to round poles between 3.5" and 12" diameter.
- Universal mounting brackets intended for retrofit on existing, pre-drilled poles only. 1.5 G vibration load rating per ANCI C136.31. Only usable when pole's drill pattern is NOT Lithonia template #8.
- Must order fixture with SPA option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" diameter mast arm (not included).
- Must be ordered with PIRHN. Sensor cover available only in dark bronze, black, white and natural aluminum colors.
- Must be ordered with NLTAIR2. For more information on nLight Air 2 visit [this link](#).
- Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting cap included.
- If ROAM® node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Node with integral dimming.
- DMG not available with PIRHN, PER5, PER7, PIR, PIRH, PIR1FC3V or PIRH1FC3V, FAO.
- Provides 50/50 fixture operation via (2) independent drivers. Not available with PER, PER5, PER7, PIR or PIRH. Not available P1, P2, P3, P4 or P5.
- Requires (2) separately switched circuits with isolated neutral.
- Reference Controls Option Default settings table on page 4.
- Reference Motion Sensor table on page 4 to see functionality.
- Not available with other dimming controls options.
- Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessory; see Accessories information.
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER, PER5 or PER7 option. See Control Option Table on page 4.
- For retrofit use only. Only usable when pole's drill pattern is NOT Lithonia template #8.

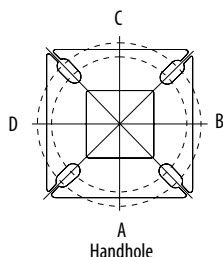
Options

EGS - External Glare Shield



Drilling

HANDHOLE ORIENTATION



Tenon Mounting Slipfitter

Tenon O.D.	Mounting	Single Unit	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
2-3/8"	RPA	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 390	AS3-5 320	AS3-5 490
2-7/8"	RPA	AST25-190	AST25-280	AST25-290	AST25-390	AST25-320	AST25-490
4"	RPA	AST35-190	AST35-280	AST35-290	AST35-390	AST35-320	AST35-490

Mounting Option	Drilling Template	Single	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
Head Location		Side B	Side B & D	Side B & C	Side B, C & D	Round Pole Only	Side A, B, C & D
Drill Nomenclature	#8	DM19AS	DM28AS	DM29AS	DM39AS	DM32AS	DM49AS

DSX1 Area Luminaire - EPA

*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

Fixture Quantity & Mounting Configuration	Single DM19	2 @ 180 DM28	2 @ 90 DM29	3 @ 90 DM39	3 @ 120 DM32	4 @ 90 DM49
Mounting Type						
DSX1 LED	1.013	2.025	1.945	3.038	2.850	3.749

	Drilling Template	Minimum Acceptable Outside Pole Dimension					
SPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
RPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
SPUMBA	#5	2-7/8"	3"	4"	4"	3.5"	4"
RPUMBA	#5	2-7/8"	3.5"	5"	5"	3.5"	5"



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DSX1-LED

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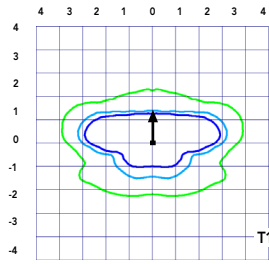
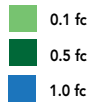
Page 2 of 8

Photometric Diagrams

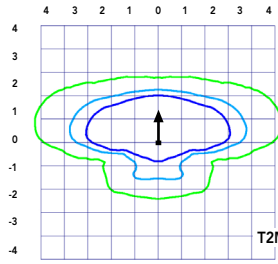
To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [D-Series Area Size 1 homepage](#).

Isofootcandle plots for the DSX1 LED 60C 1000 40K. Distances are in units of mounting height (25').

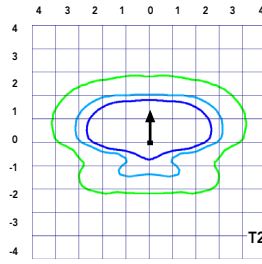
LEGEND



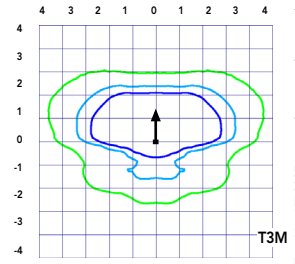
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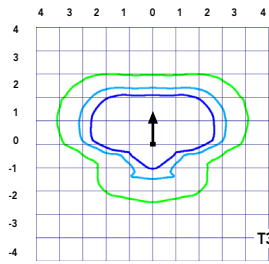
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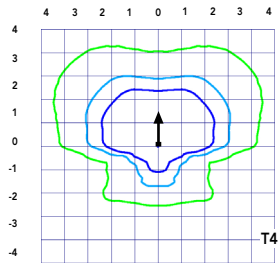
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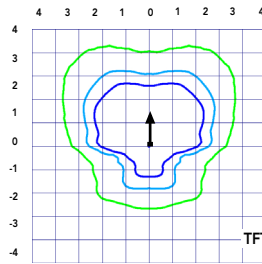
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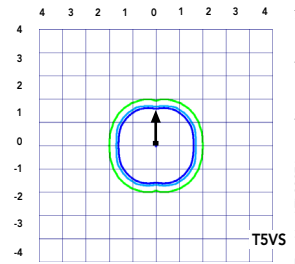
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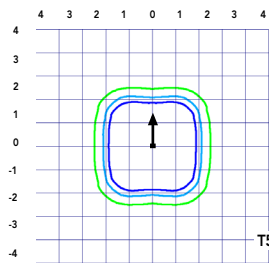
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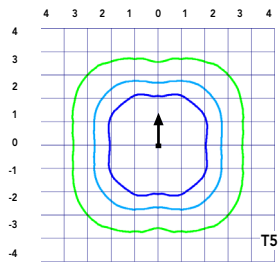
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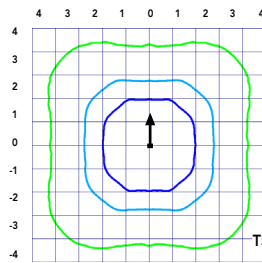
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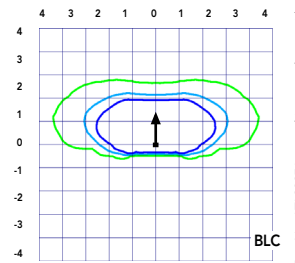
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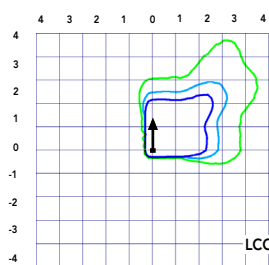
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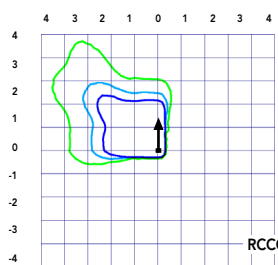
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Test No. LTL23271 tested in accordance with IESNA LM-79-08.



Test No. LTL23211 tested in accordance with IESNA LM-79-08.



Test No. LTL23164B tested in accordance with IESNA LM-79-08.

Performance Data

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.04
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	Lumen Maintenance Factor
0	1.00
25,000	0.96
50,000	0.92
100,000	0.85

Motion Sensor Default Settings						
Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
*PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

*for use when motion sensor is used as dusk to dawn control.

Electrical Load

					Current (A)					
	Performance Package	LED Count	Drive Current	Wattage	120	208	240	277	347	480
Forward Optics (Non-Rotated)	P1	30	530	54	0.45	0.26	0.23	0.19	0.10	0.12
	P2	30	700	70	0.59	0.34	0.30	0.25	0.20	0.16
	P3	30	1050	102	0.86	0.50	0.44	0.38	0.30	0.22
	P4	30	1250	125	1.06	0.60	0.52	0.46	0.37	0.27
	P5	30	1400	138	1.16	0.67	0.58	0.51	0.40	0.29
	P6	40	1250	163	1.36	0.78	0.68	0.59	0.47	0.34
	P7	40	1400	183	1.53	0.88	0.76	0.66	0.53	0.38
	P8	60	1050	207	1.74	0.98	0.87	0.76	0.64	0.49
	P9	60	1250	241	2.01	1.16	1.01	0.89	0.70	0.51
Rotated Optics (Requires L90 or R90)	P10	60	530	106	0.90	0.52	0.47	0.43	0.33	0.27
	P11	60	700	137	1.15	0.67	0.60	0.53	0.42	0.32
	P12	60	1050	207	1.74	0.99	0.87	0.76	0.60	0.46
	P13	60	1250	231	1.93	1.12	0.97	0.86	0.67	0.49

Controls Options

Nomenclature	Description	Functionality	Primary control device	Notes
FA0	Field adjustable output device installed inside the luminaire; wired to the driver dimming leads.	Allows the luminaire to be manually dimmed, effectively trimming the light output.	FA0 device	Cannot be used with other controls options that need the 0-10V leads
DS	Drivers wired independently for 50/50 luminaire operation	The luminaire is wired to two separate circuits, allowing for 50/50 operation.	Independently wired drivers	Requires two separately switched circuits. Consider nLight AIR as a more cost effective alternative.
PERS or PER7	Twist-lock photocell receptacle	Compatible with standard twist-lock photocells for dusk to dawn operation, or advanced control nodes that provide 0-10V dimming signals.	Twist-lock photocells such as DLL Elite or advanced control nodes such as ROAM.	Pins 4 & 5 to dimming leads on driver, Pins 6 & 7 are capped inside luminaire
PIR or PIRH	Motion sensors with integral photocell. PIR for 8-15' mounting; PIRH for 15-30' mounting	Luminaires dim when no occupancy is detected.	Acuity Controls SBGR	Also available with PIRH1FC3V when the sensor photocell is used for dusk-to-dawn operation.
NLTAIR2 PIRHN	nLight AIR enabled luminaire for motion sensing, photocell and wireless communication.	Motion and ambient light sensing with group response. Scheduled dimming with motion sensor over-ride when wirelessly connected to the nLight Eclipse.	nLight Air rSDGR	nLight AIR sensors can be programmed and commissioned from the ground using the CIAIRity Pro app.

Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts Contact factory for performance data on any configurations not shown here.

Forward Optics																			
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
30	530	P1	54W	T1S	6,457	2	0	2	120	6,956	2	0	2	129	7,044	2	0	2	130
				T2S	6,450	2	0	2	119	6,949	2	0	2	129	7,037	2	0	2	130
				T2M	6,483	1	0	1	120	6,984	2	0	2	129	7,073	2	0	2	131
				T3S	6,279	2	0	2	116	6,764	2	0	2	125	6,850	2	0	2	127
				T3M	6,468	1	0	2	120	6,967	1	0	2	129	7,056	1	0	2	131
				T4M	6,327	1	0	2	117	6,816	1	0	2	126	6,902	1	0	2	128
				TFTM	6,464	1	0	2	120	6,963	1	0	2	129	7,051	1	0	2	131
				TSVS	6,722	2	0	0	124	7,242	3	0	0	134	7,334	3	0	0	136
				TSS	6,728	2	0	1	125	7,248	2	0	1	134	7,340	2	0	1	136
				TSM	6,711	3	0	1	124	7,229	3	0	1	134	7,321	3	0	2	136
				TSW	6,667	3	0	2	123	7,182	3	0	2	133	7,273	3	0	2	135
				BLC	5,299	1	0	1	98	5,709	1	0	2	106	5,781	1	0	2	107
				LCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80
				RCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80
30	700	P2	70W	T1S	8,249	2	0	2	118	8,886	2	0	2	127	8,999	2	0	2	129
				T2S	8,240	2	0	2	118	8,877	2	0	2	127	8,989	2	0	2	128
				T2M	8,283	2	0	2	118	8,923	2	0	2	127	9,036	2	0	2	129
				T3S	8,021	2	0	2	115	8,641	2	0	2	123	8,751	2	0	2	125
				T3M	8,263	2	0	2	118	8,901	2	0	2	127	9,014	2	0	2	129
				T4M	8,083	2	0	2	115	8,708	2	0	2	124	8,818	2	0	2	126
				TFTM	8,257	2	0	2	118	8,896	2	0	2	127	9,008	2	0	2	129
				TSVS	8,588	3	0	0	123	9,252	3	0	0	132	9,369	3	0	0	134
				TSS	8,595	3	0	1	123	9,259	3	0	1	132	9,376	3	0	1	134
				TSM	8,573	3	0	2	122	9,236	3	0	2	132	9,353	3	0	2	134
				TSW	8,517	3	0	2	122	9,175	4	0	2	131	9,291	4	0	2	133
				BLC	6,770	1	0	2	97	7,293	1	0	2	104	7,386	1	0	2	106
				LCCO	5,038	1	0	2	72	5,427	1	0	2	78	5,496	1	0	2	79
				RCCO	5,038	1	0	2	72	5,427	1	0	2	78	5,496	1	0	2	79
30	1050	P3	102W	T1S	11,661	2	0	2	114	12,562	3	0	3	123	12,721	3	0	3	125
				T2S	11,648	2	0	2	114	12,548	3	0	3	123	12,707	3	0	3	125
				T2M	11,708	2	0	2	115	12,613	2	0	2	124	12,773	2	0	2	125
				T3S	11,339	2	0	2	111	12,215	3	0	3	120	12,370	3	0	3	121
				T3M	11,680	2	0	2	115	12,582	2	0	2	123	12,742	2	0	2	125
				T4M	11,426	2	0	3	112	12,309	2	0	3	121	12,465	2	0	3	122
				TFTM	11,673	2	0	2	114	12,575	2	0	3	123	12,734	2	0	3	125
				TSVS	12,140	3	0	1	119	13,078	3	0	1	128	13,244	3	0	1	130
				TSS	12,150	3	0	1	119	13,089	3	0	1	128	13,254	3	0	1	130
				TSM	12,119	4	0	2	119	13,056	4	0	2	128	13,221	4	0	2	130
				TSW	12,040	4	0	3	118	12,970	4	0	3	127	13,134	4	0	3	129
				BLC	9,570	1	0	2	94	10,310	1	0	2	101	10,440	1	0	2	102
				LCCO	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76
				RCCO	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76
30	1250	P4	125W	T1S	13,435	3	0	3	107	14,473	3	0	3	116	14,657	3	0	3	117
				T2S	13,421	3	0	3	107	14,458	3	0	3	116	14,641	3	0	3	117
				T2M	13,490	2	0	2	108	14,532	3	0	3	116	14,716	3	0	3	118
				T3S	13,064	3	0	3	105	14,074	3	0	3	113	14,252	3	0	3	114
				T3M	13,457	2	0	2	108	14,497	2	0	2	116	14,681	2	0	2	117
				T4M	13,165	2	0	3	105	14,182	2	0	3	113	14,362	2	0	3	115
				TFTM	13,449	2	0	3	108	14,488	2	0	3	116	14,672	2	0	3	117
				TSVS	13,987	4	0	1	112	15,068	4	0	1	121	15,259	4	0	1	122
				TSS	13,999	3	0	1	112	15,080	3	0	1	121	15,271	3	0	1	122
				TSM	13,963	4	0	2	112	15,042	4	0	2	120	15,233	4	0	2	122
				TSW	13,872	4	0	3	111	14,944	4	0	3	120	15,133	4	0	3	121
				BLC	11,027	1	0	2	88	11,879	1	0	2	95	12,029	1	0	2	96
				LCCO	8,205	1	0	3	66	8,839	1	0	3	71	8,951	1	0	3	72
				RCCO	8,205	1	0	3	66	8,839	1	0	3	71	8,951	1	0	3	72
30	1400	P5	138W	T1S	14,679	3	0	3	106	15,814	3	0	3	115	16,014	3	0	3	116
				T2S	14,664	3	0	3	106	15,797	3	0	3	114	15,997	3	0	3	116
				T2M	14,739	3	0	3	107	15,878	3	0	3	115	16,079	3	0	3	117
				T3S	14,274	3	0	3	103	15,377	3	0	3	111	15,572	3	0	3	113
				T3M	14,704	2	0	3	107	15,840	3	0	3	115	16,040	3	0	3	116
				T4M	14,384	2	0	3	104	15,496	3	0	3	112	15,692	3	0	3	114
				TFTM	14,695	2	0	3	106	15,830	3	0	3	115	16,030	3	0	3	116
				TSVS	15,283	4	0	1	111	16,464	4	0	1	119	16,672	4	0	1	121
				TSS	15,295	3	0	1	111	16,477	4	0	1	119	16,686	4	0	1	121
				TSM	15,257	4	0	2	111	16,435	4	0	2	119	16,644	4	0	2	121
				TSW	15,157	4	0	3	110	16,328	4	0	3	118	16,534	4	0	3	120
				BLC	12,048	1	0	2	87	12,979	1	0	2	94	13,143	1	0	2	95
				LCCO	8,965	1	0	3	65	9,657	1	0	3	70	9,780	1	0	3	71
				RCCO	8,965	1	0	3	65	9,657	1	0	3	70	9,780	1	0	3	71

Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics

LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
40	1250	P6	163W	T1S	17,654	3	0	3	108	19,018	3	0	3	117	19,259	3	0	3	118
				T2S	17,635	3	0	3	108	18,998	3	0	3	117	19,238	3	0	3	118
				T2M	17,726	3	0	3	109	19,096	3	0	3	117	19,337	3	0	3	119
				T3S	17,167	3	0	3	105	18,493	3	0	3	113	18,727	3	0	3	115
				T3M	17,683	3	0	3	108	19,049	3	0	3	117	19,290	3	0	3	118
				T4M	17,299	3	0	3	106	18,635	3	0	4	114	18,871	3	0	4	116
				TFTM	17,672	3	0	3	108	19,038	3	0	4	117	19,279	3	0	4	118
				TSVS	18,379	4	0	1	113	19,800	4	0	1	121	20,050	4	0	1	123
				T5S	18,394	4	0	2	113	19,816	4	0	2	122	20,066	4	0	2	123
				T5M	18,348	4	0	2	113	19,766	4	0	2	121	20,016	4	0	2	123
				T5W	18,228	5	0	3	112	19,636	5	0	3	120	19,885	5	0	3	122
				BLC	14,489	2	0	2	89	15,609	2	0	3	96	15,806	2	0	3	97
				LCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3	72
				RCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3	72
40	1400	P7	183W	T1S	19,227	3	0	3	105	20,712	3	0	3	113	20,975	3	0	3	115
				T2S	19,206	3	0	3	105	20,690	3	0	3	113	20,952	3	0	3	114
				T2M	19,305	3	0	3	105	20,797	3	0	3	114	21,060	3	0	3	115
				T3S	18,696	3	0	3	102	20,141	3	0	3	110	20,396	3	0	4	111
				T3M	19,258	3	0	3	105	20,746	3	0	3	113	21,009	3	0	3	115
				T4M	18,840	3	0	4	103	20,296	3	0	4	111	20,553	3	0	4	112
				TFTM	19,246	3	0	4	105	20,734	3	0	4	113	20,996	3	0	4	115
				TSVS	20,017	4	0	1	109	21,564	4	0	1	118	21,837	4	0	1	119
				T5S	20,033	4	0	2	109	21,581	4	0	2	118	21,854	4	0	2	119
				T5M	19,983	4	0	2	109	21,527	5	0	3	118	21,799	5	0	3	119
				T5W	19,852	5	0	3	108	21,386	5	0	3	117	21,656	5	0	3	118
				BLC	15,780	2	0	3	86	16,999	2	0	3	93	17,214	2	0	3	94
				LCCO	11,742	2	0	3	64	12,649	2	0	3	69	12,809	2	0	3	70
				RCCO	11,742	2	0	3	64	12,649	2	0	3	69	12,809	2	0	3	70
60	1050	P8	207W	T1S	22,490	3	0	3	109	24,228	3	0	3	117	24,535	3	0	3	119
				T2S	22,466	3	0	4	109	24,202	3	0	4	117	24,509	3	0	4	118
				T2M	22,582	3	0	3	109	24,327	3	0	3	118	24,635	3	0	3	119
				T3S	21,870	3	0	4	106	23,560	3	0	4	114	23,858	3	0	4	115
				T3M	22,527	3	0	4	109	24,268	3	0	4	117	24,575	3	0	4	119
				T4M	22,038	3	0	4	106	23,741	3	0	4	115	24,041	3	0	4	116
				TFTM	22,513	3	0	4	109	24,253	3	0	4	117	24,560	3	0	4	119
				TSVS	23,415	5	0	1	113	25,224	5	0	1	122	25,543	5	0	1	123
				T5S	23,434	4	0	2	113	25,244	4	0	2	122	25,564	4	0	2	123
				T5M	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	123
				T5W	23,221	5	0	4	112	25,016	5	0	4	121	25,332	5	0	4	122
				BLC	18,458	2	0	3	89	19,885	2	0	3	96	20,136	2	0	3	97
				LCCO	13,735	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72
				RCCO	13,735	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72
60	1250	P9	241W	T1S	25,575	3	0	3	106	27,551	3	0	3	114	27,900	3	0	3	116
				T2S	25,548	3	0	4	106	27,522	3	0	4	114	27,871	3	0	4	116
				T2M	25,680	3	0	3	107	27,664	3	0	3	115	28,014	3	0	3	116
				T3S	24,870	3	0	4	103	26,791	3	0	4	111	27,130	3	0	4	113
				T3M	25,617	3	0	4	106	27,597	3	0	4	115	27,946	3	0	4	116
				T4M	25,061	3	0	4	104	26,997	3	0	4	112	27,339	3	0	4	113
				TFTM	25,602	3	0	4	106	27,580	3	0	4	114	27,929	3	0	4	116
				TSVS	26,626	5	0	1	110	28,684	5	0	1	119	29,047	5	0	1	121
				T5S	26,648	4	0	2	111	28,707	5	0	2	119	29,070	5	0	2	121
				T5M	26,581	5	0	3	110	28,635	5	0	3	119	28,997	5	0	3	120
				T5W	26,406	5	0	4	110	28,447	5	0	4	118	28,807	5	0	4	120
				BLC	20,990	2	0	3	87	22,612	2	0	3	94	22,898	2	0	3	95
				LCCO	15,619	2	0	4	65	16,825	2	0	4	70	17,038	2	0	4	71
				RCCO	15,619	2	0	4	65	16,825	2	0	4	70	17,038	2	0	4	71

Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Rotated Optics

LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
60	530	P10	106W	T1S	13,042	3	0	3	123	14,050	3	0	3	133	14,228	3	0	3	134
				T2S	12,967	4	0	4	122	13,969	4	0	4	132	14,146	4	0	4	133
				T2M	13,201	3	0	3	125	14,221	3	0	3	134	14,401	3	0	3	136
				T3S	12,766	4	0	4	120	13,752	4	0	4	130	13,926	4	0	4	131
				T3M	13,193	4	0	4	124	14,213	4	0	4	134	14,393	4	0	4	136
				T4M	12,944	4	0	4	122	13,945	4	0	4	132	14,121	4	0	4	133
				TFTM	13,279	4	0	4	125	14,305	4	0	4	135	14,486	4	0	4	137
				TSVS	13,372	3	0	1	126	14,405	4	0	1	136	14,588	4	0	1	138
				TSS	13,260	3	0	1	125	14,284	3	0	1	135	14,465	3	0	1	136
				TSM	13,256	4	0	2	125	14,281	4	0	2	135	14,462	4	0	2	136
				TSW	13,137	4	0	3	124	14,153	4	0	3	134	14,332	4	0	3	135
				BLC	10,906	3	0	3	103	11,749	3	0	3	111	11,898	3	0	3	112
				LCCO	7,789	1	0	3	73	8,391	1	0	3	79	8,497	1	0	3	80
				RCCO	7,779	4	0	4	73	8,380	4	0	4	79	8,486	4	0	4	80
60	700	P11	137W	T1S	16,556	3	0	3	121	17,835	3	0	3	130	18,061	4	0	4	132
				T2S	16,461	4	0	4	120	17,733	4	0	4	129	17,957	4	0	4	131
				T2M	16,758	4	0	4	122	18,053	4	0	4	132	18,281	4	0	4	133
				T3S	16,205	4	0	4	118	17,457	4	0	4	127	17,678	4	0	4	129
				T3M	16,748	4	0	4	122	18,042	4	0	4	132	18,271	4	0	4	133
				T4M	16,432	4	0	4	120	17,702	4	0	4	129	17,926	4	0	4	131
				TFTM	16,857	4	0	4	123	18,159	4	0	4	133	18,389	4	0	4	134
				TSVS	16,975	4	0	1	124	18,287	4	0	1	133	18,518	4	0	1	135
				TSS	16,832	4	0	1	123	18,133	4	0	2	132	18,362	4	0	2	134
				TSM	16,828	4	0	2	123	18,128	4	0	2	132	18,358	4	0	2	134
				TSW	16,677	4	0	3	122	17,966	5	0	3	131	18,193	5	0	3	133
				BLC	13,845	3	0	3	101	14,915	3	0	3	109	15,103	3	0	3	110
				LCCO	9,888	1	0	3	72	10,652	2	0	3	78	10,787	2	0	3	79
				RCCO	9,875	4	0	4	72	10,638	4	0	4	78	10,773	4	0	4	79
60	1050	P12	207W	T1S	22,996	4	0	4	111	24,773	4	0	4	120	25,087	4	0	4	121
				T2S	22,864	4	0	4	110	24,631	5	0	5	119	24,943	5	0	5	120
				T2M	23,277	4	0	4	112	25,075	4	0	4	121	25,393	4	0	4	123
				T3S	22,509	4	0	4	109	24,248	5	0	5	117	24,555	5	0	5	119
				T3M	23,263	4	0	4	112	25,061	4	0	4	121	25,378	4	0	4	123
				T4M	22,824	5	0	5	110	24,588	5	0	5	119	24,899	5	0	5	120
				TFTM	23,414	5	0	5	113	25,223	5	0	5	122	25,543	5	0	5	123
				TSVS	23,579	5	0	1	114	25,401	5	0	1	123	25,722	5	0	1	124
				TSS	23,380	4	0	2	113	25,187	4	0	2	122	25,506	4	0	2	123
				TSM	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	123
				TSW	23,165	5	0	4	112	24,955	5	0	4	121	25,271	5	0	4	122
				BLC	19,231	4	0	4	93	20,717	4	0	4	100	20,979	4	0	4	101
				LCCO	13,734	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72
				RCCO	13,716	4	0	4	66	14,776	4	0	4	71	14,963	4	0	4	72
60	1250	P13	231W	T1S	25,400	4	0	4	110	27,363	4	0	4	118	27,709	4	0	4	120
				T2S	25,254	5	0	5	109	27,205	5	0	5	118	27,550	5	0	5	119
				T2M	25,710	4	0	4	111	27,696	4	0	4	120	28,047	4	0	4	121
				T3S	24,862	5	0	5	108	26,783	5	0	5	116	27,122	5	0	5	117
				T3M	25,695	5	0	5	111	27,680	5	0	5	120	28,031	5	0	5	121
				T4M	25,210	5	0	5	109	27,158	5	0	5	118	27,502	5	0	5	119
				TFTM	25,861	5	0	5	112	27,860	5	0	5	121	28,212	5	0	5	122
				TSVS	26,043	5	0	1	113	28,056	5	0	1	121	28,411	5	0	1	123
				TSS	25,824	4	0	2	112	27,819	5	0	2	120	28,172	5	0	2	122
				TSM	25,818	5	0	3	112	27,813	5	0	3	120	28,165	5	0	3	122
				TSW	25,586	5	0	4	111	27,563	5	0	4	119	27,912	5	0	4	121
				BLC	21,241	4	0	4	92	22,882	4	0	4	99	23,172	4	0	4	100
				LCCO	15,170	2	0	4	66	16,342	2	0	4	71	16,549	2	0	4	72
				RCCO	15,150	5	0	5	66	16,321	5	0	5	71	16,527	5	0	5	72

FEATURES & SPECIFICATIONS

INTENDED USE

The sleek design of the D-Series Size 1 reflects the embedded high performance LED technology. It is ideal for many commercial and municipal applications, such as parking lots, plazas, campuses, and streetscapes.

CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.01 ft²) for optimized pole wind loading.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in standard 3000 K, 4000 K and 5000 K (70 CRI) configurations. The D-Series Size 1 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

ELECTRICAL

Light engine configurations consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L85/100,000 hours at 25°C). Class 1 electronic drivers are designed to have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

STANDARD CONTROLS

The DSX1 LED area luminaire has a number of control options. DSX Size 1, comes standard with 0-10V dimming drivers. Dusk to dawn controls can be utilized via optional NEMA twist-lock photocell receptacles. Integrated motion sensors with on-board photocells feature field-adjustable programming and are suitable for mounting heights up to 30 feet.

nLIGHT AIR CONTROLS

The DSX1 LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing and photocontrol functionality and is suitable for mounting heights up to 40 feet. Once commissioned using a smartphone and the easy-to-use CLAIRITY app, nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 1 to withstand up to a 3.0 G vibration load rating per ANSI C136.31. The D-Series Size 1 utilizes the AERIS™ series pole drilling pattern (template #8). NEMA photocontrol receptacle are also available.

LISTINGS

UL listed to meet U.S. and Canadian standards. UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D672,492 S. International patent pending.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

BUY AMERICAN

Product with the BAA option is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT. Please refer to www.acuitybrands.com/buy-american for additional information.

WARRANTY

5-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/support/customer-support/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



CORRESPONDENCE

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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



MAUREEN MILLER BROSINAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

March 2, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2022-02-02-03 – 36534 Plymouth Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The proposed project parcel is assigned the address of **#36534 Plymouth Road**.

The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. According to the proposed plans, there should not be impacts to the sanitary sewer or water main. The owner does show proposed storm water detention that will be required to meet the latest version of the Wayne County Storm Water Ordinance, which we will review when Engineering drawings are submitted for permitting.

It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Plymouth Road right-of-way.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "David W. Lear".

David W. Lear, P.E.
Assistant City Engineer
cc: 2022 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



DENNIS K. WRIGHT
MAYOR

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

DATE: February, 22nd 2022
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: **Petition 2022-02-02-03**

This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address.

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

Subject building(s) are to be provided with an automatic sprinkler system, and on-site hydrants shall be located between 50 feet and 100 feet from the Fire Department connection. NFPA 14, 2019 6.4.5.4

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE

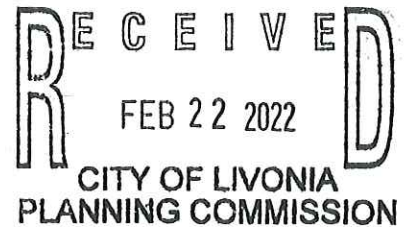


MAUREEN MILLER BROSNAN
MAYOR

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

February 22, 2022

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



Re: Petition 2022-02-02-03 36534 Plymouth Rd

Mr. Miller,
I have reviewed the plans in connection with the petition. I have no objections to the proposals.

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

Sincerely,

FOR THE CHIEF OF POLICE,

Sgt. Scott Sczepanski #543

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

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

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

Date: March 14, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-02-02-03 – 36534 Plymouth Road

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

1. The number of parking spaces is deficient due to the number of display vehicles shown. Planning and/or Council may wish to address this.
2. The gravel area in the rear of the property shall be a hard surface and striped if used for parking.
3. The proposed 6' chain link fence and the 6' privacy fence would require a variance from the Zoning Board of Appeals.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

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

March 8, 2022

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

Petition 2022-02-02-03 - 36534 Plymouth Road

Dear Mr. Miller,

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

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

March 3, 2022

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

Re: Petition 2022-02-02-03

36534 Plymouth Road
Plymouth Auto

Dear Mr. Miller,

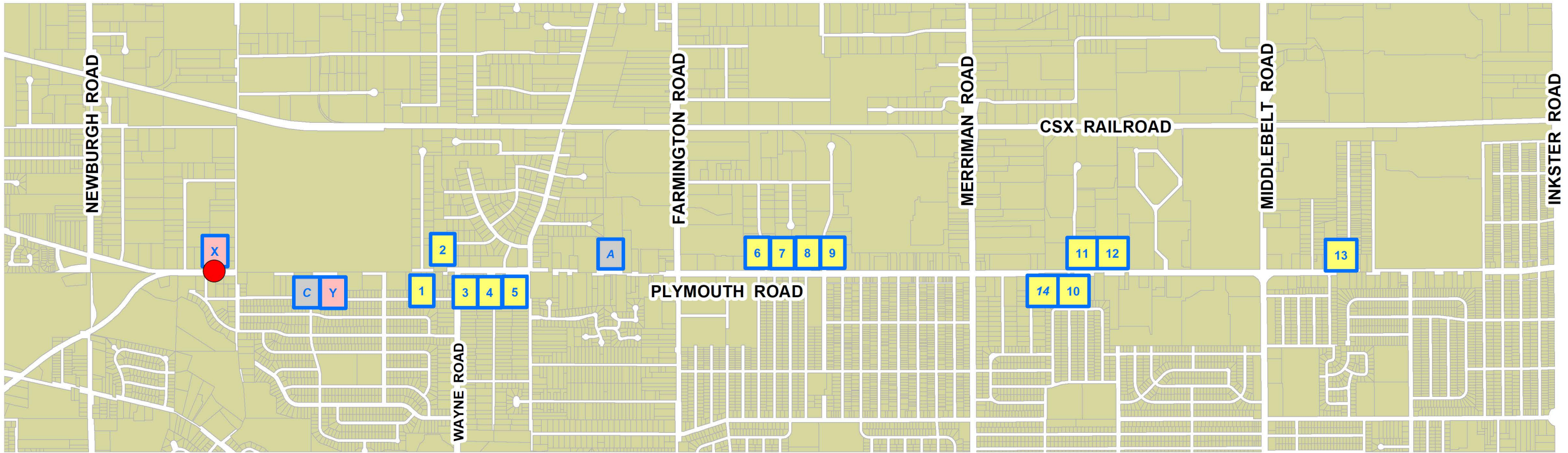
In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,



Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**



PLYMOUTH ROAD - NEW AND USED CAR DEALERSHIPS

ACTIVE DEALERSHIPS

1. Panorama Motors (Used)
2. Bill Brown (Used)
3. LaFontaine Hyundai of Livonia (New & Used)
4. LaFontaine Mazda of Livonia (New & Used)
5. LaFontaine Volkswagen of Livonia (New & Used)
6. Feldman (Used)
7. Feldman/Tennyson (New)
8. Bill Brown (New)
9. Bill Brown (New)
10. Livonia Jeep Chrysler (New & Used)
11. Rightway-Rogin (Used)
12. Bill Brown Terrace (Used)
13. Livonia Auto Sellers (Used)
14. Best Bet Auto (Used)

INACTIVE

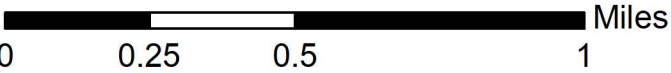
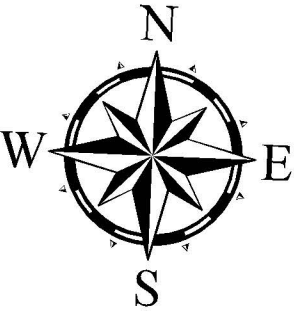
- A. Feldman Automotive
- C. Former Nissan/High Tech Auto

DEALER STORAGE LOTS

- X. Dick Scott (New)
- Y. Ralph Thayer Automotive (New)

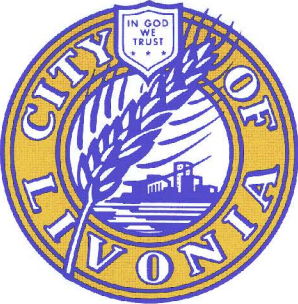
PROPOSED DEALERSHIP

- Plymouth Auto Sales



MARCH 11, 2022

PETITION 2022-02-02-03
PLYMOUTH AUTO SALES



Prepared by the Livonia
Planning Department

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Ms. Smiley, Acting Secretary, announced the next item on the agenda, Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29.

Mr. Taormina: This is a request to operate a used auto dealership. This site is on the north side of Plymouth Road just west of Levan Road. The property consists of a single parcel that measures 2.6 acres in area with 290 feet of frontage on Plymouth Road and has a depth of 397 feet. The zoning is C-2 (General Business). The site contains a 12,095 square foot commercial building that is currently occupied by Dick Scott's Freedom Power Sports. Waiver use approval was granted to Freedom Power Sports back in 2011. The conditions of approval restricted the operation to motorcycle sales and displays only and because Plymouth Auto Sales is seeking to display and sell vehicles other than motorcycles, a new waiver is required. Bordering the site to the west is the Body Rock Fitness Center. To the east is Time Out Bar and Grill. Both are zoned C-2 (General Business). To the north are industrial properties and across Plymouth Road are a variety of commercial uses, also zoned C-2. Per the zoning ordinance there are several special requirements that apply to new and used car lots, as well as automobile and light truck repair facilities. Some of these special requirements include: 1) that no vehicle shall be parked within 20 feet from the front lot line or at the side lot line adjacent to a street; 2) the total number of vehicles proposed to be displayed or stored shall be subject to the recommendation of the Planning Commission and approval by City Council; 3) outdoor storage of disabled damaged or unlicensed vehicles is strictly prohibited; 4) all repair work must be conducted within an enclosed building; and 5) repairs shall not include bumping, painting, spraying, or rustproofing. The submitted floor plan shows how the building would be divided into the various uses. It includes the main showroom, and sales offices, as well as a service area where vehicles would be repaired which is located at the rear of the building. As noted at the Study Meeting, the repair operations would be open to the general public. The service area would consist of four (4) repair bays that would be accessible via two overhead doors located at the rear of the building. The upper level of the building, which totals about 1,800 square feet, would be used for additional offices, as well as storage, a conference room and a kitchen. Currently, there is parking for approximately 30 cars within a paved lot on the west side of the building. Additional vehicle storage is provided within a gravel lot that is located at the rear, or the north end of the property. Plymouth Auto Sales is proposing to expand the paving on the west side of the property for vehicle display and customer parking. The gravel lot at the rear of the property would be maintained for both employee parking, as well as vehicle

storage. The expanded paved lot would contain 105 spaces, 88 of which would be used for vehicle display and the remaining 17 would be used for customers. The gravel lot on the other hand, would provide inventory storage for about 37 vehicles plus 17 spaces that would be dedicated for employee parking including the second-floor office. The gravel lot would be enclosed with fencing, including a six-foot high vinyl privacy fence that would run across the front of the storage lot and chain-link fencing along the sides and the rear. Restricted access to the storage lot would be provided via a 22-foot-wide gate located in the southeast corner. Allow me to get everyone familiar with the plan here. Going back to the aerial, this view shows the existing parking area for about 30 cars. The next slide is the proposed site plan showing the expanded parking lot. Everything below this line would be paved with the capacity to accommodate approximately 105 vehicles. The areas on the plan highlighted in beige and blue would be available for customers of both the auto dealership and the repair operation. The gravel storage lot located at the rear of the property would allow for the storage of about 37 cars and another 17 spaces, shown in blue and yellow, would be assigned to employees of both the dealership and the future upper-level office. Required parking is based on both the sales and service operations. The ordinance requires one parking space for each 200 square feet for sales. For the repair, required are two spaces for each service bay plus one for each employee. Additionally, the second-floor office requires one space for each 200 square feet of floor area. In total, 42 spaces are required for the customers and employees of the businesses, including the second-floor office. The site plan assigns 34 spaces for customers and employees, resulting in a shortage of eight (8). On to the landscape plan. New landscaping is shown throughout the site, including along Plymouth Road, the front of the building, the west and north property lines, and within the parking lot. As required, all display vehicles would be set back 20 feet from the Plymouth Road right-of-way. Based on the width of the property, the front yard requires no fewer than six (6) full size trees, three (3) ornamental trees and 48 shrubs. Additionally, an area measuring at least 2,720 square feet is required for landscaping within the parking lot. And lastly, along the sides of the property, 14 trees are required. The plan meets all of these requirements with one exception. No trees are shown along the east side of the property since this area contains an asphalt drive that runs along the entire property line. No outdoor trash enclosure is shown. Instead, all refuse, including tires and auto parts, will be stored inside the building. In terms of site lighting, the site plan

shows multiple pole-mounted LED fixtures that measure 20 feet in height. New data was submitted that includes a photometric plan showing the illumination levels. The average is roughly 10 foot candles throughout the display lot. Based on the fact that no residential areas would be affected by the development, the lighting plan seems reasonable and is consistent with other recently approved dealership developments. Underground stormwater detention is shown beneath the gravel storage lot. In terms of the building, it currently has an asphalt-shingled mansard roof that would be removed and replaced with a vertical canopy system that would be finished with a composite wood material. Other than that, the only other major improvements would be painting the existing brick and block on the front and the sides of the building. In terms of signage, the dealership would be allowed one wall sign measuring 80 square feet in total area and one monument sign at 30 square feet in area. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Long: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated March 2, 2022, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The proposed project parcel is assigned the address of #36534 Plymouth Road. The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. According to the proposed plans, there should not be impacts to the sanitary sewer or water main. The owner does show proposed storm water detention that will be required to meet the latest version of the Wayne County Storm Water Ordinance, which we will review when Engineering drawings are submitted for permitting. It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Plymouth Road right-of-way."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated February 22, 2022, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address. We have no objections to this proposal with the following stipulations: Subject building(s) are to be provided with an automatic sprinkler system, and on-site hydrants shall be located between 50 feet and 100 feet from the*

Fire Department connection. NFPA 14, 2019 6.4.5.4" The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated February 22, 2022, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated March 14, 2022, which reads as follows: *" Pursuant to your request, the above referenced Petition has been reviewed. 1. The number of parking spaces is deficient due to the number of display vehicles shown. Planning and/or Council may wish to address this. 2. The gravel area in the rear of the property shall be a hard surface and striped if used for parking. 3. The proposed 6' chain link fence and the 6' privacy fence would require a variance from the Zoning Board of Appeals. This Department has no further objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated March 8, 2022, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated March 3, 2022, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Long: Are there questions for staff? Mr. Ventura?

Mr. Ventura: Mr. Taormina, on the site plan that shows the lots. Are we making a distinction between the lot to the north as we're calling that the storage lot, and the lot to the south as the display lot? Is that accurate?

Mr. Taormina: That's accurate. The lot to the north would also be used for employee parking.

Mr. Ventura: So, it's being referred to on these plans as storage and display?

Mr. Taormina: Yes. The main display lot is paved. The gravel lot would be used for inventory storage, as well as employee parking. So yes, the storage and display lots are separated.

UNAPPROVED MINUTES

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Mr. Ventura: Thank you, Mr. Chairman.

Mr. Long: Thank you, Mr. Ventura. Any other questions? Mark, I have one. I think it was the letter from Inspection...from somebody and they mentioned that the storage lot had to be a hard surface. At the study meeting, we discussed what the petitioner's plans were for that. Would what the petitioner proposed at the study meeting, would that pass that test?

Mr. Taormina: I believe the suggestion was to use asphalt road millings. It would be up to the Engineering Division which is responsible for approving the final hard surfacing requirement. If the request is to use gravel, and Council accepts that, that too would be subject to review by the Engineering Department.

Mr. Long: Okay, great. Thank you. Mr. Bongero?

Mr. Bongero: Just a follow up to Glen's point. So, the millings, is that just for the storage area or is there going to be one consistent surface?

Mr. Taormina: That would only apply to the storage area. The plans, I believe, are showing asphalt paving for the westerly lot...for the display lot. The petitioner should verify that and have it on the record that it is going to be hard surface asphalt, but I believe that's the case.

Mr. Bongero: Okay. Thank you.

Mr. Long: Okay. All right. Any further questions? Hearing none, if the petitioner would please approach. State your name and address for the record.

Ben Tiseo, Tiseo Architects, 19815 Farmington Road, Livonia, MI. Thank you, and thank you Mark for pointing out that they did photometrics. That was my bad. I thought when I ordered and got the cut sheets for the light poles, I ordered the photometrics, but I did not and it's probably my consultant's fault for not reading my mind. I blame it on her. The couple of questions about the gravel issue...yes, we have the vinyl fence separating the front which is all going to be paved asphalt area and the rear will be gravel, like has been granted on other properties in Livonia. I know that there's numerous locations that do have gravel. As a matter fact, we got approved not too long ago on a storage facility off of Merriman Road that had four acres, basically gravel, part of milling and also some kind of gravel or crushed concrete as a base underneath that. So, we would prefer to do it

that way. Again, the city has approved that in the past, both the Engineering Department, as well as Planning Commission and City Council. Just as a footnote, if it's approved tonight, we would ask that we get a request for a seven-day waiver, so we get on April 4th City Council meeting. That is if it's allowed, if staff has time to do it, all the conditions up above. So, if we could waive that seven-day waiver, we'd appreciate that. I think everything's been answered. I mean, the building is going to be enhanced. We're not changing much of the signage. Matter of fact, the ground sign is going to stay just the way it is. We're just taking the panels out and putting new panels in. The owner wanted to remove the mansard roof because he's felt it was dated and it is, and that's why we provided a new one. And one of the things that we did in the photometric after we received it, was we did relocate some of the light poles. We actually added a few in the back to enhance the lighting for that area. So, we're here to answer any questions. Thank you.

Mr. Long: Thank you. Are there questions for the petitioner? Ms. Smiley?

Ms. Smiley: What are your hours of operation going to be?

Mr. Tiseo: I'm sorry, I will let Julian come up.

Mr. Long: Name and address for the record place.

Julian Shahinllari, 50470 West Fellows Creek court, Plymouth, Michigan 48170.
Hours of operation are 9am to 6pm, Monday through Friday and Saturday 10 to 4.

Ms. Smiley: Okay, and what kind of security do you have on this particular lot?

Mr. Shahinllari: Security?

Ms. Smiley: Yeah, will they be able to have access to that backlot?

Mr. Shahinllari: No, that would be locked.

Ms. Smiley: Okay. And there's just like one-line of cars that are for customers. They're in that kind of, light beige color?

Mr. Shahinllari: Yes. That's our customer parking.

Ms. Smiley: Okay. Has this gone before the PRDA?

UNAPPROVED MINUTES

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- Mr. Taormina: No. It has not.
- Ms. Smiley: Do they need to do it?
- Mr. Taormina: There won't be time.
- Ms. Smiley: Okay.
- Mr. Taormina: There might be something...the prepared resolution asks that they do that following the review of the site plan.
- Ms. Smiley: Okay. Are you aware of the Plymouth Road Development Authority?
- Mr. Shahinllari: I am not.
- Ms. Smiley: Okay.
- Mr. Tiseo: I apologize. Since we're not doing any work in the right-of-away, I didn't think we needed to do that. I wasn't aware that that's a requirement. Did I misunderstand that?
- Mr. Taormina: It is not a requirement. We take these to the PRDA usually as a courtesy. Oftentimes, they will make recommendations. Unfortunately, we did not have time, in this case, to present this to the PRDA prior to the Planning Commission's review.
- Ms. Smiley: Okay, that's fine. Thank you.
- Mr. Long: Thank you, Ms. Smiley. Any other questions? Mr. Bongero?
- Mr. Bongero: Ben, so on that gravel in the back, it is going to be used for parking, right?
- Mr. Tiseo: Yes.
- Mr. Bongero: Okay. So, in Jerome Hanna's, Building officials letter, it said it had to be hard surface and striped. Are you going to stripe it? Do you stripe gravel? If it is gravel?
- Mr. Tiseo: Yeah, we were able to stripe. Again, the storage facility we did on Merriman Road that was just under four acres was going to be striped.
- Mr. Bongero: Okay,

UNAPPROVED MINUTES

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- Mr. Tiseo: You can do that. It's a reoccurring event, like annually.
- Mr. Bongero: I can't imagine you can stripe it?
- Mr. Tiseo: Well, you can. But again, you're going to have to do it annually.
- Mr. Bongero: Okay. Because these spaces are going to have to be defined. Is that correct? I mean maybe we are making something out of nothing. I mean, it's like it's conflicting.
- Mr. Tiseo: The storage area for the cars that are going to be serviced, in those areas, there's no reason to really stripe that, but yes, the employee areas, yes.
- Mr. Bongero: Okay. Thank you.
- Mr. Long: Mr. Ventura?
- Mr. Ventura: Ben, at the study session, we talked about the spaces highlighted in blue, blue green behind the fence there and right in the middle are reserved for potential tenants of the second floor of the building.
- Mr. Tiseo: Yes.
- Mr. Ventura: I thought I understood that there was going to be a gate adjacent to those spaces that the tenants could walk through to get to the upper right-hand corner of the building where the entrance to the second floor is. Did I misunderstand something because I don't see it on this?
- Mr. Tiseo: Yes, that was not my understanding.
- Mr. Ventura: Okay.
- Mr. Tiseo: We have the gate on the far east side.
- Mr. Ventura: That's the only gate.
- Mr. Tiseo: That's the only gate
- Mr. Ventura: Walk around and then walk down to that corner.
- Mr. Tiseo: We don't anticipate really second floor tenant there. The space is there. A client didn't purchase it to lease it out. If he happens to get lucky in three years and find a tenant for it, so be it. But it

has to be on his terms simply because of the security issue. And the purpose of purchasing the site is for the use car sales, not to lease it as a...

Mr. Ventura: Yeah, I think that's a pretty good challenge. Yes.

Mr. Tiseo: You're going to have to find someone that wants no public access, that is a hermit, wants to work on the second floor of the staff, and that's it.

Mr. Ventura: Thank you. I appreciate that.

Mr. Long: Thank you, Mr. Ventura. Any further questions? Ms. Smiley, go ahead.

Ms. Smiley: Did you want to tell us more about...you said mostly you're able to get these cars through auctions or you buy them online and you sell them online and how that works.

Mr. Shahinllari: Oh, we're acquiring vehicles through auctions and local sellers and from other dealers in the area. We also do buy online, but we sell a lot of vehicles online without people coming actually into our facility in person. But also, the past two years of the pandemic, the business has changed quite a bit just like any other business. We've gone from driving around looking at cars to shopping online. If you're financing, you're applying online. So, we've done all these things prior to someone coming and driving 10 cars and then, well let's see what we can do now. So, what I mean to say is that most of our customers that are coming in, are coming in on appointments. Very rarely do you see someone that's just driving by. So, we're going to have two salespeople on site. So, two salespeople are going to have at most, two or three to four customers at once. So that's what we anticipate, to have at once at the most is four customers at one time, just because we're scheduling customer to come in and just because we're selling vehicles online. Just because the financing everything is done prior. We've done a FaceTime video and showed the customer the car, so they have a perfect idea what they're buying. When they're coming there, they're coming to sign, and they're gone. So, there isn't really a storm of buyers coming in and just kind of roaming the lot and making a decision on the spot if they're buying the vehicle or not. And folks that live in the area and drive by and I'll see a car just driving by, I've seen him a lot of times they'll just pull in, drive around a lot and then just pull out if they don't see something that is interesting. But yes, very rarely do we have three or four

customers at once in our lot and that's why we don't want a lot of empty spots just sitting in the middle of our display. That's the reason for that.

Ms. Smiley: Okay, it's also my understanding that you wouldn't buy like a crashed vehicle. You're buying vehicles that need very minor...like oil change, tires...

Mr. Shahinllari: We don't buy crashed vehicles. As a matter of fact, if any of you had a chance to go to our website, we have Carfax on there and we don't sell vehicles that are crashed. Older vehicles do or have been into accidents, but they've been repaired in the prior in the past, so we are showing buyers the history of the vehicle right there online. So, with that being said, we couldn't really buy a crashed vehicle and then have this bad Carfax. It wouldn't sell. But no, we would not be doing any bodywork or any sort of things like that at our facility. It is strictly light repair and sales.

Ms. Smiley: Okay. You're in business now doing this. You had some experience?

Mr. Shahinllari: Yes. So, we we've been doing this for 11 years.

Ms. Smiley: Okay.

Mr. Shahinllari: We've been at the current location for a little over seven years and prior to that smaller location, which is gradually grew up in Plymouth. But yeah, altogether, we've been in business for 11 years.

Ms. Smiley: You're purchasing this property?

Mr. Shahinllari: We are purchasing this property.

Ms. Smiley: Thank you.

Mr. Long: Thank you, Ms. Smiley. Any other questions? If not, is there anybody in the audience wishing to speak for or against this? Since there are no questions from the audience, the Commission will close public hearing and a motion would be in order.

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

#03-18-2022 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on March 22, 2022, on

Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29, the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02-03 be approved subject to the following conditions:

1. That the Site Plan identified as P1 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
2. That the number of vehicles to be displayed outdoors shall be limited to a total of eighty-eight (88) and that no vehicle for sale shall be displayed closer than twenty feet (20') from the front lot line.
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 except for what may be authorized under the Zoning Ordinance as part of a temporary sales event, any type of exterior advertising related to the sale of the vehicles designed to attract the attention of passing motorists, such as promotional flags or streamers, shall be prohibited.
5. That the display of any vehicles on car lifts is strictly prohibited.
6. That there shall be no outdoor storage of auto parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation,
7. That the hours of operation shall be limited to the following: Monday through Friday from 9:00 a.m. to 6:00 p.m. and on Saturday, from 10:00 a.m. to 4:00 p.m.
8. That the Landscape Plan identified as L1 dated February 17, 2022, as revised, prepared by Elements Studio Inc., is hereby approved and shall be adhered to.

9. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
10. 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.
11. That the Petitioner shall work with staff and the Plymouth Road Development Authority (PRDA) on plans to install additional landscaping and other streetscape improvements (i.e., brick piers and fencing) along Plymouth Road.
12. That the Exterior Elevations Plan identified as P3 dated February 12, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to.
13. 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.
14. Unless a trash dumpster is constructed on site, all refuse, including tires and auto parts, shall be stored inside the building until such time they are taken away by an appropriate contractor.
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 no LED light band or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows.
17. That the storage of vehicles in the rear storage yard area shall be limited to thirty-seven (37) vehicles and parked in an orderly manner.
18. That the storage yard shall be resurfaced with crushed rock, gravel or a material approved by the Engineering Division prior to the issuance of the Certificate of Occupancy by the Inspection Department and shall be properly graded and drained to dispose of all surface water and maintained in a

dust-proof condition; provided, further, that—pursuant to Section 9.10—the storage yard shall be hard surfaced with a pavement type and thickness as approved by the Engineering Division within two (2) years from the date that the Certificate of Occupancy is issued unless waived by City Council.

19. That any lighting equipment added to the site shall be directed and shielded/hooded so as to minimize glare trespassing on adjacent properties and roadways, and that the height of such equipment shall be limited to twenty feet (20').
20. That repairs and maintenance work on vehicles conducted on this site shall conform to Section 6.05 of the Livonia Vision 21 Zoning Ordinance, and such repairs as bumping, painting, spraying, or rustproofing shall not be permitted.
21. 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.
22. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time an occupancy permit is applied for; and
23. 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.

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

Mr. Long: Is there any discussion? Congratulations. It'll go on to City Council with an approving resolution.

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

Mr. Long: The petitioner did request a waiver. Is anybody willing propose a seven-day waiver?

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

#03-19-2022 **RESOLVED**, That the City Planning Commission does hereby determine to waive the provisions of Section X of Article VI of the Planning Commission Rules of Procedure, regarding the effective date of a resolution after the seven-day period from the date of adoption by the Planning Commission, in connection with Petition 2022-02-02-03 submitted by Tiseo Architects, Inc. on behalf of Plymouth Auto Sales, requesting waiver use approval pursuant to Sections 6.05 and 6.06 of the Livonia Vision 21 Zoning Ordinance to operate a used auto dealership with repair facilities and outdoor display of vehicles at 36534 Plymouth Road, located on the north side of Plymouth Road between Levan Road and Market Street in the Southwest ¼ of Section 29.

Mr. Long, Acting Chairman, declared the motion is carried and the foregoing resolution adopted.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

5

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

7. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

Casey O'Neil, Information Systems Director presented the request to Council.

Councilmember Rob Donovic offered an approving resolution on the Consent

agenda. DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

7.

Information Systems
March 25, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Casey O'Neil, Information Systems Director,

AGENDA ITEM

REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

BACKGROUND

This is an annual renewal for the ArcGIS software from ESRI, Inc. used by Livonia's Geographic Information Systems (GIS). GIS allows the management of geographic maps, applications, and spatially referenced data within the city. Included are online map services, database maintenance, mapping support for City departments, and integration with Cityworks, the asset management software used by DPW.

The total cost for annual software maintenance is \$20,750, providing the city with the following:

- (1) One copy of "ArcGIS Desktop Advanced" license.
- (2) Three copies of "ArcGIS Desktop Standard" licenses for GIS editing.
- (3) Eight copies of concurrent "ArcGIS Desktop Basic licenses for GIS production work.
- (4) One copy each of "ArcGIS Server Enterprise Standard" and "ArcGIS Enterprise Workgroup Standard" to support ArcSDE
- (5) Five named users of ArcGIS Online Creator.
- (6) "ArcGIS Spatial Analyst for Desktop" to support spatial analysis.

RECOMMENDATION

Approve the purchase of software maintenance for the period from July 17, 2022 to July 16, 2023, in the amount of \$20,750.00, from ESRI, Inc., 380 New York Street, Redlands, CA 92373.

FISCAL CONSIDERATION

The total annual maintenance cost is \$20,750.00. This is a sole-source request, as this software can only be purchased through ESRI, Inc. No additional appropriation is necessary since funds are budgeted in the Computer Software Maintenance account number 101-228-851-020.

ATTACHMENTS

1. Esri_Quotation_26073058

APPROVED BY



Casey O'Neil, Information Systems Director

Date: March 25, 2022



Michael Slater, Finance Director

Date: March 25, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022



Esri Inc
380 New York Street
Redlands CA 92373

Subject: Renewal Quotation

Date: 03/25/2022
To: Casey O'Neil
Organization: City of Livonia
Information Systems
Fax #: 734-466-2193 **Phone #:** 734-466-2279

From: Reyna Hernandez
Fax #: **Phone #:** + 19097932853 Ext. 3864
Email: rhernandez@esri.com

Number of pages transmitted
(including this cover sheet): 5

Quotation #26073058
Document Date: 03/25/2022

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level
<http://www.esri.com/apps/products/maintenance/qualifying.cfm>

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit
<http://www.esri.com/legal/licensing/software-license.html>

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.



esri[®]

380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Date: 03/25/2022

Quotation Number: 26073058

Contract Number: 318946

City of Livonia
Information Systems
33000 Civic Center Dr
Livonia MI 48154-3060
Attn: Casey O'Neil

Send Purchase Orders To:

Environmental Systems Research Institute, Inc.
380 New York Street
Redlands, CA 92373-8100
Attn: Reyna Hernandez

**Please include the following remittance address
on your Purchase Order:**

Environmental Systems Research Institute, Inc.
P.O. Box 741076
Los Angeles, CA 90074-1076

Customer Number: 100402

For questions regarding this document, please contact Customer Service at 888-377-4575.

Item	Qty	Material#	Unit Price	Extended Price
10	1	52384 ArcGIS Desktop Advanced Concurrent Use Primary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023	3,000.00	3,000.00
1010	1	86497 ArcGIS Desktop Standard Concurrent Use Primary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023	1,500.00	1,500.00
2010	2	86500 ArcGIS Desktop Standard Concurrent Use Secondary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023	1,200.00	2,400.00
3010	1	87194 ArcGIS Desktop Basic Concurrent Use Primary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023	700.00	700.00
4010	7	87195	500.00	3,500.00

Quotation is valid for 90 days from document date.

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

Issued By: Reyna Hernandez

Ext: 3864

[ISAACST]

To expedite your order, please reference your customer number and this quotation number on your purchase order.



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380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Page 2

Date: 03/25/2022

Quotation Number: 26073058

Contract Number: 318946

Item	Qty	Material#	Unit Price	Extended Price
		ArcGIS Desktop Basic Concurrent Use Secondary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023		
5010	1	87232	500.00	500.00
		ArcGIS Spatial Analyst for Desktop Concurrent Use Primary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023		
6010	1	87192	400.00	400.00
		ArcGIS Desktop Basic Single Use Primary Maintenance Start Date: 07/17/2022 End Date: 07/16/2023		
7010	5	153148	500.00	2,500.00
		ArcGIS Online Creator (Formerly Level 2 Named User) Term License Start Date: 07/17/2022 End Date: 07/16/2023		
8010	1	161322	1,250.00	1,250.00
		ArcGIS Enterprise Workgroup Standard Up to Two Cores Maintenance Start Date: 07/17/2022 End Date: 07/16/2023		
9010	1	161328	5,000.00	5,000.00
		ArcGIS Enterprise Standard Up to Four Cores Maintenance Start Date: 07/17/2022 End Date: 07/16/2023		
			Item Subtotal	20,750.00
			Estimated Tax	0.00
			Total	USD 20,750.00

DUNS/CEC: 06-313-4175 **CAGE:** 0AMS3



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380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Page 3

Date: 03/25/2022

Quotation Number: 26073058

Contract Number: 318946

Item Qty Material#

Unit Price

Extended Price

Renewal Options:

- Online: Renew through My Esri site at <https://my.esri.com>
 - Credit Card
 - Purchase Order
 - Email Authorization
- Email or Fax: Email Authorization, Purchase Order or signed quote to:
 - Fax: 909-307-3083
 - Email: service@esri.com

Requests via email or signed quote indicate that you are authorized to obligate funds for your organization and your organization does not require a purchase order.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full.pdf> apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <http://www.esri.com/en-us/legal/terms/state-supplemental> apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy GSA, BPA) on your ordering document.



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Phone: + 190979328533864

Quotation

Page 4

Date: 03/25/2022

Quotation No: 26073058

Customer No: 100402

Contract No: 318946

Item Qty Material#

Unit Price

Extended Price

US FEDERAL CUSTOMERS: If you are a federal customer or a contractor purchasing on behalf of a federal customer a purchase order is required to receive an invoice. Please email the purchase order to service@esri.com

By signing below, you are authorizing Esri to issue a software support invoice in the amount of USD _____ plus sales tax, if applicable.

Please check one of the following:

☐ I agree to pay any applicable sales tax.

☐ I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

Signature of Authorized Representative

Date

Name (Please Print)

Title

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

6

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

8. REQUEST FOR AUTHORIZATION TO PURCHASE SENTINALONE SECURITY SOFTWARE AND SOC: Information Systems Department, re: for a period of three years, from budgeted funds.

Casey O'Neil, Information Systems Director presented the request to Council.

Councilice President Laura Toy offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

8.

Information Systems April 4, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Casey O'Neil, Information Systems Director,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE SENTINALONE SECURITY SOFTWARE AND SOC: Information Systems Department; for a period of three years, from budgeted funds.

BACKGROUND

The City Information Systems department is continually looking for ways to increase the security of our systems. Cyber incidents are an ever-increasing threat, and governments are often a target of bad actors. SentinelOne Control with the ConnectWise SOC will provide us with a stronger security platform beyond the traditional antivirus we currently utilize. SentinelOne Control uses artificial intelligence to proactively detect threats including malware and ransomware, and provide easy rollback to any compromised endpoint.

Included as well is ControlWise SOC, which provides yet another layer of protection by providing a security operations center actively monitoring our network for threats.

Overall, these additional tools fit well into the city's cybersecurity strategy and will further protect the city from malware and ransomware threats.

RECOMMENDATION

Approve the purchase of SentinelOne Control and ConnectWise SOC for three years in the annual amount of \$24,600 from Visicom Services Inc./Centaris, 2534 South Rochester Rd., Rochester Hills, MI 48307.

FISCAL CONSIDERATION

The total cost is \$24,600 annually for three years. This is a sole-source request, purchased through our network consultants, Visicom Services/Centaris. No additional appropriation is necessary since the first year is accounted for in Information Systems Capital Outlay-Computer Software account number 101-228-986-000.

ATTACHMENTS

1. SentinelOne-PricingQuote
2. sentinelone_public_s
3. CCare Endpoint Detection and Response

APPROVED BY



Casey O'Neil, Information Systems Director

Date: April 04, 2022



Michael Slater, Finance Director

Date: April 04, 2022



Maureen Miller Brosnan, Mayor

Date: April 05, 2022



VisiCom Services, Inc.

QUOTE

Date	Quote #
03/09/22	AAAQ6115-0

Sold To: City of Livonia
Casey O'Neil
City Hall 33000 Civic Center Drive
Livonia, MI 48154

Phone: (734) 466-2279
Fax: (734) 421-2193

Ship To: City of Livonia
Casey O'Neil
City Hall 33000 Civic Center Drive
Livonia, MI 48154

Phone: (734) 466-2279
Fax: (734) 421-2193

Here is the quote you requested.

Terms	Rep	P.O. Number	Ship Via
	Patrick Casey		

Qty	Description	Unit Price	Ext. Price
SentinelOne Control with 24/7 SOC Backing (MDR) - 3 Year Pricing Lock at Rates Below			
25	Annual Advanced Server Protection - EDR/MDR with SOC	\$144.00	\$3,600.00
350	Annual Advanced Endpoint Protection - EDR/MDR with SOC	\$60.00	\$21,000.00
	SubTotal		\$24,600.00
		SubTotal	\$24,600.00
		Sales Tax	\$0.00
		Shipping	\$0.00
		Total	\$24,600.00

Please contact me if I can be of further assistance.

PRICES SUBJECT TO CHANGE - PRICES DO NOT INCLUDE APPLICABLE SHIPPING

Endpoint Security for Government



More Capability. Less Complexity. FedRAMP Authorized.

Government organizations face varied and complex challenges to deliver wideranging services to diverse communities within the constraints of limited headcount and budgets.

The SentinelOne Singularity security platform empowers SOC & IT Operations Teams with a more efficient way to protect information assets against today's sophisticated threats.

KEY FEATURES

- + Consolidated, autonomous EPP/EDR
- + Network visibility and control over unknown & IoT devices
- + Linux, macOS, Windows, Kubernetes, and Docker
- + Online/offline protection, detection & response
- + Automated event correlation into Storylines
- + Patented 1-Click Remediation & Rollback
- + Full alignment with MITRE ATT&CK® framework
- + Flexible EDR data retention, 14-365+ days options

Visit <https://s1.ai/bundles> for more specific product info

I need to protect against ransomware and advanced malware. Traditional antivirus doesn't work.

SentinelOne is EPP + EDR in one agent. Sentinel agents protect Windows, Mac, and Linux computers and servers from malware, ransomware and fileless attacks.

I need to understand and control public device access, IoT and know who is on my network.

SentinelOne helps you mitigate vulnerabilities, discover unmanaged devices, reduce your attack surface and hunt rogue devices.

I need to overcome staffing skills gaps and improve Detection & Response.

SentinelOne is noted for its ease of use and administrative workflows that help up-level novice administrator skills. We also offer FedRAMP authorized services to assist organizations.

I need to provide compliance for a range of regulations and protect huge volumes of sensitive data.

SentinelOne is a strong technical control component and satisfies endpoint security control mandates for NIST, FISMA, PCI-DSS, HIPAA, ISO and others.

I need to secure aging, legacy computing infrastructure including OSes no longer officially supported by the manufacturer.

SentinelOne supports all modern Windows versions as well as legacy, end-of-life versions including Windows 7, XP, Server 2003 & 2008.

SentinelOne is FedRAMP Authorized at the Moderate+ Impact Level



Visit www.marketplace.fedramp.gov for more information.



“

Very flexible management capabilities in addition to strong EPP/EDR features.



Gov't/PS/ED
5,000 - 50,000 Employees
Mar 13, 2020



“

Just give SentinelOne a try and you will be sold! By far one of the best on the market!



Gov't/PS/ED
<5,000 Employees
Dec 2, 2019



“

Configuration and rollout was extremely easy. The cloud dashboard is simple to use.



250M - 500M USD
Jul 2, 2020



“

Easy to use, great threat-hunting capabilities.



Gov't/PS/ED
<5,000 Employees
Jul 9, 2020



“

Easy implementation.



Gov't/PS/ED
5,000 - 50,000 Employees
Oct 31, 2019



“

Great cloud-based endpoint protection.



Gov't/PS/ED
<5,000 Employees
Jul 9, 2020

ATT&CK®

2020 MITRE ATT&CK

- Fewest Misses
- Most Correlations
- Best Data Enrichment Coverage

FORRESTER®

2020 FORRESTER
WAVE™ EDR

“Strong Performer”

KUPPINGERCOLE ANALYSTS

2020 KUPPINGERCOLE
MARKET COMPASS

Featured EPDR Innovator

SentinelOne is a Customer First Company

Continual measurement and improvement drives us to exceed customer expectations.



97%

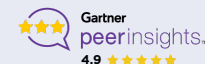
Of Gartner Peer Insights™ “Voice of the Customer” Reviewers recommend SentinelOne

97%

Customer Satisfaction (CSAT)



TEVORA™
PCI DSS Attestation
HIPAA Attestation



About SentinelOne

More Capability. Less Complexity. SentinelOne is pioneering the future of cybersecurity with autonomous, distributed endpoint intelligence aimed at simplifying the security stack without forgoing enterprise capabilities. Our technology is designed to scale people with automation and frictionless threat resolution. Are you ready?

sentinelone.com

sales@sentinelone.com

+1 855 868 3733

CCare Endpoint Detection and Response (EDR)



The Most Complete Cybersecurity Solution for Threat Detection and Attack Remediation

Advanced endpoint detection and protection combined with SOC-based response and remediation services



On-demand security operations

Cyber-attackers target SMBs leveraging the same tactics as the big enterprise firms. CCare EDR provides a SOC that scales the protection with your business enabling you to focus on growing your business while Centaris provides the staff to drive remediation of threats.



Simple deployment, always available threat coverage

With a single agent, detect all known and unknown threats leveraging the latest behavioral-based technology, regardless of where your endpoints are deployed (office, home, airport, cafe, hotel, etc.)



Next-gen threat detection and remediation

CCare EDR incorporates technology with patented threat identification and remediation technology. Quickly protect desktop and server environments for Windows, Mac, and Linux operating systems as well as virtualized servers in AWS, VMWare, Citrix, VirtualBox and Hyper-V environments.

Fully Managed Endpoint Protection Staffed by an A-Team of Security Experts



248.284.7100
www.Centaris.com
Sales@Centaris.com

Get a 24/7/365 SOC service that reduces cost and maximizes revenue with CCare Endpoint Detection and Reduction



Explore the features of CCare EDR



Protection

Deliver complete endpoint protection and monitoring. Our static artificial intelligence (AI) prevents attacks before they start by monitoring and analyzing client IT environments.



Threat detection

Behavioral AI constantly monitors and maps each running process for incongruous behaviors and recognizes many thousands of virus and malware attack variants, including cryptomining attacks, as well as the root causes of these malicious behaviors by quickly identifying and diagnosing corrupt source processes and system settings.



Response and remediation

When malicious behavior is detected, CCare EDR will activate remediation steps including scrubbing the system of any remnant of an attack, such as malicious processes or registry keys, and performing system rollback, if required, to restore system and data access.



Managed detection and response (MDR) provided your way

Implement advanced operations without the need for in-house security expertise. With CCare EDR, we can deliver managed detection and response capabilities through the lens of the endpoint or via a unified dashboard built on BrightGauge.



Next-generation endpoint security

CCare EDR provides unique malware detection and remediation technology. This solution incorporates innovative prevention technology, providing visibility into the root causes and origins of the threat, reversing the malicious operations of ransomware and remediating them at an agile speed, when needed.

Fully Managed Endpoint Protection Staffed by an A-Team of Security Experts



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Sales@Centaris.com

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

7

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

9. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to add three study rooms, furniture on the second floor and a table for the library conference room at the Bennett Civic Center Library, from budgeted funds.

Toni LaPorte, Library Director, presented the request to Council.

Council Vice President Laura Toy offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

9.

Library
March 25, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Toni LaPorte, Library Director,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to add three study rooms, furniture on the second floor and a table for the library conference room at the Bennett Civic Center Library, from budgeted funds.

BACKGROUND

The Bennett Civic Center Library has never had study rooms. Patrons request them on a daily basis. These three study rooms that we are requesting will fill a significant demand in the community. We would like to purchase a table and 4 chairs for each room. We are also requesting a replacement conference table for the library conference room. Our current table is as old as the building, which is 34 years old. The table top is peeling off and stained from many years of use.

RECOMMENDATION

The Bennett Civic Center Library is requesting to waive the formal bidding process and approve the proposed quote from Library Design Associates, Inc., under the TIPS contract #200301 for the study rooms and furniture. The conference table quote is under the NCPA Contract #07-42. The library's 2021-22 Capital Outlay budget includes funds appropriated to cover the costs. It is respectfully requested that City Council accept the proposal in the amount of \$53,036.20 from Library Design Associates Inc., 1149 South Main Street, Plymouth, MI 48170-2213.

FISCAL CONSIDERATION

Payment of \$53,036.20 to Library Design Associates, Inc. from budgeted funds in account number 271-778-971-000 (Capital Outlay-Minor) for this purpose.

ATTACHMENTS

1. Study Room proposal updated c.r. table

APPROVED BY



Toni LaPorte, Library Director

Date: March 25, 2022



Michael Slater, Finance Director

Date: March 28, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022



**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-5000

PROPOSAL

Date 03/21/22
Proposal No. 21-293
Page 1

To

Livonia Civic Center Library
Attn: Toni LaPorte, Director
laporte@livoniapubliclibrary.org

Item	Qty.	Catalog No.	Description	Unit Price	Total
1	1	Trendway	In accord with our recent meeting, I am pleased to submit the following pricing for new group study rooms. All pricing below includes delivery and installation, and uses NCPA or TIPS contract pricing. Pricing is good for (30) days and subject to reconfirmation thereafter. Pricing is based on quantities and standard finishes as listed. (3) New Study rooms, each consisting of exterior walls with full-height glass and sliding glass doors. Each wall dividing the rooms will be solid to provide privacy. All walls to stop approximately 18" short of the ceiling and attach with steel rods. Final finishes to be selected. TIPS contract #200301	41,427.00	41,427.00
2.1	3	Trendway	72" Long x 36" deep training table with metal caster base, laminate work surface with PVC edge. Includes worksurface power. Finishes: TBD. TIPS contract #200301	1,181.00	3,543.00
3.2	18	Trendway	Live chair with upholstered seat and back, metal frame, armless, glides. Finishes: TBD. TIPS contract #200301	257.40	4,633.20

We propose to furnish the material specified above at the prices quoted under the conditions stated here.
Deliveries are subject to delays from fire, strikes or other causes beyond our control.

Delivery F.O.B.

By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date



**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-5000

PROPOSAL

Date 03/21/22
Proposal No. 21-293
Page 2

To

Livonia Civic Center Library
Attn: Toni LaPorte, Director
laporte@livoniapubliclibrary.org

Item	Qty.	Catalog No.	Description	Unit Price	Total
4	1	Media Tech	Quorum conference table, 120" long x 60" wide x 29" high overall. Table to have a laminate work surface with 3mm PVC edge, and Oak veneer base. Finishes: TBD. NCPA Contract #07-42	3,433.00	3,433.00
Total					\$53,036.20

We propose to furnish the material specified above at the prices quoted under the conditions stated here.
Deliveries are subject to delays from fire, strikes or other causes beyond our control.

Delivered and Installed

Matt de Bear

Delivery F.O.B.

By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022

8

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

10. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to replace shelving units for the Youth Non-fiction Collection and Youth paperback collection at the Carl Sandburg Library, from budgeted funds.

Toni LaPorte, Library Director, presented the request to Council.

Councilmember Scott Bahr asked for clarification on why the need to stick with the brand of shelving. Toni LaPorte explained the durability and longevity of the requested shelves. Councilmember Bahr asked if there are competitors. Toni LaPorte replied there aren't any that provide comparable shelving.

Councilmember Brandon McCullough offered an approving resolution on the Consent agenda.

Councilmember Rob Donovic asked for verification that the current shelving units are forty years old. Toni LaPorte agreed.

DIRECTION:

APPROVAL

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

10.

Library
March 25, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Toni LaPorte, Library Director,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Livonia Public Library, re: to replace shelving units for the Youth Non-fiction Collection and Youth paperback collection at the Carl Sandburg Library, from budgeted funds.

BACKGROUND

The shelving units we are replacing are approximately 40 years old. They are very rusty and falling apart, causing a hazard to the little children who use them. We would like to replace them with new and safer units.

RECOMMENDATION

The Sandburg Library is requesting to waive the formal bidding process and approve the proposed quote from Library Design Associates, Inc., who is the exclusive distributor for Estey Cantilever Library Shelving for all markets in the state of Michigan. They are also the exclusive source for Worden library furniture product sales, service, and warranty in the State of Michigan. The library's 2021-22 capital outlay budget includes funds appropriated to cover the costs. It is respectfully requested that City Council accept the proposal in the amount of \$33,052.00 from Library Design Associates, Inc. 1149 South Main Street, Plymouth, MI 48170-2213.

FISCAL CONSIDERATION

Payment of \$33,052.00 to Library Design Associates Inc. from budgeted funds in account number 271-780-976-000 (Capital Outlay-Building Improvement) for this purpose.

ATTACHMENTS

1. Updated proposal for Sandburg Shelving 3.23.22
2. Sandburg LDA MI Sole Source Letter 2-24-22
3. Sandburg LDA SS shelving.2 _202247024726

APPROVED BY



Toni LaPorte, Library Director

Date: March 25, 2022



Michael Slater, Finance Director

Date: March 28, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022



**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-8000

PROPOSAL

Date 03/23/22
Proposal No. P-33147
Page 1

To

Livonia Civic Center Library
Attn: Toni LaPorte, Director
laporte@livoniapubliclibrary.org

Item	Qty.	Catalog No.	Description	Unit Price	Total
			In accord with our recent meeting, I am pleased to submit the following pricing for new shelving at the Carl Sandburg Branch Library. All pricing below includes shipping and installation costs. Pricing is good for (30) days and subject to reconfirmation thereafter. Pricing is based on the quantities and finishes specified. If these are adjusted, please confirm pricing prior to submitting a PO.		
1	1	LDA	All material required to provide (3) new shelving ranges for the Youth Non Fiction Collection. Each range to have (6) total sections. Each section includes (1) 66" high x 36" wide frame, (1) 36" wide x 24" deep divider base shelf, and (6) total 36" wide x 12" deep adjustable divider shelves. Entire range to have steel shelving tops, and each end to have a wood end panel to match the existing low Youth shelving.	28,758.00	28,758.00
2	1	LDA	All material required to provide (1) single face shelving range for the Youth Paperback collection. Includes (3) sections total. Each section includes (1) 66" high frame x 36" wide welded frame, (1) 36" wide x 10" deep integral back base shelf, and (4) 36" wide x 9" deep integral back adjustable shelves. Entire range to have steel shelving tops, and each end to have Oak end panels to match the existing low Youth shelving.	3,544.00	3,544.00
3	1	LDA	Estimated cost to remove and dispose of existing shelving. All books to be removed by Library personnel.	750.00	750.00

We propose to furnish the material specified above at the prices quoted under the conditions stated here.
Deliveries are subject to delays from fire, strikes or other causes beyond our control.

Delivery F.O.B.

By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date

**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-5000

Date 03/23/22
Proposal No. P-33147
Page 2

PROPOSAL

To

Livonia Civic Center Library
Attn: Toni LaPorte, Director
laporte@livoniapubliclibrary.org

Item	Qty.	Catalog No.	Description	Unit Price	Total
			Total		\$33,052.00

We propose to furnish the material specified above at the prices quoted under the conditions stated here. Deliveries are subject to delays from fire, strikes or other causes beyond our control.

~~—Delivered and Installed—~~
Delivery F.O.B.

Matt de Bear
By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date



February 24, 2022

Livonia Public Library
Ms. Toni LaPorte, Director
32777 Five Mile Rd.
Livonia, MI 48154

This letter is to confirm that Library Design Associates, Inc. is the exclusive source for Worden library furniture product sales, service, and warranty in the State of Michigan. No other dealer is authorized to sell Worden products in Michigan.

Please feel free to contact me at 616-355-3049 or phuesdash@wordencompany.com should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Huesdash", with a long horizontal flourish extending to the right.

Paul Huesdash
Territory Manager



February 24, 2022

Livonia Public Library
Ms. Toni LaPorte, Director
32777 Five Mile Road
Livonia, MI 48154

Subject: **Sole Source**

Dear Ms. LaPorte,

This letter is to confirm that Library Design Associates, Inc. located in Plymouth, MI is the exclusive distributor for Estey Cantilever Library Shelving for all markets in the state of Michigan.

Should you require further information, please feel free to contact me at 866-385-7391.

Sincerely,

Tennsco, LLC

Chris Blankenship
Estey Sales Manager

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

9

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

11. REQUEST FOR ADDITIONAL EXENDITURE: Department of Parks and Recreation, re: for Sheldon Park Pool Deck Paving to close out the contract with Luigi Ferdinandi & Son Cement Co., Inc., in an amount not-to-exceed \$6,026.55 and the new total not-to-exceed amount of \$61,887.55, from budgeted funds. (CR 114-21).

Ted Davis, Superintendent of Parks and Recreation presented the request to Council. Council Vice President Laura Toy offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

11.

Engineering
April 5, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST FOR ADDITIONAL EXPENDITURE: Department of Parks and Recreation, re: for Shelden Park Pool Deck Paving to close out the contract with Luigi Ferdinandi & Son Cement Co., Inc., in an amount not-to-exceed \$6,026.55 and the new total not-to-exceed amount of \$61,887.55, from budgeted funds. (CR 114-21).

BACKGROUND

Pursuant to Council Resolution No. 114-21, adopted April 12, 2021, a contract in the amount of \$55,861.00 was awarded to Luigi Ferdinandi & Son Cement Co., Inc. for the Shelden Park Pool Deck Paving Project.

The Shelden Pool project was approved in April of 2021 with the intent of opening the pool for the 2021 season and beyond. Unfortunately, unprecedented staffing issues forced the pool's premature closure in 2021, and continues staffing issues are preventing it from opening this year.

During the work to prepare for the 2021 project, the contractor encountered unforeseen issues that required additional work to complete his contract. After removal of the existing concrete pool deck, it was discovered that the electrical bonding for the pool was inadequate to meet building codes. Work to correct the issue was completed as an emergency repair by another contractor, but while waiting for that work to be completed, large storms hit the area washing away the existing base materials. The pool paving contractor was forced to bring in additional materials, regrade the area and reset the forms that had already been placed.

Although the work was completed in May and June of 2021, the contractor did not submit a claim for the additional work until January of 2022 when they were reviewing their project documents for the past year. (even though we had requested close-out documents previously)

We are requesting an additional expenditure in the amount of \$6,188.75 for a new revised contract amount of \$61,887.55 in an effort to provide payment for additional work that was required to complete the project.

RECOMMENDATION

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

FISCAL CONSIDERATION

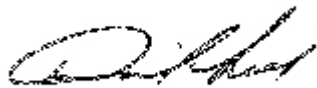
In order to close out this project, we respectfully request that the City Council approve the following:

- Approve an additional expenditure in the amount of \$6,026.55 from budgeted funds in Account #208-797-971-000 for the Sheldon Park Pool Deck Paving Project with Luigi Ferdinandi & Son Cement Co., Inc., 16481 Common Road, Roseville, Michigan 48060. The final contract amount is \$61,887.55.

ATTACHMENTS

1. CR #114-21

APPROVED BY



Date: April 05, 2022

David Lear, Assistant City Engineer



Date: April 05, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 05, 2022

Michael Slater, Finance Director



Date: April 08, 2022

Maureen Miller Brosnan, Mayor

amended, re: Petition 2019-06-06-01, submitted by the City Planning Commission, pursuant to Council Resolution 163-19; to amend Section 4.02 of Article IV; to add Subsection (i) to the Committee of the Whole for its report and recommendation.

At the direction of the Vice Chair, Agenda Item No. 21 was removed from the Agenda.

On a motion by Jolly, supported by Toy, and unanimously adopted, it was:

#114-21 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated March 9, 2021, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the bid of Luigi Ferdinandi and Sons Cement Co., 16481 Common Road, Roseville, MI 48066 for performing all work required in connection with the Sheldon Pool Deck Paving, for a total amount not to exceed \$55,861.00; the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize an amount not to exceed \$55,861.00 from funds budgeted in Account No.: 208-722-971-000 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.

On a motion by McCullough, supported by Donovic, it was:

#115-21 RESOLVED, that having considered a communication from the City Planning Commission, dated March 11, 2021, approved for submission by the Mayor, which sets forth its resolution #03-08-2021, adopted on March 9, 2021, with regard to Petition 2021-02-02-02 submitted by SPP Investors II, L.L.C., requesting approval to re-develop a site, including demolishing the existing restaurant (Romano's Macaroni Grill), constructing a full-service restaurant with drive-thru facilities (Shake Shack), and constructing a bank with drive-thru facilities, on property located in the northeast corner of Seven Mile and Haggerty Roads (39300 Seven Mile Road) in the Southwest ¼ of Section 6, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2021-02-02-02 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Drawing C-3, dated February 3, 2021, as revised, prepared by Stonefield Engineering & Design, is hereby approved, and shall be adhered to, except that construction of a building

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

10

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

12. AWARD OF CONTRACT: Department of Parks and Recreation, re: for the HVAC Maintenance Service at the Jack E. Kirksey Recreation Center for the period of June 1, 2022 to May 31, 2026, from budgeted funds.

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

Councilmember Brandon McCullough offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

12.

Parks and Recreation April 6, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF CONTRACT: Department of Parks and Recreation, re: for HVAC Maintenance Service at the Jack E. Kirksey Recreation Center for the period of June 1, 2022 to May 31, 2026, from budgeted funds.

BACKGROUND

The Department of Parks and Recreation received bids for the Jack E. Kirksey Recreation Center Heating, Ventilation and Air Conditioning Maintenance Service in accordance with the requirements of the Finance Ordinance.

Specifications were prepared in cooperation with the Department of Public Works Public Service Division. An advertisement for bids was placed on the MITN website. Five (5) bids were received and opened in the Bid Committee's presence at 2 p.m. on March 29, 2022.

For Council's review is the bid tabulation:

Vendor Name	Campbell Inc.	CSM Mechanical, LLC	Lyon Mechanical, Inc.	RW Mead & Sons	WJ O'Neil
City/State	Ypsilanti, MI	Fenton, MI	New Hudson, MI	Fraser, MI	Livonia, MI
Year 1	\$116,900	\$140,000	Not in required format	\$112,020	\$126,888
Year 2	\$123,900	\$144,200		\$119,250	\$132,588
Year 3	\$131,300	\$148,526		\$126,000	\$138,564
Year 4	Blank	\$152,982		\$135,312	\$144,792
Total	\$372,100 for 3 years	\$585,708 for 4 years	NA	\$492,582 for 4 years	\$542,832 for 4 years

RECOMMENDATION

We ask Council to award the maintenance contract to the low bidder and current service provider, RW Mead & Sons, 33795 Riviera, Fraser, MI 48026, for a total of \$492,582.00 for the four year contract.

FISCAL CONSIDERATION

Budget funds are available in account no. 208-755-818-020.

ATTACHMENTS

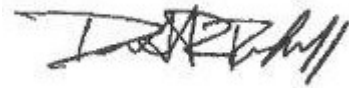
1. 2022 RW Mead bid

APPROVED BY



Date: April 06, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 06, 2022

Don Rohraff, Director of Public Works



Date: April 06, 2022

Michael Slater, Finance Director



Date: April 07, 2022

Maureen Miller Brosnan, Mayor

PROPOSAL FORM – THREE YEAR (with optional 4th year) - HEATING, VENTILATION AND
AIR CONDITIONING MAINTENANCE SERVICE FOR THE
JACK KIRKSEY LIVONIA COMMUNITY RECREATION CENTER
and DETACHED STORAGE BUILDING

Submitted by: R.W. Mead & Sons, Inc.
(company name)

Honorable Members of the Council
City of Livonia

Dear Council Members:

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to complete the work, I (we) agree to perform said project as follows:

Maintenance for heating, ventilation and air conditioning at the Jack Kirksey Livonia Community Recreation Center and detached storage building

Bid Amount

Year #1	\$ <u>112,020.00</u>	/Annually	6/1/22-5/31/23
Year #2	\$ <u>119,250.00</u>	/Annually	6/1/23-5/31/24
Year #3	\$ <u>126,000.00</u>	/Annually	6/1/24-5/31/25
(optional) Year #4	\$ <u>135,312.00</u>	/Annually	6/1/25-5/31/26

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum # 1

Addendum # 2

Addendum # 3

TECHNICIANS REQUIREMENTS - The Service Company will demonstrate compliance with staffing requirements by providing a listing of qualified personnel

TECHNICIAN NAME	ADDRESS	JOB CATEGORY	YEARS EMPLOYED BY BIDDER
1. Aron Roche	33795 Riviera	Service Technician	5
2. Steven Mead III	33795 Riviera	Service Technician	1
3. Nicholas Newsom	33795 Riviera	Service Technician	<1
4. Chris Hedlund	33795 Riviera	Service Technician	35
5.			

LOCAL REFERENCES - list five (5) local clients with similar full responsibility contracts in excess of \$50,000.00 who have been under contract with the bidder for a period of not less than four (4) years.

COMPANY NAME	YEARS UNDER CONTRACT	CONTACT NAME	TELEPHONE NUMBER	ANNUAL CONTRACT AMOUNT
Akzo Nobel	24	Scott Mowers	248-670-6716	\$68,000.00
City of Novi	13	Marcus Kull	248-226-0333	\$60,000.00
Ace Controls	19	Brian Crouch	248-426-3699	\$58,000.00
Zeiss	4	Steve Paquette	248-486-7636	\$59,000.00
City of Flat Rock	5	Larry Dishaw	734-341-0396	\$69,000.00

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

To guarantee his fulfillment of the foregoing covenants, the bidder attaches hereto his certified check or bid bond in the sum of \$ 5% (5% of proposal) and agrees that same shall be forfeited to the City of Livonia in the event of his failure to execute the contract or furnish acceptable bonds, not as a penalty but as actual liquidated damages. The City shall not be required to prove or show such liquidated damages.

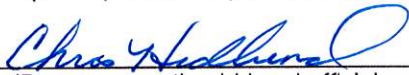
In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or

informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name R.W. Mead & Sons, Inc. Date 3/29/2022
(If corporation, partnership, or assumed name)

Signature  Richard Mead - President
(Person executing bid and official capacity)

(Names of principal officers and designate official capacity)
(If partnership or assumed name, indicate names of owners)

Address 33795 Riviera

City/State/Zip Fraser, MI. 48026

Phone (586) 296-3650 FAX (586) 294-0410

As a condition of this bid, the City reserves the right to reject any or all bids or to split the award by times; i.e. Honeywell Management System unless otherwise stipulated in your bid, or to accept the bid which will best serve its interest.

The contractor shall indemnify and hold harmless the City of Livonia and their employees from and against all claims, losses, and expenses including attorney's fees arising out of or resulting from the performance of the work, provided that any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property, and (b) is caused in whole or in part by any negligent act or omission of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

Submission and Ratification Requirements:

To be considered for this project, the following forms must be uploaded to the MITN website in Adobe Acrobat PDF format no later than 2:00 p.m. on March 29, 2022.

☒ Proposal Form (FP1-FP6)

☒ Bid Bond (5% of total amount bid)

If selected as the winning bidder, the City of Livonia will provide to the winning Contractor the following forms which must be submitted by the Contractor within 15 business days:

<u>Form Name</u>	<u>Reference Page</u>
☐ Proof of insurance	GC-9/10
☐ Performance Bond	GC-10
☐ Labor and Materials Bond	GC-11
☐ Maintenance & Guarantee Bond	GC-11
☐ Five (5) copies of signed contract	C-1/2

**STATEMENT OF QUALIFICATIONS
HVAC MAINTENANCE – KIRKSEY RECREATION CENTER**

Respondents must answer all questions. If more space is needed to complete a question, attach a separate sheet.

Company Name: R.W. Mead & Sons, Inc.

Address 33795 Riviera, Fraser ,Mi. 48026

Contact Person: Chris Hedlund Title Service Manager

Phone No. (586) 296-3650 Email chedlund@rwmead.com

1. Number of years operating under your present name: 46
2. Number of years present owners have owned the company: 46
3. How many years of experience does your company have providing the services specified in the bid documents? 46 years
4. List municipalities who the bidder has serviced in the past five (5) years to present:

Name of Municipality	Term of Service
Northville Township	2 years
City of Clawson	4 years
City of Novi	12 years
City of Sterling Heights	4 years
City of Flat Rock	6 years

5. General nature of work performed by your company:
Service and installation of HVAC equipment.

6. Have you performed work for the City of Livonia in the last ten (10) years? If so, please specify:

Year of Service	Department Serviced	Description of Services Provided
2015 - Current	Kirksey Rec. Center	Full Maintainence

7. List the members of the team who will oversee the contract and the roles they will perform.

Name	Title	Role	Years of Experience
Aron Roche	Technician	Primary Technician	15 years
Seven Mead III	Technician	Secondary Technician	4 years
Nicholas Newsom	Technician	Secondary Technician	4 years
Chris Hedlund	Tech/Manager	Secondary Technician	35 years

8. What challenges do you foresee?

Inflation

9. What is included in your base price for services? What services will incur additional fees:

All services mentioned in the spec. Services related to all non-moving and all non-maintainable items

10. Provide Phone Numbers for Customer contact during normal business hours. Provide phone number for

24-hour contact by City of Livonia personnel.

Company Phone No.: (586) 296-3650

24-Hour Phone No.: (586) 296-3650

11. Hours of Operation

DAYS	BUSINESS HOURS
Monday – Friday	8am - 5pm
Saturday	Closed
Sunday	Closed
Holidays	Closed

COMPANY NAME: R.W. Mead & Sons, Inc.

THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

W. Michael McBride; Wayne L. McBride; Scott P. McBride; Chuck W. Norton;
James R. Parry, Jr.; Jeffrey T. Jardine and/or Amy L. Mathis

of Troy, Michigan their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows: Any such obligations in the United States, up to

Fifteen Million and No/100 Dollars (\$15,000,000.00).

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or a Senior Vice President this 19th day of December, 2018.



STATE OF OHIO)SS:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Stephen A. Ventre

On this 19th day of December, 2018 before me came the above-named President or Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



Keith Collett
Keith Collett, Attorney at Law
Notary Public - State of Ohio
My commission has no expiration date.
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this

day of



Ed H

THE CINCINNATI INSURANCE COMPANY

Bid Bond

CONTRACTOR (Name, legal status and address):

R.W.Mead & Sons, Inc
33795 Riviera Dr.
Fraser, MI 48026

SURETY (Name, legal status and principal place of business):

THE CINCINNATI INSURANCE COMPANY
6200 S. GILMORE ROAD
FAIRFIELD, OHIO 45014-5141

OWNER (Name, legal status and address):

City of Livonia
15100 Hubbard
Livonia, MI 48154

BOND AMOUNT:

5% of bid

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT (Name, location or address, and Project number, if any):

James Kirksey Rec. Center & Storage Building
Livonia, MI

Project Number, if any:

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond the sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

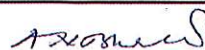
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirements shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 24th day of March

2022


(Witness)

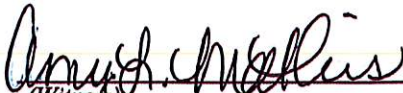
Akhil N. Bhatt
(Principal)



(Seal)

(Title)

Principal


(Witness)

THE CINCINNATI INSURANCE COMPANY
(Surety)

(Seal)

(Title)

Jeffrey T. Jardine Attorney-in-Fact



**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

11

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

14. AWARD OF BID: Department of Parks and Recreation, re: for the Alexander Blue House roof replacement at Greenmead, from budgeted funds.

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

Councilmember Brandon McCullough offered an approving resolution on the Consent agenda, noting he is familiar with the product.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

14.

Parks and Recreation March 16, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the Alexander Blue House roof replacement at Greenmead, from budgeted funds.

BACKGROUND

On behalf of the Department of Parks and Recreation and Greenmead Historical Park, we respectfully request the acceptance of a bid from Weatherseal Home Improvements Co. Inc. for the replacement of the roof on the Alexander Blue House with CeDUR shingles in the amount of \$115,360.00.

Bids were solicited through MITN for a CeDUR shingle roof:

Weatherseal Home Improvements Co. Inc.	\$115,360.00
JD Candler Roofing Company	\$217,980.00
Royal Roofing Company	\$352,000.00

Bids were also solicited through MITN for a cedar shake roof with only one bid received:

Weatherseal Home Improvements Co. Inc.	\$122,805.00
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RECOMMENDATION

Therefore, it is respectfully recommended that the Council take the following actions:

-Authorize the Mayor and City Clerk to execute a contract in the amount not to exceed \$115,360.00 to Weatherseal Home Improvements Co. Inc., 51662 Oro Dr., Shelby Township, MI 48315.

FISCAL CONSIDERATION

Funds are budgeted in Capital Outlay account 101-821-974-000.

ATTACHMENTS

1. 2022 Alexander Blue roof bid Weatherseal

APPROVED BY



Date: March 16, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: March 18, 2022

Michael Slater, Finance Director



Date: March 22, 2022

Maureen Miller Brosnan, Mayor

THE CINCINNATI INSURANCE COMPANY

Bid Bond

CONTRACTOR (Name, legal status and address):

Weatherseal Home Improvements Co. Inc.
49952 Sandra Drive
Shelby Township, MI 48315

SURETY (Name, legal status and principal place of business):

THE CINCINNATI INSURANCE COMPANY
6200 S. GILMORE ROAD
FAIRFIELD, OHIO 45014-5141

OWNER (Name, legal status and address):

CITY OF LIVONIA, MICHIGAN
12973 FARMINGTON RD
LIVONIA, MI 48150

BOND AMOUNT:

5% of bid

This document has important legal consequences, Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT (Name, location or address, and Project number, if any):

Roof replacement; Install synthetic shake

If awarded Principal will honor the required warranty specified in the bid documents. However, it is agreed the Surety will not be responsible for any warranties beyond two (2) years.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond the sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirements shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 8

day of February, 2022

Michael Blain
(Witness)

Weatherseal Home Improvements Co. Inc.

(Principal)

(Seal)

John
(Title)

President

THE CINCINNATI INSURANCE COMPANY

(Surety)

(Seal)

(Title)

Attorney In Fact

(Witness)



The Company executing this bond vouches that this document conforms to American Institute of Architects Document A310, 2010 Edition.

S-2000-AIA (11/10) PUBLIC

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

John Cornish,

of Macomb, MI

and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Five Million Dollars and 00/100 (\$5,000,000.00)

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of May, 2012.



STATE OF OHIO) ss:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY

Stacy A. Justice

Vice President

On this 10th day of May, 2012, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Mark J. Huller

MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration
date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this day of



Scott R. Boen

Assistant Secretary

FORM OF BID PROPOSAL FOR ROOF INSTALLATION – ALEXANDER BLUE HOUSE

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

FURNISH: All materials, labor and equipment necessary to INSTALL roof at Greenmead Historical Park Alexander Blue House located at 20501 Newburgh Road, Livonia Michigan as per the specifications and scope of work provided herein.

- COMPLETE FOR THE SUM OF : \$ 115,360.00
- WARRANTY: PARTS 50 year Lifetime Limited LABOR 10 years
- Date Site Visit Conducted: 1-27-2022
- State hours of operation: Sunrise to Sunset
- State terms Payment in full upon completion. Net 30 days
- Total work time needed to complete project including any prep time: 15 days
- Number of days it will take to get started upon notice to proceed: 112 days
This is based on Cedar lead time of 14-16 weeks.
- Pricing valid until May 9th 2022
- Is your company able to complete the work no later than July 30, 2022? ☒ Yes ☐ No

If no, by what date can completion be guaranteed? This is based on arrival of product.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further

agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name Weatherseal Home Improvements Co Inc
(If corporation, partnership, or assumed name)

Address 51662 Oro Dr.

City/State/Zip Shelby Twp. MI 48315

Phone 586-323-1188 FAX 586-323-9249

Signature Michael Blair Date 2-7-2022
(Person executing bid and official capacity)

Allen Herston President/Owner
Michael Blair Sales Manager
(Names of principal officers and designate official capacity) (If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Michael Blair

Title: Sales Manager

Phone No. 1 (810) 459-9590

Email: mblairweatherseal@comcast.net

FORMS TO RETURN WITH BID SUBMISSION:

- Bid Bond
- Form of Proposal Pages (FP-1-FP7)
- Statement of Qualifications
- Warranty Documentation
- Project Timeline
- Company Overview

Please return forms in order listed above.

STATEMENT OF QUALIFICATIONS
ALEXANDER BLUE HOUSE ROOF INSTALLATION – GREENMEAD HISTORICAL PARK

Respondents must answer all questions. If more space is needed to complete a question, attach a separate sheet.

Company Name: Weatherseal Home Improvements Co Inc

Address 51662 Oro Dr. Shelby Twp. MI 48315

Contact Person: Michael Blair Title Sales Manager

Phone No. 810 459-9590 Email mblairweatherseal@comcast.net

1. Number of years operating under you present name: 31 years
2. Number of years present owners have owned the company: 31 years
3. How many years of experience does your company have with historical structures. 25
4. List municipalities who the bidder has serviced in the past five (5) years to present:

Name of Municipality	Term of Service
Charter Township of Orion	2019 - Present Roofing + siding
Charter Township of Shelby	2020 Roofing
City of Farmington Hills	2018 Roofing
City of Rochester Hills	2020-2021 Roofing - Cedar shingles
City of Warren	2020 Roofing + more

5. General nature of work performed by your company:

Roofing, Siding, gutters

COMPANY NAME: Weatherseal Home Improvements Co Inc.

6. Have you performed work for the City of Livonia in the last ten (10) years? If so, please specify:

N/A

Year of Service	Department Served	Description of Services Provided

7. List the members of the team who will oversee the contract and the roles they will perform.

Name	Title	Role	Years of Experience
Michael	Sales Mgr.	Project Management	23
Rubin	Supervisor	Job Supervisor	20
Al	President	Owner	35

8. What challenges to you foresee?

ETA of Product

9. What is included in your base price for services? What services will incur additional fees:

All new flashings are included. Additional wood replacement charges.

10. Provide Phone Numbers for Customer contact during normal business hours. Provide phone number for 24-hour contact by City of Livonia personnel.

Company Phone No.: 586-323-1188

24-Hour Phone No.: 586-323-1188

11. Hours of Operation

DAYS	BUSINESS HOURS
Monday – Friday	7am - 7pm
Saturday	Available by phone
Sunday	Available
Holidays	Available

COMPANY NAME: Weatherseal Home Improvements Co Inc

12. What value added services in addition to those specified can your company provide?

DESCRIPTION	FEE
1 5/8" roof Deck Replacement	2.25 / sq ft
Wood Lap siding Replacement	6.00 / sq ft
Vinyl siding Replacement Strd.	7.50 / sq ft
5" aluminum gutters	5.00 / ft
1x6 Replacement white Pine	6.75 / ft
1x8 Replacement white Pine	7.25 / ft
1x6 Cedar	9.25 / ft
1x8 Cedar	10.00 / ft

COMPANY NAME: Weatherseal Home Improvements Co Inc

REFERENCES

ALEXANDER BLUE HOUSE ROOF INSTALLATION – GREENMEAD HISTORICAL PARK

COMPANY NAME: Weatherseal Home Improvements Co Inc

Reference Company Name: <u>Roofing Technology Associates Ltd.</u>	
City/State: <u>Livonia, MI</u>	
Summary of Work Performed: <u>Roofing + metal soffit replacement</u>	
Dates of Work: <u>8-8-2019 — 8-12-2019</u>	
Company Contact Person: <u>Bob Varner</u>	Title: <u>Architect</u>
Phone Number: <u>313-910-9336</u>	Email: <u>bvarner@rtaltd.com</u>

Reference Company Name: <u>Auch Construction</u>	
City/State: <u>Pontiac, MI</u>	
Summary of Work Performed: <u>New Cedar Shingle install on Van Hoosen Dairy barn and Equipment Barn. For City of Rochester Hills</u>	
Dates of Work:	
Company Contact Person: <u>Aaron St. Dennis</u>	Title: <u>Senior Project Manager</u>
Phone Number: <u>248-334-2000</u>	Email: <u>astdennise@auchconstruction.com</u>

Reference Company Name: <u>The DK Design Group</u>	
City/State: <u>Cadillac, MI</u>	
Summary of Work Performed: <u>Meadowview Village Roof Replacement + Corner Stone Apartments Roofs + Gutters</u>	
Dates of Work: <u>7-23-2019 , 10-8-2019</u>	
Company Contact Person: <u>Dennis Meekhoff</u>	Title: <u>Architect</u>
Phone Number: <u>231-779-4002</u>	Email: <u>Dennis@dkdesign.cc</u>

SUBCONTRACTOR'S LIST – ROOF INSTALLATION AT ALEXANDER BLUE HOUSE

Company Name	Contact Person	Phone No.	Services to be provided
<i>AIS Construction Inc</i>	<i>Rubin</i>	<i>586-804-4740</i>	<i>Roofing Install</i>

COMPANY NAME: *Weatherseal Home Improvements Co Inc*



4231
DATE 02/8/2022

Weatherseal Home Improvement Co. Inc.

51662 oro dr,
Shelby Township Michigan
48315

Ph (586)323-1188
Weatherseal1@comcast.net
<http://weathersealhomeimprovements.net>

BILL TO

Emily Tchorz-Fielder
Greenmead Historical Park
20501 Newburgh Rd
Livonia MI 48152

JOB ADDRESS

20501 Newburgh Rd
Livonia MI 48152

DESCRIPTION

We propose to provide the materials and labor for the following roof replacement-
Alexander Blue House only

- Does not include 1/12 slope areas.
- Protect surrounding grounds from possible falling debris.
- Remove all existing roof materials down to bare wood and dispose into a rubber wheel dumpster or our mobile Equiptor.
- Clean roof deck of loose debris and replace damaged boards as needed. \$2.25 per SQFT above and beyond. Additional replacement items listed in bid forms.
- Install 6' Ice and Water shield at all eaves and 3' High Temp down valleys. Install Ice and Water shield around penetrations and chimneys.
- Install Synthetic underlayment over the remainder of the roof deck.
- Install T-style aluminum drip edge around the entire perimeter.
- Install CeDur Starter shingle at all eaves.
- Install 26 GA metal valleys.
- Install CeDur synthetic shake roof system with 12" valley shakes..
- Install CeDur medium pitch Ridge cap shingles on all ridges.
- Install proper attic ventilation exhaust.
- Replace pipe covers with new galvanized covers.
- Install step flashing and counter-flashing at all chimneys and walls and seal using #900 Solar Seal caulk.
- Clean up and haul away all debris.
- Magnetic sweep for nails.
- 10 year workmanship warranty

SUBTOTAL	\$115,360.00
TAX	\$0.00

#4231
Total amount \$115,360.00

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

12

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

15. AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Parking Lot Expansion, from budgeted funds.

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

Councilmember Scott Bahr offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

15.

Parks and Recreation April 6, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Parking Lot Expansion, from budgeted funds.

BACKGROUND

The Department of Parks and Recreation has taken bids for a parking lot expansion at Ben Celani Play Area. This project is in conjunction with the updated site plan and projected increased usage of the barrier free playground and senior playground set to be installed later this year.

Specifications were prepared by the Engineering Department and an advertisement for bids was placed on the MITN website. Two bids were received and opened in the presence of the Bid Committee at 2 p.m. on April 5, 2022. Below, for the Council's review, is the bid tabulation.

Company	Bid Amount
Luigi Ferdinandi & Son	\$111,737.00
Nagle Paving	\$103,290.00

We are recommending Nagle Paving be awarded the contract, as the low bidder and having received favorable references on similar projects they completed.

RECOMMENDATION

We request that City Council authorize the Mayor and City Clerk to execute a contract in the amount of \$103,290.00 with Nagle Paving, 36780 Amrhein Rd., Livonia, MI 48150. Attached is their form of proposal and bid specifications. The bids are good for 120 days from opening.

FISCAL CONSIDERATION

Budgeted funds are available in account no. 101-758-974-000.

ATTACHMENTS

1. 2022 Ben Celani Park Bid Form and Bid Bond Nagle Paving
2. 2022 BID OPENING SHEET Bici paving
3. 2022 Revised Master Plan Bicentennial Park (002)

APPROVED BY



Date: April 06, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 07, 2022

Michael Slater, Finance Director



Date: April 07, 2022

Maureen Miller Brosnan, Mayor

FORM OF PROPOSAL
For
BEN CELANI PARK IMPROVEMENTS

Bid of NAGLE PAVING COMPANY hereinafter called Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business as A CORPORATION *.

* Insert as applicable: "a corporation", "a partnership" or "an individual"

TO THE CITY OF LIVONIA, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Notice to Bidders, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Proposal, Bond, Specifications and Drawings, as prepared by the ENGINEER, and understands all of the same; that the Bidder or its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.

1

Addendum Date

3/31/22

The Contract will be awarded to the lowest responsive, responsible Bidder based on the unit prices for all Work specified.

The Bidder agrees to complete the Project for the following unit prices:

Concrete Paving Bid Items

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
1	Mobilization	2	l.s.	\$	\$
2	Place Soil Erosion Fencing	325	l.f.	\$	\$
3	Place Soil Erosion Inlet Filter	1	ea.	\$	\$
4	Place 20'x40' Mud Tracking Mat	1	ea.	\$	\$
5	Remove and Stockpile Landscape Boulders	28	ea.	\$	\$
6	Remove and Stockpile Misc. Signs	5	ea.	\$	\$
7	Remove Entrance Gate and Posts (Including Post Foundations)	1	ea.	\$	4

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
8	Remove Exist. Tree and Stump (less than 12" Dia.)	3	ea.	\$	\$
9	Remove Exist. Tree and Stump (12" to 18" Dia.)	8	ea.	\$	\$
10	Remove Exist. Tree and Stump (19" to 30" Dia.)	9	ea.	\$	\$
11	Sawcut and Remove Exist. 2' Wide Concrete Curb and Gutter (includes deep saw-cutting)	90	l.f.	\$	\$
12	Remove 8" thick Concrete Approach and Sidewalk	875	s.f.	\$	\$
13	Remove 4" thick Bituminous Driveway and Walking Paths	5,400	s.f.	\$	\$
14	Excavation (Variable Depth)	340	c.y.	\$	\$
15	Place 21AA Limestone (6" Thick, C.I.P)	495	tons	\$	\$
16	Place 4" Thick Concrete Sidewalk	12,000	s.f.	\$	\$
17	Place 8" Thick Concrete Approach and Sidewalk	1,520	s.f.	\$	\$
18	Place Concrete "M" Opening	90	l.f.	\$	\$
19	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	1,300	s.y.	\$	\$
20	Inspector Days (based on 8 hrs/day) (minimum 25 days)		days	\$ 500.00	\$
TOTAL CONCRETE PAVING BID					\$

Bituminous Paving Bid Items

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
21	Mobilization	1	l.s.	\$ 8500 ⁻	\$ 8500 ⁻
22	Excavation (12" Depth)	480	c.y.	\$ 38.75	\$ 18,600 ⁻
23	Place 21AA Limestone (6" Thick, C.I.P)	500	tons	\$ 26.00	\$ 13,000 ⁻
24	Place 2 ½" Thick HMA Leveling Course (1100L, 20A)	250	tons	\$ 118.00	\$ 29,500 ⁻
25	Place 1 ½" Thick HMA Wearing Course (1100T, 36A)	150	Tons	\$ 135.00	\$ 20,250 ⁻
26	Parking Lot Striping	1	l.s.	\$ 940.00	\$ 940 ⁻
27	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	500	s.y.	\$ 10.00	\$ 5000 ⁻
28	Inspector Days (based on 8 hrs/day) (minimum 15 days)	15	days	\$ 500.00	\$ 7500 ⁻
TOTAL BITUMINOUS PAVING BID					\$ 103,290.00

If the foregoing Bid shall be accepted by the OWNER, the undersigned agrees to enter into the attached form of Agreement within ten (10) days after receiving notice of such acceptance, will furnish the OWNER satisfactory bonds and certificates of insurance coverage, and will complete the Project, at the price and within the time stated in this Bid.

The undersigned further agrees that if the foregoing Bid shall be accepted, work will commence immediately after the Contract has been awarded, the Agreement executed, and a Notice to Proceed received. **The undersigned shall complete the Work to Substantial Completion within 30 days of notice to proceed, and to Final Completion within 45 days of notice to proceed.** Substantial completion shall be met when all the pathways are open for use by the public. Final completion shall be met when all restoration items and punch-list work items have been completed.

The undersigned attaches hereto its Bid security, as required by the Notice to Bidders and Instructions to Bidders. The undersigned agrees that in case it shall fail to fulfill its obligations under the foregoing Bid, and/or shall fail to furnish bonds, as specified, the OWNER may, at its option determine that the undersigned has abandoned its rights and interests in such Contract and that its Bid security accompanying its Bid; has been forfeited to the said OWNER, but otherwise the Bid security shall be returned to the undersigned upon the execution of the Contract and the acceptance of the bonds.

The undersigned also agrees that for each and every calendar day that he may be in default of Substantial Completion of the Work, within the time specified in this Bid, the OWNER will suffer a damage of **Two Hundred and Fifty dollars (\$250.00)** per day, and said OWNER shall be compensated therefore at the rate as liquidated damages in accordance with the Agreement.

In submitting this Bid, it is understood that the right is reserved by the OWNER to accept any bid, to reject any or all Bids, and to waive irregularities in bidding in the interest of the OWNER.

SUBMITTED on 4/5/22
Date*

36780 AMERHEIN RD
Street*

LIVONIA, MI, 48150
City, State, ZIP*

248-553-0600
Telephone Number*

248-553-0669
Facsimile Number*

BY: NAGLE PAVING COMPANY
Name of Bidder*

[Signature]
Signature

VICE PRESIDENT
Name and Title of Signatory*

*Typed or printed in ink.

Form of Proposal and all other bid documents to be submitted electronically following the instructions provided in the "Notice to Bidders" and "Instruction to Bidders" sections.

STATEMENT OF QUALIFICATIONS

Bidder must answer all questions. If more space is needed to complete a question, attach a separate sheet. Bidder may submit any additional information.

Name: NAGLE PAVING COMPANY

Address: 36780 ALKHTIN Phone: 248-553-0600
LIVONIA, MI, 48150

Number of years operating under your present name: 65 YEARS

General nature of work performed by your company: ASPHALT PAVING,
GRADING AND CONCRETE WORK

Background and experience of the principal members of your organization including officers:

<u>MIKE SANTI</u>	<u>PRESIDENT</u>	<u>50 YEARS</u>
<u>ROB NAGLE</u>		<u>30 YEARS</u>
<u>ROB WILSON</u>		<u>20 YEARS</u>
<u>LARRY BRENNAN</u>		<u>40 YEARS</u>

Major equipment available for this contract: EXCAVATOR, DOZER,
BACKHOE, VIBRATORY ROLLER, ASP PAYER

STATEMENT OF QUALIFICATIONS

PROJECT REFERENCES

List similar projects completed within the last (3) years:

Project Title: 2019 CITY OF LIVONIA STREETS

Client: CITY OF LIVONIA

Contact Person: TODD ZILNER Phone: 734-466-2195

Contract Amount: 3,700,000

Start Date: 5/19 Completion Date: 10/19

Project Description: ASPHALT PAVING, MILLING,
PULVERIZING W/ CONCRETE

Project Title: 2019 CITY OF NORTHVILLE STREETS

Client: CITY OF NORTHVILLE

Contact Person: LOYD CURTIS Phone: 248-349-1300

Contract Amount: 1,000,000

Start Date: 3/19 Completion Date: 10/19

Project Description: ASPHALT PAVING, MILLING &
CONCRETE WORK

STATEMENT OF QUALIFICATIONS

Project Title: _____

Client: _____

Contact Person: _____ Phone: _____

Contract Amount: _____

Start Date: _____ Completion Date: _____

Project Description: _____

Project Title: _____

Client: _____

Contact Person: _____ Phone: _____

Contract Amount: _____

Start Date: _____ Completion Date: _____

Project Description: _____

Form Completed by: John Girardot Project Manager

Name - Title

John Girardot

Signature

4/4/22

Date

SUBCONTRACTOR LIST

ITEM

NAME, ADDRESS & PHONE # OF CONTRACTOR

Earthwork

Phone: _____

Concrete

Phone: _____

Restoration Items

Phone: _____

CNA INSURANCE COMPANIES

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we Nagle Paving Company, 39525 West 13 Mile Road, Novi, MI 48377

Principal, and Western Surety Company, One Towne Square, Suite 1075, Southfield, MI 48076

Surety, are held and firmly bound unto City of Livonia, 33000 Civic Center Drive, Livonia, MI 48154

Obligee, in the sum of Five Percent of Accompanying Bid -----

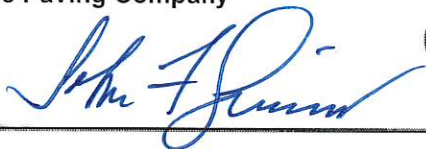
Dollars (\$ 5%) for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for
Ben Celani Park Improvement

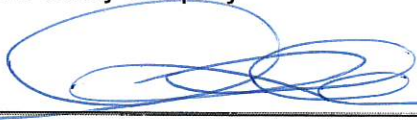
NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

Signed, sealed and dated April 5th, 2022

Nagle Paving Company

by  (Principal)
(Seal)

Western Surety Company

by  (Surety)
Susan L. Small, Attorney-in-Fact

G-23054-C



For All the Commitments You Make

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Steven K Brandon, T J Griffin, John L Budde, Patrick Williams, Terence J Griffin, Susan L Small, Alan P Chandler, Individually

of Farmington Hills, MI, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 9th day of March, 2021.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 9th day of March, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 5th day of April, 2022.



WESTERN SURETY COMPANY

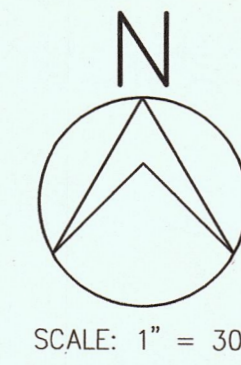
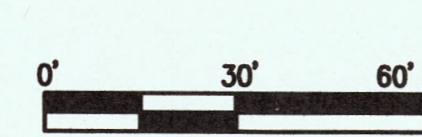
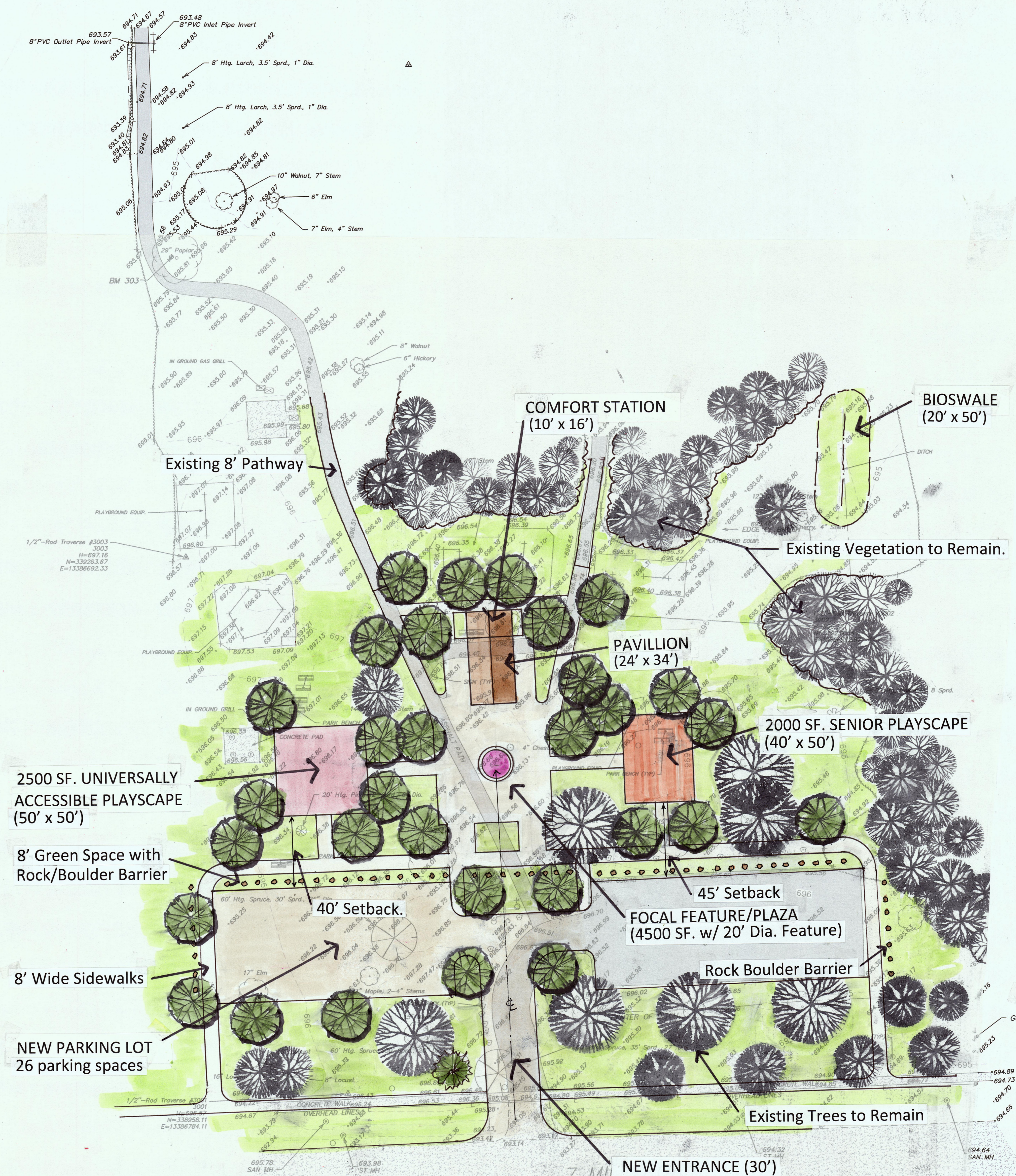
L. Nelson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.

VENDOR NAME	Luigi Ferdinandi & Son	Nagle Paving	Rotondo Construction	
CITY/STATE	Roseville, MI	Novi, MI	Farmington Hills, MI ?	
BID DEPOSIT	Bid Bond Submitted	Bid Bond Submitted	Bid Bond Submitted	
Total Concrete Paving Bid	\$199,000.80	No Bid	\$150,508.50	\$
Total Bituminous Paving Bid	\$111,737.00	\$103,290.00	No Bid	\$

CITY REPRESENTATIVES: __Janet Douglas __ __Enna A. Bachelor__ __Dave Lear__ __Casey O'Neil__



HRC
HUBBELL, ROTH & CLARK, INC
CONSULTING ENGINEERS SINCE 1915
555 HULEY DRIVE
BLOOMFIELD HILLS, MICH.
P.O. BOX 824
48303 - 0824
PHONE: (248) 454-6300
FAX (1st. Floor): (248) 454-6312
FAX (2nd. Floor): (248) 454-6359
WEB SITE: [http:// www.hrcengr.com](http://www.hrcengr.com)



VERTICAL BENCHMARK

BM 302: VERTICAL MAG NAIL IN NORTHWEST ROOT OF 28" MAPLE TREE
ELEVATION=697.45
BM 303: VERTICAL MAG NAIL IN NORTHWEST ROOT OF 29" POPLAR TREE
ELEVATION=696.45

NOTES

PARCEL ID OF PROPERTY IS 015990006000
ADDRESS
34830 SEVEN MILE ROAD
LIVONIA, MI
THIS SURVEY IS FOR TOPOGRAPHICAL PURPOSES ONLY. NO BOUNDARY SURVEY WAS PERFORMED.

DATE	ADDITIONS AND/OR REVISIONS
DESIGNED	
DRAWN	B.PIGGOTT
CHECKED	A.MICKALICH
APPROVED	



BEN CELANI PLAY AREA MASTERPLAN



CITY OF LIVONIA BICENTENNIAL PARK	
TOPOGRAPHICAL SURVEY	
HRC JOB NO. 20210672	SCALE 1"=20'
DATE August 2021	SHEET NO. 1 OF 1

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

13

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

16. AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Gathering Area, from budgeted funds

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

Councilmember Scott Bahr offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

16.

Parks and Recreation April 6, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the Ben Celani Gathering Area, from budgeted funds.

BACKGROUND

The Department of Parks and Recreation has taken bids for a central gathering area at Ben Celani Play Area. This project is in conjunction with the updated site plan and projected increased usage from the barrier free playground and senior playground set to be installed later this year.

Specifications were prepared by the Engineering Department and an advertisement for bids was placed on the MITN website. Two bids were received and opened in the presence of the Bid Committee at 2 p.m. on April 5, 2022. Below, for Council's review, is the bid tabulation.

Company	Bid Amount
Luigi Ferdinandi & Son	\$199,000.80
Rotondo Construction	\$150,508.50

RECOMMENDATION

We are recommending Rotondo Construction for this contract, as the low bidder and having received favorable references on similar projects they completed.

We request that the City Council authorize the Mayor and City Clerk to execute a contract in the amount of \$150,508.50 with Rotondo Construction 38807 Ann Arbor Rd., Livonia, MI 48150.

Attached is their form of proposal and bid specifications. The bids are good for 120 days from opening.

We also request the City Council to authorize budget adjustments for receipt of the MEDC grant by increasing the budget in accounts 101-000-683-000, Contribution Revenue and 101-758-974-000, Park Facilities Land Improvement each by \$100,000. In addition, we request authorization for budget adjustments to reallocate funds for this project by transferring budget in the amount of \$161,000 from account 401-000-971-974, Capital Projects Fund, Minor Capital Outlay to account 101-758-974-000, Park Facilities Land Improvement.

FISCAL CONSIDERATION

Budgeted funds are available in account no. 101-758-974-000.

ATTACHMENTS

1. 2022 BID OPENING SHEET Bici paving
2. 2022 Revised Master Plan Bicentennial Park (002)
3. 2022 Ben Celani Park Bid Rotundo

APPROVED BY



Date: April 06, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 07, 2022

Michael Slater, Finance Director

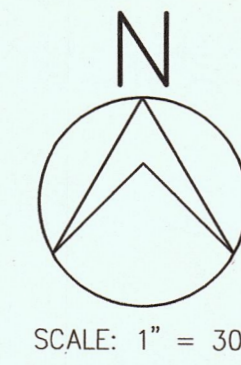
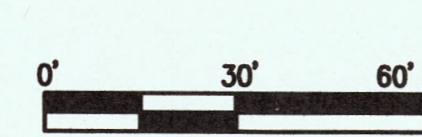
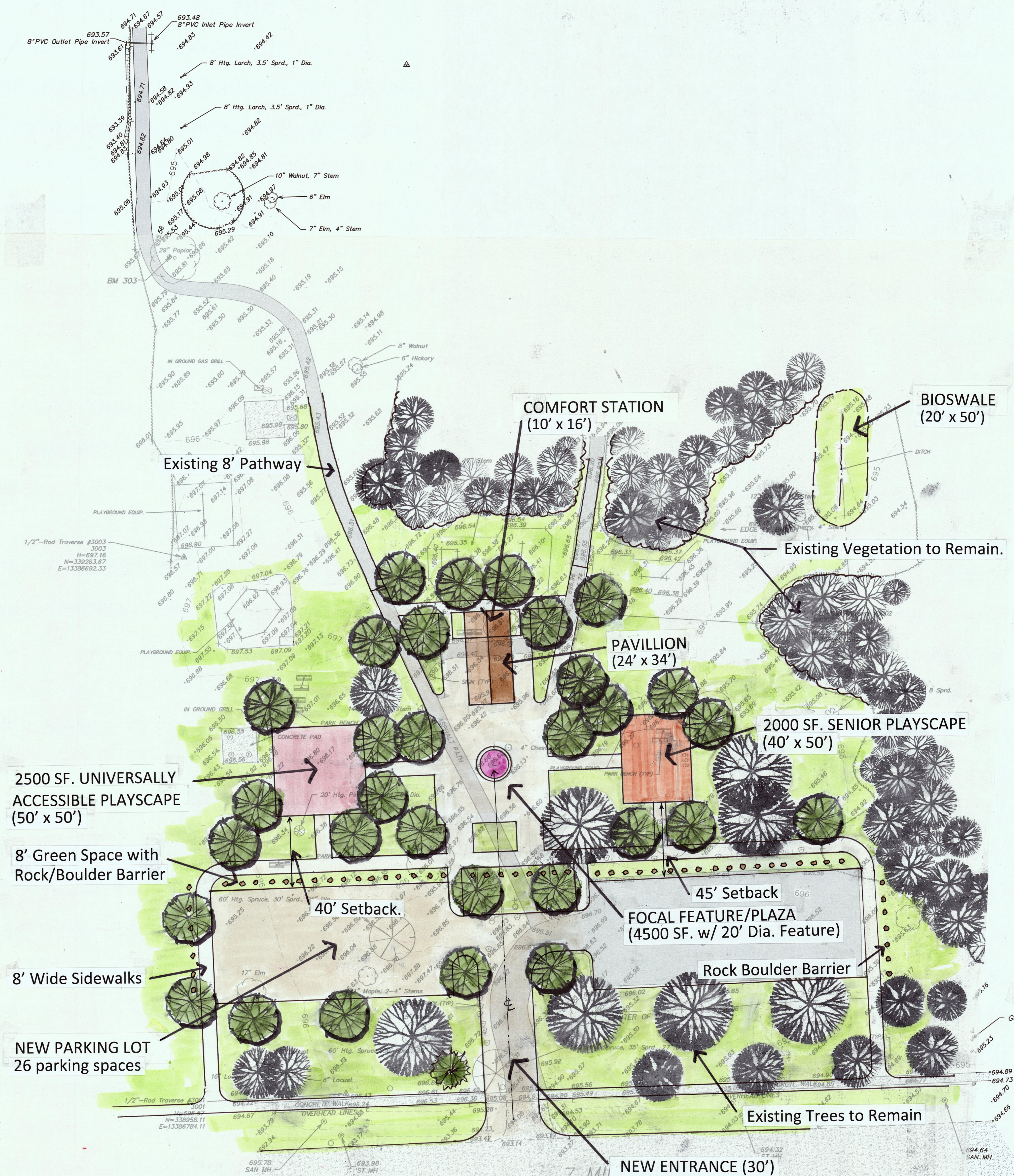


Date: April 07, 2022

Maureen Miller Brosnan, Mayor

VENDOR NAME	Luigi Ferdinandi & Son	Nagle Paving	Rotondo Construction	
CITY/STATE	Roseville, MI	Novi, MI	Farmington Hills, MI ?	
BID DEPOSIT	Bid Bond Submitted	Bid Bond Submitted	Bid Bond Submitted	
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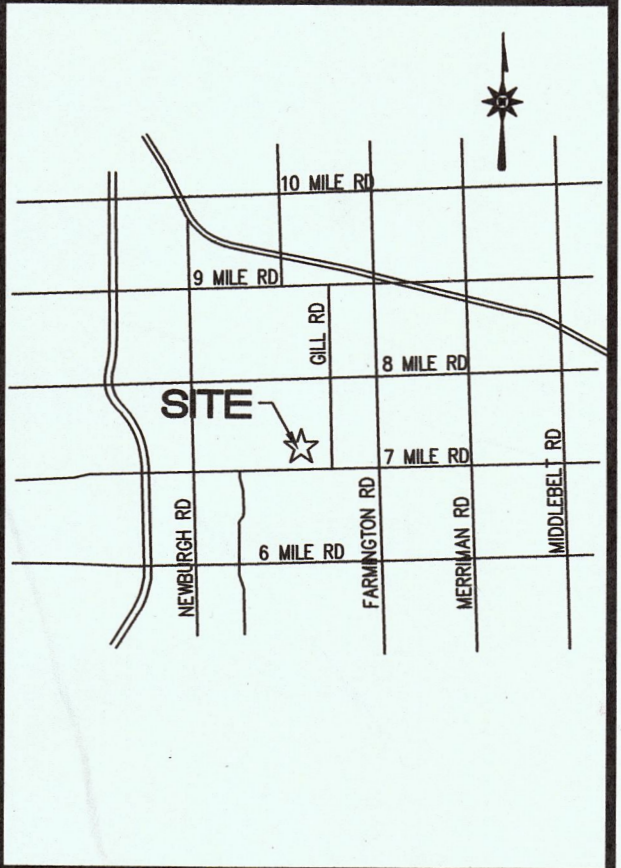
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ELEVATION=697.45
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NOTES

PARCEL ID OF PROPERTY IS 015990006000
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LIVONIA, MI
THIS SURVEY IS FOR TOPOGRAPHICAL PURPOSES ONLY. NO BOUNDARY SURVEY WAS PERFORMED.

DATE	ADDITIONS AND/OR REVISIONS
DESIGNED	
DRAWN	B.PIGGOTT
CHECKED	A.MICKALICH
APPROVED	



BEN CELANI PLAY AREA
MASTERPLAN



CITY OF LIVONIA BICENTENNIAL PARK	
TOPOGRAPHICAL SURVEY	
HRC JOB NO. 20210672	SCALE 1"=20'
DATE August 2021	SHEET NO. 1 OF 1

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Rotondo Construction Corporation
38807 Ann Arbor Road, Suite 2, Livonia, MI 48150

as Principal, hereinafter called Principal, and

Westfield Insurance Company
P.O. Box 5001, Westfield Center, OH 44251-5001

a corporation duly organized under the laws of the State of **Ohio**
as Surety, hereinafter called Surety, are held and firmly bound unto

City of Livonia
33000 Civic Center Drive, Livonia, MI 48154

as Oblige, hereinafter called Oblige, in the sum of **Five Percent of Accompanying Bid**

Dollars (5% of Bid)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

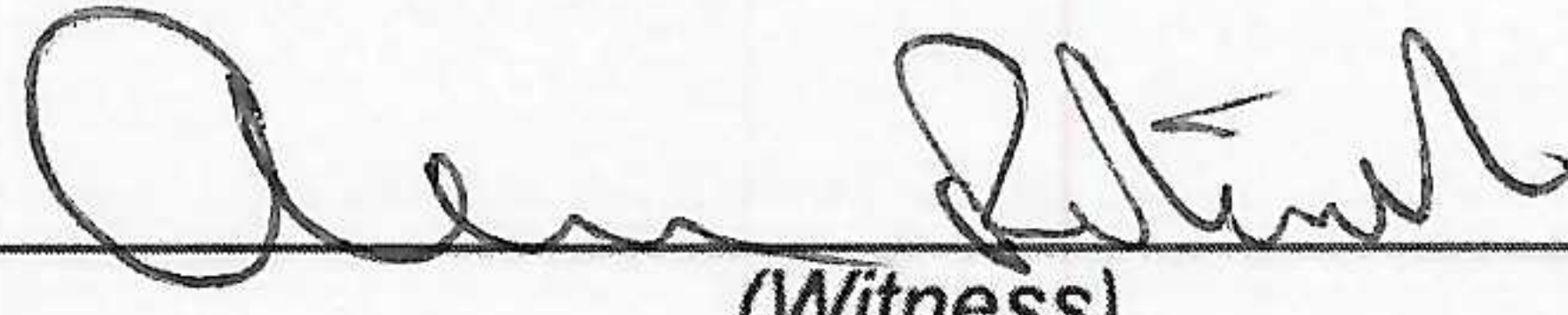
WHEREAS, the Principal has submitted a bid for (Here insert full name, address and description of project)

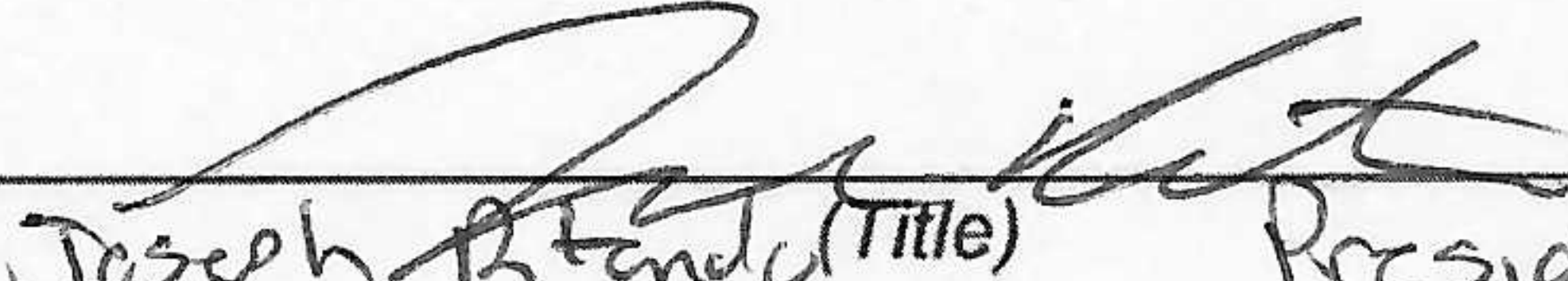
Ben Celani Park Improvements

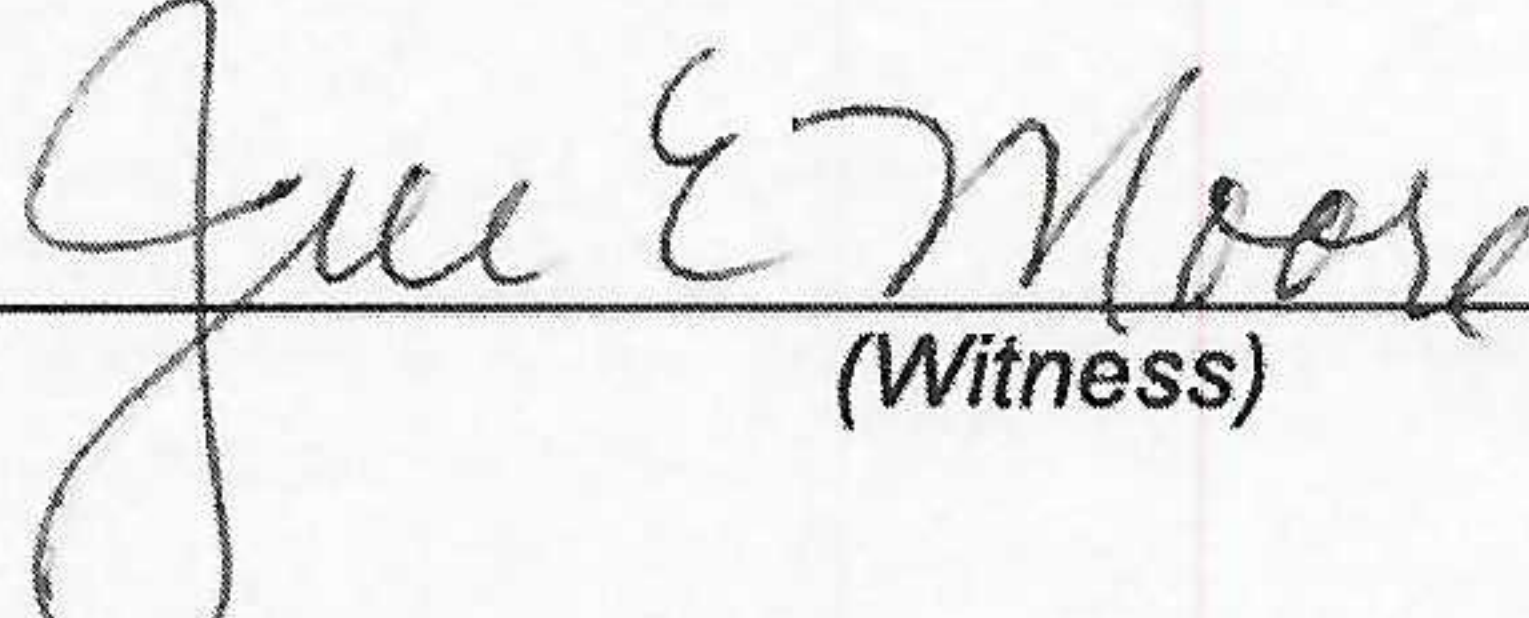
NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

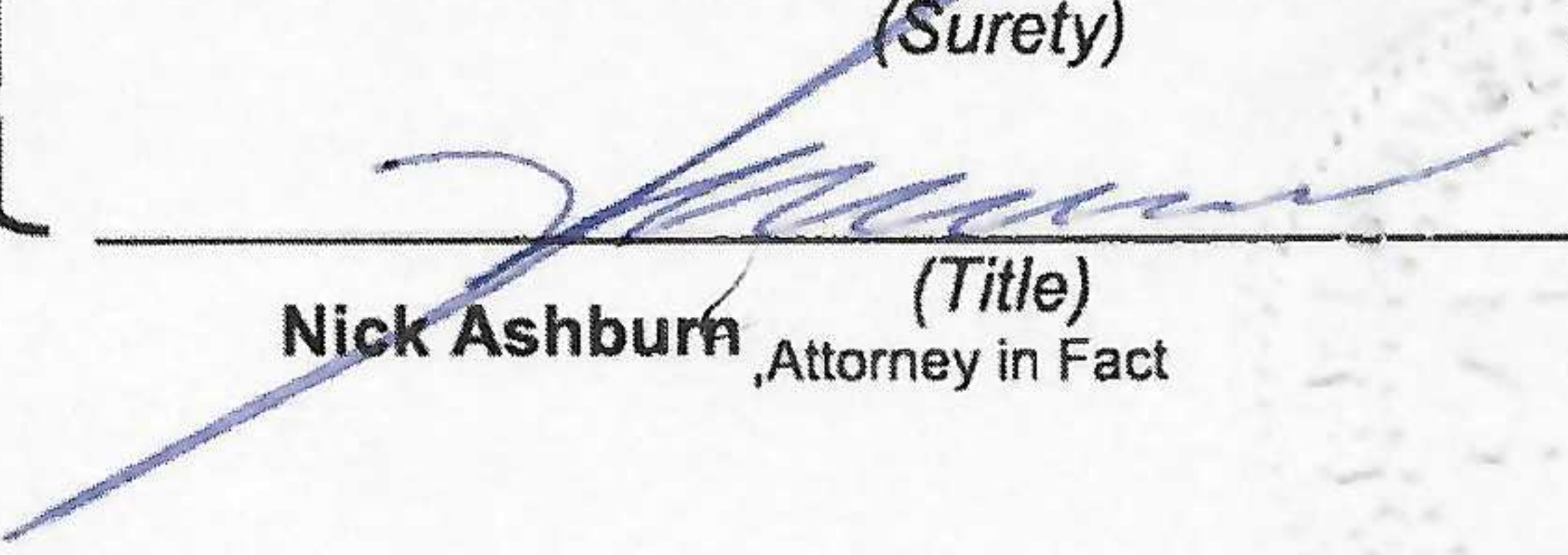
Signed and sealed this 5th day of April, 2022.

Rotondo Construction Corporation


(Witness)

{ _____
(Principal) (Seal)

Joseph Rotondo (Title) President


(Witness)

{ **Westfield Insurance Company**
(Surety) (Seal)

Nick Ashburn (Title)
Attorney in Fact

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 03/10/17, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 2140302 11

General
Power
of Attorney

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
PAUL M. HURLEY, ROBERT D. HEUER, MICHAEL D. LECHNER, HOLLY NICHOLS, NICK ASHBURN, MARK MADDEN, JOINTLY OR SEVERALLY

of TROY and State of MI its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

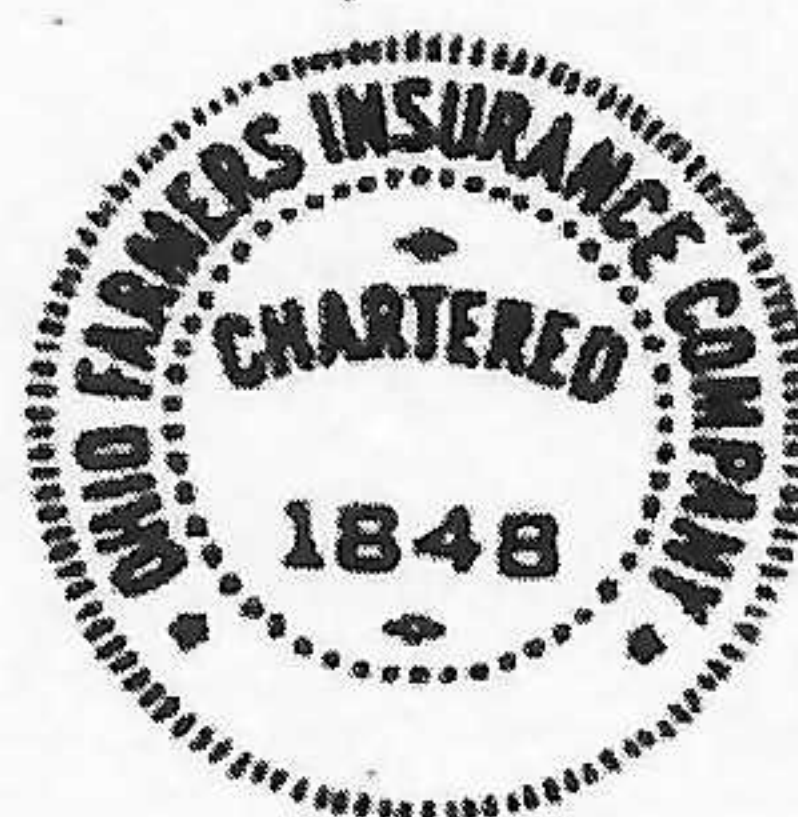
"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be It Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their **National Surety Leader and Senior Executive** and their corporate seals to be hereto affixed this 10th day of MARCH A.D., 2017.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

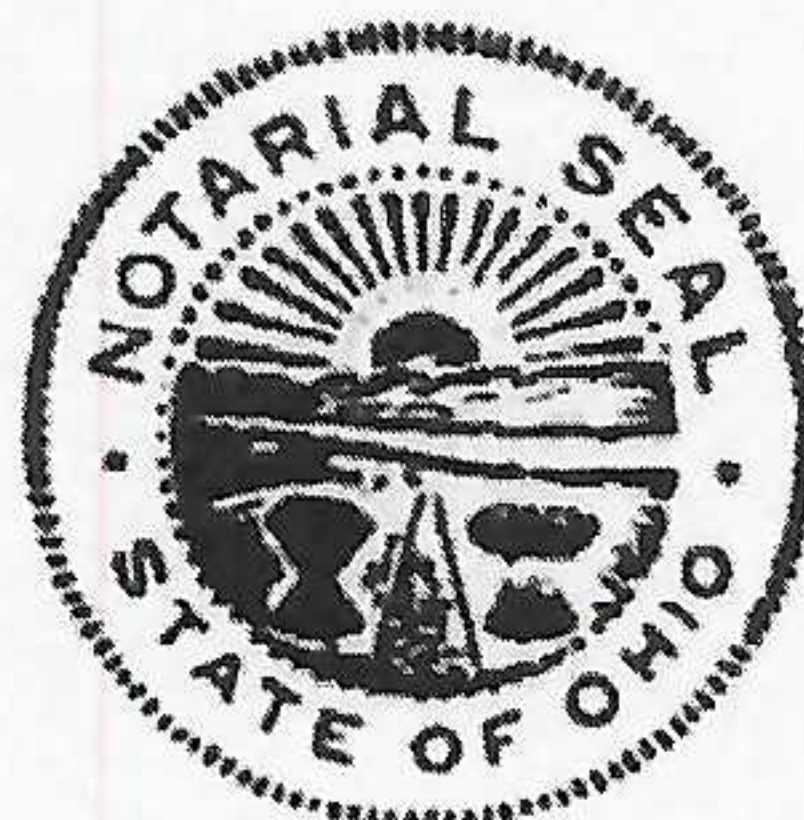
By: *Dennis P. Baus*

Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio
County of Medina ss.:

On this 10th day of MARCH A.D., 2017, before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik

David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 5th day of APRIL A.D., 2022



Frank A. Carrino Secretary
Frank A. Carrino, Secretary

FORM OF PROPOSAL

For

BEN CELANI PARK IMPROVEMENTS

Bid of Protardo Construction Corp. hereinafter called Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business as a Corporation.

* Insert as applicable: "a corporation", "a partnership" or "an individual"

TO THE CITY OF LIVONIA, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Notice to Bidders, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Proposal, Bond, Specifications and Drawings, as prepared by the ENGINEER, and understands all of the same; that the Bidder or its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.

Addendum Date

1
2

3-31-2022
3-31-2022

The Contract will be awarded to the lowest responsive, responsible Bidder based on the unit prices for all Work specified.

The Bidder agrees to complete the Project for the following unit prices:

Concrete Paving Bid Items

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
1	Mobilization	2	l.s.	\$ 500. ⁰⁰	\$ 1,000. ⁰⁰
2	Place Soil Erosion Fencing	325	l.f.	\$ 2.50	\$ 812.50
3	Place Soil Erosion Inlet Filter	1	ea.	\$ 100. ⁰⁰	\$ 100. ⁰⁰
4	Place 20'x40' Mud Tracking Mat	1	ea.	\$ 600. ⁰⁰	\$ 600. ⁰⁰
5	Remove and Stockpile Landscape Boulders	28	ea.	\$ 12. ⁰⁰	\$ 336. ⁰⁰
6	Remove and Stockpile Misc. Signs	5	ea.	\$ 20. ⁰⁰	\$ 100. ⁰⁰
7	Remove Entrance Gate and Posts (Including Post Foundations)	1	ea.	\$ 100. ⁰⁰	\$ 100. ⁰⁰

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
8	Remove Exist. Tree and Stump (less than 12" Dia.)	3	ea.	\$ 100. ⁰⁰	\$ 300. ⁰⁰
9	Remove Exist. Tree and Stump (12" to 18" Dia.)	8	ea.	\$ 650. ⁰⁰	\$ 5,200. ⁰⁰
10	Remove Exist. Tree and Stump (19" to 30" Dia.)	9	ea.	\$ 1,000. ⁰⁰	\$ 9,000. ⁰⁰
11	Sawcut and Remove Exist. 2' Wide Concrete Curb and Gutter (includes deep saw-cutting)	90	l.f.	\$ 5. ⁰⁰	\$ 450. ⁰⁰
12	Remove 8" thick Concrete Approach and Sidewalk	875	s.f.	\$ 2. ⁰⁰	\$ 1,750. ⁰⁰
13	Remove 4" thick Bituminous Driveway and Walking Paths	5,400	s.f.	\$ 1.50	\$ 8,100. ⁰⁰
14	Excavation (Variable Depth)	340	c.y.	\$ 10. ⁰⁰	\$ 3,400. ⁰⁰
15	Place 21AA Limestone (6" Thick, C.I.P)	495	tons	\$ 20. ⁰⁰	\$ 9,900. ⁰⁰
16	Place 4" Thick Concrete Sidewalk	12,000	s.f.	\$ 6. ⁰⁰	\$ 72,000. ⁰⁰
17	Place 8" Thick Concrete Approach and Sidewalk	1,520	s.f.	\$ 8. ⁰⁰	\$ 12,160. ⁰⁰
18	Place Concrete "M" Opening	90	l.f.	\$ 40. ⁰⁰	\$ 3,600. ⁰⁰
19	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	1,300	s.y.	\$ 7. ⁰⁰	\$ 9,100. ⁰⁰
20	Inspector Days (based on 8 hrs/day) (minimum 25 days)	25	days	\$ 500.00	\$ 12,500. ⁰⁰
TOTAL CONCRETE PAVING BID					\$ 150,508.50

Bituminous Paving Bid Items

Item No.	Item Description	Qty	Unit	Unit Price (\$)	Total Price (\$)
21	Mobilization	1	l.s.	\$	\$
22	Excavation (12" Depth)	480	c.y.	\$	\$
23	Place 21AA Limestone (6" Thick, C.I.P)	500	tons	\$	\$
24	Place 2 ½" Thick HMA Leveling Course (1100L, 20A)	250	tons	\$	\$
25	Place 1 ½" Thick HMA Wearing Course (1100T, 36A)	150	Tons	\$	\$
26	Parking Lot Striping	1	l.s.	\$	\$
27	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	500	s.y.	\$	\$
28	Inspector Days (based on 8 hrs/day) (minimum 15 days)		days	\$ 500.00	\$
TOTAL BITUMINOUS PAVING BID					\$

If the foregoing Bid shall be accepted by the OWNER, the undersigned agrees to enter into the attached form of Agreement within ten (10) days after receiving notice of such acceptance, will furnish the OWNER satisfactory bonds and certificates of insurance coverage, and will complete the Project, at the price and within the time stated in this Bid.

The undersigned further agrees that if the foregoing Bid shall be accepted, work will commence immediately after the Contract has been awarded, the Agreement executed, and a Notice to Proceed received. **The undersigned shall complete the Work to Substantial Completion within 30 days of notice to proceed, and to Final Completion within 45 days of notice to proceed.** Substantial completion shall be met when all the pathways are open for use by the public. Final completion shall be met when all restoration items and punch-list work items have been completed.

The undersigned attaches hereto its Bid security, as required by the Notice to Bidders and Instructions to Bidders. The undersigned agrees that in case it shall fail to fulfill its obligations under the foregoing Bid, and/or shall fail to furnish bonds, as specified, the OWNER may, at its option determine that the undersigned has abandoned its rights and interests in such Contract and that its Bid security accompanying its Bid; has been forfeited to the said OWNER, but otherwise the Bid security shall be returned to the undersigned upon the execution of the Contract and the acceptance of the bonds.

The undersigned also agrees that for each and every calendar day that he may be in default of Substantial Completion of the Work, within the time specified in this Bid, the OWNER will suffer a damage of **Two Hundred and Fifty dollars (\$250.00)** per day, and said OWNER shall be compensated therefore at the rate as liquidated damages in accordance with the Agreement.

In submitting this Bid, it is understood that the right is reserved by the OWNER to accept any bid, to reject any or all Bids, and to waive irregularities in bidding in the interest of the OWNER.

SUBMITTED on April 5 2022 BY: Rotondo Construction Corp.
Date* Name of Bidder*
38807 Ann Arbor Rd St 2
Street*
Livonia MI 48150
City, State, ZIP*
248-474-0707
Telephone Number*
248-474-9305
Facsimile Number*

Signature
Joseph Rotondo / President
Name and Title of Signatory*

*Typed or printed in ink.

Form of Proposal and all other bid documents to be submitted electronically following the instructions provided in the "Notice to Bidders" and "Instruction to Bidders" sections.

STATEMENT OF QUALIFICATIONS

Bidder must answer all questions. If more space is needed to complete a question, attach a separate sheet. Bidder may submit any additional information.

Name: JOE ROTONDO CONSTRUCTION

Address: 38807 ANN ARBOR RD. Phone: 248-474-0707
LIVONIA, MI 48150 ST. 2

Number of years operating under your present name: 28 YEARS

General nature of work performed by your company: CONCRETE FLATWORK;
SIDEWALK REPLACEMENTS + INSTALATIONS, ROAD PATCHES, DRIVE
APPROACHES, CONCRETE CURB AND GUTTERS

Background and experience of the principal members of your organization including officers: JOE ROTONDO - PRESIDENT, 40 YEARS EXPERIENCE CONCRETE
FORMER + FINISHER, COMMERCIAL TRUCK DRIVER, + OPERATOR; MARC ROTONDO -
~~MANAGER~~ PROJECT MANAGER, 10 YEARS CONCRETE FORMER + FINISHER + COMMERCIAL TRUCK DRIVER;
ARNOLFO GARCIA - FOREMAN, 20 YEARS MACHINE OPERATOR AND COMMERCIAL TRUCK DRIVER;
ROQUE ZAMORA - FOREMAN, 30 YEARS CONCRETE FORMER + FINISHER

Major equipment available for this contract: (2) CAT TELEHANDLERS WITH
FORKS + BUCKET, (4) CASE SKID STEERS, D5 CAT BULLDOZER,
580M CASE BACKHOE, 950 CAT LOADER, (2) SEMI TRUCKS WITH 30-TON
DUMP BOXES, 200 HITACHI EXCAVATOR, (4) TANDEM AXLE 10-YARD DUMP TRUCKS,
(3) ARROW BOARDS, TARGET PRO 65 CONCRETE ROAD SAW, (2) CONCRETE BREAKERS,
(2) STUMP GRINDERS, (3) FORM + TOOL TRUCKS, (4) 3-YARD DUMP TRUCKS,
SPRINKLER REPAIR TRUCK, (2) AIR COMPRESSORS WITH JACK HAMMERS

STATEMENT OF QUALIFICATIONS

PROJECT REFERENCES

List similar projects completed within the last (3) years:

Project Title: 2021 Sidewalk Program 21-G
Client: City of Livonia
Contact Person: Todd Zelinek Phone: 734-466-2561
Contract Amount: \$676,897.60
Start Date: August 2021 Completion Date: October 2021
Project Description: R&R Sidewalks, Approaches & ADA Ramps

Project Title: Canton Twp Sidewalk Program 2021
Client: Canton Township
Contact Person: Erika Hidalgo Phone: 734-394-5158
Contract Amount: \$55,000.00
Start Date: April 2021 Completion Date: October 2021
Project Description: R&R Sidewalks, Approaches & ADA Ramps

STATEMENT OF QUALIFICATIONS

Project Title: 2020 Sidewalk Program 20-G

Client: City of Livonia

Contact Person: Todd Zimer Phone: 734-466-2561

Contract Amount: 625,710.25

Start Date: July 2020 Completion Date: September 2020

Project Description: R&R Sidewalks, Approaches
ADA Ramps

Project Title: 2020 Canton Sidewalk Program

Client: Canton Township

Contact Person: Erika Hidalgo Phone: 734-394-5158

Contract Amount: 782,591.71

Start Date: April 2020 Completion Date: Sept. 2020

Project Description: R&R Sidewalks, Approaches + ADA Ramps

Form Completed by: Joseph Rutando / President
Name - Title

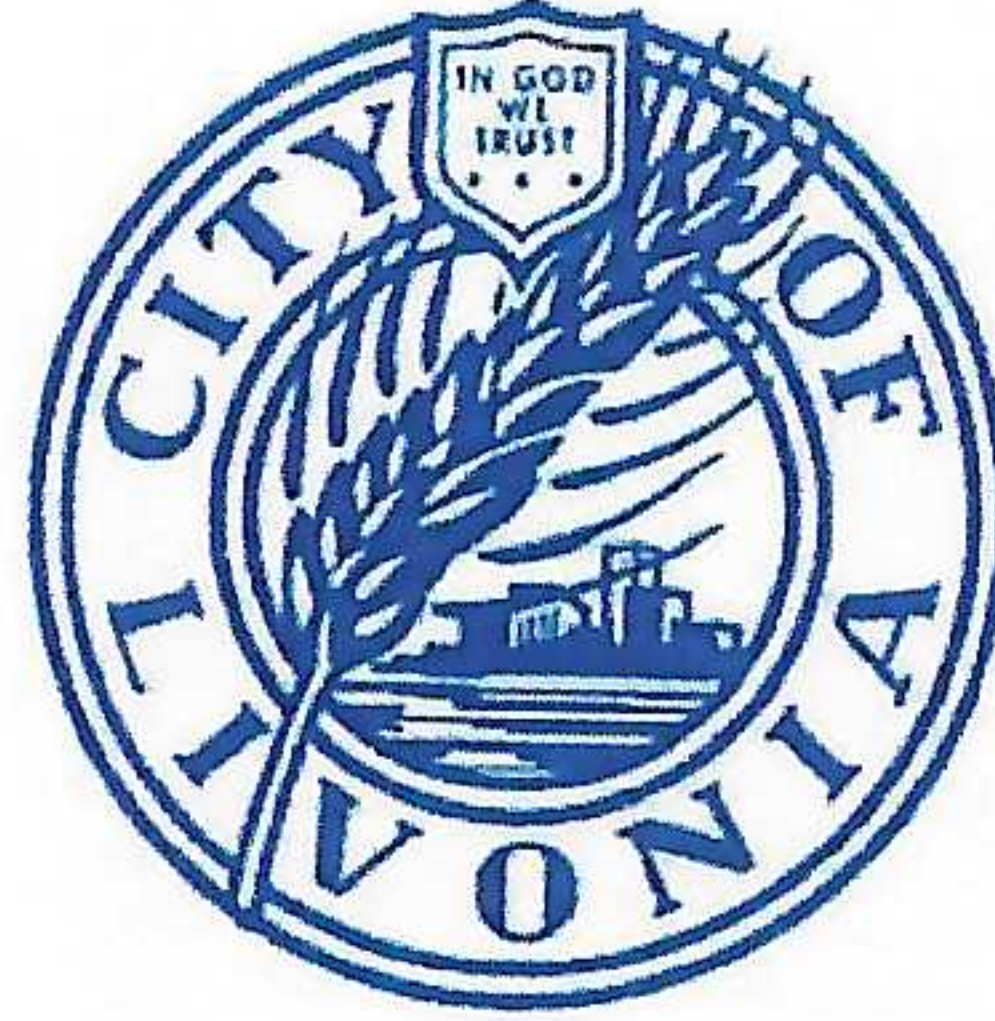
[Signature]
Signature

4-5-2022
Date

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
City Engineer

DAVID W. LEAR, P.E.
Assistant City Engineer



MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
Director of Public Works

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

March 31, 2022

Ben Celani Park Improvements Project
Livonia, Michigan

RE: Addendum #1 – General Question Responses

Dear Potential Bidders,

During the pre-bid meeting (and subsequent days following the meeting) for the above referenced project, clarification on bid items was requested. The following information should be used when preparing bids:

- There is a time of completion specified in the contract as 45 days from notice to proceed and the completion date is listed as July 4th. As discussed at the meeting, the completion date will be based upon the start date, but we are hoping to start as early in the year as our Council approvals will allow.
- There will be testing required for the asphalt paving portion of the project, and the contractor will be responsible for costs and scheduling the testing. Testing for the asphalt portion of the project shall include the stone base, and the asphalt lifts.
- There will be no testing required for the concrete sidewalk and plaza areas. There will most likely be testing required for the concrete approach, but that will be determined by Wayne County under their permitting, and costs for that portion will be reimbursed by the City.
- 21AA crushed concrete is an acceptable substitution for the 21AA limestone bid items. (21AA slag will not be allowed)
- Parking blocks are not to be included in the bid for the parking lot. (these items will be installed at a later date by the City or replaced with landscape boulders)

If you have any additional questions, or need additional clarifications, please feel free to contact this department. Based on the request, we will publish addendums to all parties on the list of plan holders through the MITN website, to ensure that all contractors are using the same information.

Sincerely,


David W. Lear, P.E.
Assistant City Engineer,
City of Livonia

Ben Celani Park Improvements Project

Mandatory Pre-Bid Meeting
March 29, 2022

SIGN IN SHEET

	<u>NAME</u>	<u>COMPANY</u>	<u>PHONE</u>	<u>E-MAIL</u>
1.	Bob Wiest	Luigi Ferdinandi & Son Cement Company, Inc.	(586) 774-1000	info@luigicement.com
2.	Nick Cerillo	Warren Contractors & Development	(586) 323-3350	Nick@warrencondev.com
3.	Chris Leideker	Nagle Paving Co.	(248) 765-3111	CLeideker@NaglePaving.com
4.	Marc Rotondo	Joe Rotondo Construction	(248) 474-0707	Marc@Rotondoco.com

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

14

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

17. AWARD OF BID: Department of Parks and Recreation, re: for the Leisure Pool UV Replacement at the Jack E. Kirksey Recreation Center, from budgeted funds.

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

Councilmember Brandon McCullough offered an approving resolution on the Consent agenda.

Councilmember Scott Bahr asked to clarify that the current smell was the product and not chlorine. Ted Davis stated that currently, the smell is chlorine, with this product, you won't smell the chlorine.

Council President Jim Jolly asked if the current system was not working for the last decade. Ted Davis noted that the smell is worse in the leisure pool than it has been, which is due to the age of the equipment. The lap pool equipment is functioning properly, and the air quality is better.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

17.

Parks and Recreation April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the Leisure Pool UV Replacement at the Jack E. Kirksey Recreation Center, from budgeted funds.

BACKGROUND

The Department of Parks and Recreation has solicited bids to replace the Leisure Pool UV unit Kirksey Recreation Center.

The UV unit is outdated, and replacement parts are becoming harder to find and increasing in cost. UV units are secondary disinfection that aid in increased water and air quality.

Specifications were prepared by the Department, and an advertisement for bids was placed on the MITN website. Two (2) companies submitted bids, which were opened in the presence of the Bid Committee at 2 p.m. on March 29, 2022. Below is the bid tabulation, for the Council's review.

Company	Address	Total
Aquatic Source, LLC	190 Summit Street Brighton, MI 48116	\$66,900
Baruzzini Contracting, LLC	1281 S. Old US Hwy 23 Brighton, MI 48114	\$56,750

RECOMMENDATION

We recommend that City Council authorize the Mayor and City Clerk to execute contracts for the Leisure Pool UV Replacement to Baruzzini Contracting, LLC 1281 S. Old US Hwy 23, Brighton, MI 48114. Attached for review is their form of proposal and bid specification.

FISCAL CONSIDERATION

Sufficient funds have been budgeted in account no. 208-755-971-000.

ATTACHMENTS

1. 2022 BID FORM (LEISURE POOL UV REPLACEMENT BID) Baruzzini
2. Leisure Pool UV Bid Specs

APPROVED BY



Date: April 07, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 07, 2022

Michael Slater, Finance Director



Date: April 07, 2022

Maureen Miller Brosnan, Mayor

FORM OF PROPOSAL
City of Livonia
LEISURE POOL UV Replacement

Bid of Baruzzini Contracting, LLC hereinafter called
Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business
as

*

* Insert as applicable: "a corporation", "a partnership" or "an individual"

TO THE CITY OF LIVONIA, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Notice to Bidders, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Proposal, Bond, Specifications and Drawings, as prepared by the City of Livonia, and understands all of the same; that the Bidder or its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.

1

Addendum Date

3.23.22

The work may be awarded per item number.

Item No.	Description	Quantity	Complete for the Sum Of
1	Evoqua Wafer UV System #WF-230-10. Control Panel #PGA2x3000 Alternate: <u>ProMinent 3x3A medium pressure</u> <u>U.V rated for 1,780 gpm +</u> <u></u>	1	\$ 0.00 \$ 56,750.00
2	Labor and Materials		\$ N/A
3	TOTAL ITEMS 1 & 2		\$ 56,750.00

CONTACT PERSON TO WHOM QUESTIONS REGARDING PROPOSAL RESPONSE SHOULD BE DIRECTED:

NAME: Tony Baruzzini **TITLE:** Member

PHONE: 810-229-8996

EMAIL: tony@baruzzini.com

To be considered for this project, the following forms must be delivered by 2:00 PM on MARCH 29, 2022 VIA UPLOAD TO THE MITN WEBSITE (WWW.MITN.INFO) IN ADOBE ACROBAT PDF FORMAT.

Firms must upload with their bid response the following documents in the format prescribed

- **Form of Proposal Pages (FP1 – FP6)**
- **Project Timeline**
- **Warranty Documentation**
- **Company Overview**

LEISURE POOL UV REPLACEMENT REFERENCE FORM

COMPANY NAME: Baruzzini Contracting, LLC

Reference Company Name: Northville High School	
City/State: Northville, MI	
Summary of Work Performed: Medium pressure U.V install ongoing service	
Dates of Work:	
Company Contact Person: Chris Suhy	Title:
Phone Number: 248.789.8196	Email:

Reference Company Name: Bay City YMCA	
City/State: Bay City, MI	
Summary of Work Performed: U.V install, controller install, media change, ongoing service	
Dates of Work:	
Company Contact Person: Rob Hendry	Title:
Phone Number: 989.895.8596	Email:

Reference Company Name: Bloomfield High School	
City/State:	
Summary of Work Performed: Ongoing service & upgrades	
Dates of Work:	
Company Contact Person: Matt Lowe	Title:
Phone Number: 248.721.2499	Email:

**STATEMENT OF QUALIFICATIONS
LEISURE POOL UV REPLACEMENT**

Respondents must answer all questions. If more space is needed to complete a question, attach a separate sheet.

Company Name: Baruzzini Contracting, LLC

Address 1281 S. Old US Hwy 23 Brighton, MI 48114

Contact Person: Tony Baruzzini Title Member

Phone No. 810-229-8996 Email tony@baruzzini.com

1. Number of years operating under you present name: 5
2. Number of years present owners have owned the company: 5
3. How many years of experience does your company have with UV Replacement? 15
4. List municipalities who the bidder has serviced in the past five (5) years to present:

Name of Municipality	Term of Service
City of Warren	Monthly service all sites
City of Detroit	Monthly service all sites
City of Farmington Hills	On call all sites
Ann Arbor Public Schools	3 days per week / 8 schools
Eastern Michigan University	On call all sites

5. General nature of work performed by your company:
Commercial concrete foundations, flatwork-swimming pools, spas, fountains and waterparks

6. Have you performed work for the City of Livonia in the last ten (10) years? If so, please specify:

Year of Service	Department Served	Description of Services Provided
2017	Recreation	Pool construction
2017 to present	Recreation	Aquatic service

7. List the members of the team who will oversee the contract and the roles they will perform.

Name	Title	Role	Years of Experience
Jason Cavicchioli	Service Manager	Project Manager	20+
Paul Dean	Plumber	Installation / Plumbing	20+

8. What challenges to you foresee?

None

9. What is included in your base price for services? What services will incur additional fees:
All installation, labor, start-up and training. Up to 2 return trips in first 6 months.
-

10. Provide Phone Numbers for Customer contact during normal business hours. Provide phone number for
24-hour contact by City of Livonia personnel.

Company Phone No.: Jason Cavicchioli (c) 810-986-5132

24-Hour Phone No.: N/A

11. Hours of Operation

DAYS	BUSINESS HOURS
Monday – Friday	8am - 5pm
Saturday	N/A
Sunday	N/A
Holidays	N/A

COMPANY NAME: Baruzzini Contracting, LLC

Leisure Pool UV Replacement

1. Remove and replace current UV System. Properly dispose of materials. Current Unit is a ETS/ATG Willand Model #: ECF-230-10 Serial #: X14962.
2. Install Evoqua Wafer UV for Recreational Water System. Treatment Chamber: Model # WF-230-10. Control Panel Model # PGA2x3000. Submittal sheet attached. Approved Equivalents will be accepted.
3. Any electrical work must be included in bid submission. If permits are required, it is the responsibility of the contractor. Current unit uses an input of 480V 60 Hz.
4. Please see additional specifications below. Alternate submissions must be able to meet the same requirements.

GENERAL MEDIUM PRESSURE UV SPECIFICATION - AQUATICS**GENERAL**

Ultraviolet Disinfection Equipment shall operate within the UVC electromagnetic spectrum emitting wavelengths in the range of 200nm to 400nm. These required wavelengths will provide constant disinfection/inactivation of bacteria, algae, molds, viruses and destruction of Monochloramines, Trichloramines, and Dichloramines. Basis of design for ultraviolet Lamp/Chamber and Spectra Control Panel is by Evoqua Water Technologies Ltd. Any deviation/exception must be provided in writing to and approved by the designer prior to the bid date. A minimum of ten (10) installations in the State of Michigan are required for submission of alternate for consideration.

The UV Equipment shall have a MET or equivalent (ETL, CSA, or UL) listing, be NSF-50 2016 certified and 3rd party validated to the USEPA UVDGM 2006 Guidelines.

Equipment General Description

The Ultraviolet Equipment shall be provided in a complete package to include a Stainless-Steel Chamber, Spectra Control System located in a NEMA 12 (IP52) rated panel, Medium Pressure Bulb(s) designed to emit wavelengths within the UVC electromagnetic spectrum, automatic wiper system, and Project Commissioning by a Certified Ultraviolet Technician.

UNIT TYPES – Wafer (WF) Units

Ultraviolet manufacturer to offer unit capability of a horizontal OR vertical installation application using state of art design and direct flow through characteristics. Unit shall be a medium pressure system with **a flow rating of 1,600 US GPM @ 94% UVT. Any systems validated or designed for flows based on 98% UVT are not acceptable.** Chamber and Control Cabinet shall be as indicated on the drawings.

ULTRAVIOLET LAMP

Ultraviolet lamp shall be medium pressure high intensity. Each lamp shall be designed to emit continuous Ultraviolet wavelengths in the range of 200nm to 400nm. This will provide optimal disinfection benefits and destruction of the Monochloramine, Dichloramine, and Trichloramine compounds. The lamp(s) must remain unaffected by temperature variance of 0 degrees F (-17C) to 200 degrees Fahrenheit (93 degrees Celsius).

The lamp system must provide a constant calculated dose of not less than 60 mJ/cm² until the end of the lamp life for indoor applications and not less than 40mJ/cm² for outdoor disinfection and this must be based on constantly treating the full recirculating flow rate, not on a side stream treatment. The system must be equipped with infinitely variable power control of the lamp intensity & dose. Power stepping not acceptable. The lamps shall be capable of turndown to 30% of the nominal rated power.

The lamp shall be connected via means of a plug connector and shall have a mechanical interlock to prevent lamp removal when lit for safety reasons.

UV REACTOR

The unit shall be constructed of 316L stainless steel electropolished and passivated to prevent corrosion within the harsh pool environment.

The Ultraviolet chamber shall come complete with the following equipment: Ultraviolet intensity monitor factory calibrated to provide intensity in mWcm², monitors providing percentage of lamp output not acceptable. It must include a built-in alarm system to notify operator when output level drops below required level of 60 mJ/cm² for indoor pools or 40mJ/cm² for outdoor pools (or operator set dosing levels).

UV Reactor will be a validated system with third party testing to a recognized international standard such as the USEPA DGM

Ultraviolet temperature monitoring system shall be provided to maintain system integrity in the event of flow interruptions to the chamber.

Ultraviolet chamber shall come complete with annealed quartz sleeve with "O" ring seals for water tightness. System shall be complete with advanced seal arrangement to reduce risk of quartz over-compression on the seal face.

UV CONTROL SYSTEM - 1

Control cabinet shall be a SPECTRA control unit and or pre-approved equal.

The power must be controllable to provide full power, half power and infinite variable power based on real time interface with changes in UVT, Flow Rate or Combined Chloramines. The power panel must house the electronic ballasts required to ignite and power the lamps.

Three levels of operation shall be provided to meet the needs of the operator and pool environment: Simple Control (start, stop and reset), Full Parameter Display, and Customized Operator Configuration.

Modes of operation shall be password protected to secure system critical setup functions. Control system shall have clearly identifiable start, stop, and reset controls (suitable for gloved operation) with Running and Fault LCD indicators. The display shall include the following:

- Ultraviolet calculated dose (derived from flow and intensity inputs)
- Ultraviolet intensity (as a % and mW/cm²)
- Lamp Current
- Flow rate (accepts signal from optional flow meter – displayed as gallons per minute or m³/hour)
- Chamber temperature (displayed as deg. F or deg. C)
- Operation hour meter
- Fault indicators to include Lamp fault, low Ultraviolet & temp. alarm, Ground fault trip, Wiper fault

All alarm functions shall have simple text message display to assist in fault finding.

UV CONTROL SYSTEM - INTERFACES

The Control system shall have a minimum of the following system interface control:

- Remote operation
- Process interrupt features (from valves, flow meters) Low UV dose (configurable to shut down or alarm only)
- Flow meter input • Auto-Restrike
- Half to full power Ultraviolet setting with 24 hour/7 day settable timer
- Variable power/Dose pacing interface

Control system shall have built in data-logging capabilities to record the following information:

- Ultraviolet intensity required
- Ultraviolet intensity measured
- Lamp current
- Chamber temperature
- Flow rate (if flow meter is connected)
- Time and date stamp, all alarms generated.
- Control system must be able to be interfaced with a Chemistry Controller that can measure Total or Combined Chloramines in order to maintain the proper dosage required during the life of the lamp
- Control System must be capable of interfacing with a SCADA system including Modbus
- Control system must have a method of uploading data to a Web based portal

AUTOMATIC WIPER SYSTEM

An automatic cleaning system shall be provided for cleaning of quartz sleeve and Ultraviolet monitor probe. The system shall travel the entire length of the quartz sleeve twice per desired cleaning cycle. Precision molded wiper rings shall be provided to ensure thorough quartz tube cleaning and quartz tube protection. Wiper cycle shall be user selectable and adjustable within a range of 5 minutes to 24 hours depending on anticipated application and deposit build-up. At a minimum the Automatic Wiper system shall have the following characteristics:

- System shall utilize direct drive with square faced coupling and acme threaded shaft to prevent slippage and pin shearing. Systems utilizing shear pins or complicated gear boxes will be unacceptable.
- Wiper power supply shall be 24-volt DC for improved safety. Higher voltage not acceptable.
- System shall incorporate Direct Shaft Encoding for positional location. Systems relying on external limit switches or internally located magnets will be unacceptable.
- Wiper interval shall be operator selectable with optional override switch.
- Wiper faults are to be indicated on the control system display.
- Wiper System to utilize "Intelligent Operation" for automatic start-up commissioning.

Records wiper position at chamber ends. Position must be fixed and not dependent on a timed interval or component striking end of chamber.

Establish a travel run without using limit switches to ensure system integrity and longevity.

QUALITY ASSURANCE All SYSTEM components shall be supplied to the CONTRACTOR by a single EQUIPMENT SUPPLIER.

The EQUIPMENT SUPPLIER shall have at least twenty (20) year experience providing medium pressure UV systems to the Aquatics market.

The EQUIPMENT SUPPLIER shall design, develop, manufacture and test the SYSTEM in a facility that is assessed and registered as conforming to the requirements of ISO 9001:2008 quality management system.

WARRANTY

A factory trained representative of the manufacturer shall perform all warranty work.

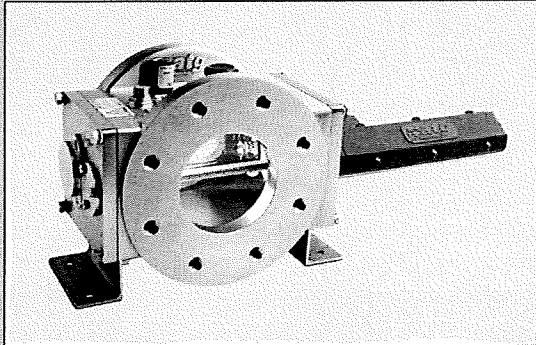
Manufacturer to warranty Ultraviolet chamber and Spectra Control panel for a period of 5 years (subject to any contractual maintenance requirements) excluding lamps, quartz and seals.

Medium pressure Ultraviolet bulbs shall be warranted for a period of 8,000 hours.

Intermittently operated lamps (≥ 1 on/off cycles per day) will be replaced free of charge should failure occur prior to 4,000 hours and replacement will be prorated between 4,000 and 8,000 hours.

Manufacturer must maintain spare or replacement parts in the USA for same day or no longer than next day delivery in North America, other areas based on expedited delivery available.

A Service Agreement (twice per year maintenance) from a qualified factory certified distributor shall be available to initiate the service in order to maintain the five-year warranty.



The Wafer™ UV system is the most advanced UV system available. The treatment chamber has been designed for the simplest installation into any pipe work system. The chamber can be mounted vertically or horizontally. The compact design allows existing facilities to be easily upgraded with minimum site work.

TREATMENT CHAMBER

The Wafer™ treatment chambers are designed for installation into the piping after the filters but before chemical injection.

The treatment chamber is manufactured from solid cast 316L stainless steel, with standard ANSI flanged piping connections. Temperature probe, UV monitor probe, and automatic quartz wiper system included.

A pressure rating for the unit is 150 PSI and pressure drop through the chamber is minimal.

Our objective for the product is simple, to be the best on the market, no compromise. The Wafer™ system offers the flexibility of a horizontal or vertical installation application. The Wafer™ product line treats the largest pools with a very compact footprint.

Utilizing our proven medium pressure lamp technology, the Wafer™ system offers a high quality, 'high specifications' product at a very competitive price. The WF-230-10 is suitable for all pools and whirlpools with flows rates up to 1,980 GPM for indoor applications and 2,200 GPM outdoors applications.



CONTROL SYSTEM

The control system is housed in a IP 54 rated panel. As a standard, it is supplied with 30 ft cables for connection to the treatment chamber.

The power supply (PSU) and control cabinet are powered with the latest Spectra III microprocessor control unit. Three levels of operation (simple control, full parameter display, and operator configuration) allow for easy, uncomplicated operation of the unit by an operator. The control system features a sophisticated password protected engineering section for integrating the unit with other system devices.

Auto power restart, pump and valve interfaces, process interrupt and low power overnight operation are all features specifically designed for use on all recreational water applications.

Neptune-Benson
evoqua

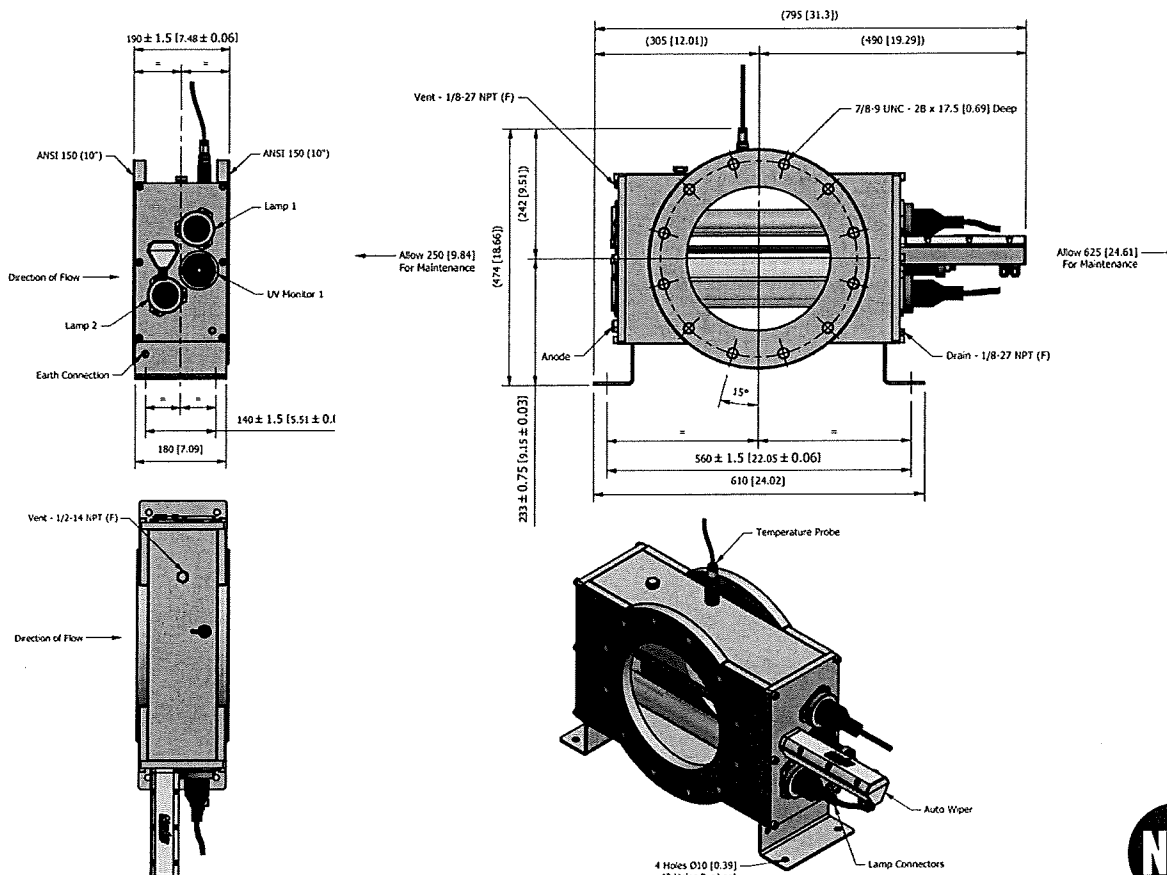
www.neptunebenson.com | Sales & Service : +1 920-885-4628

4/1/20

WAFER™ UV for Recreational Water



TREATMENT CHAMBER WF-230-10 Technical Data Sheet



Type	Lamp & Power	Weight (Dry/Wet)	Connection Size	Sacrificial Anode	Wiper System	Material Construction
WF-230-10	2 X 3.0 kW	172/218 lbs	10"	1/2" NPT	Automatic	316L SS
Pressure Rating			150 PSI			
Drain & Vent			1/8" - 27 NPT Drain 1/2" - 14 NPT Vent			
Standard Cable Length			30 feet			
Ingress Protection			IP55			
GPM for 60 mj/cm2 Dose			1,980 GPM (indoor)			
GPM for 40 mj/cm2 Dose			2,200 GPM (outdoor)			
Strainer			10" EZ Clean Strainer Included			

Neptune-Benson
EVOQUA

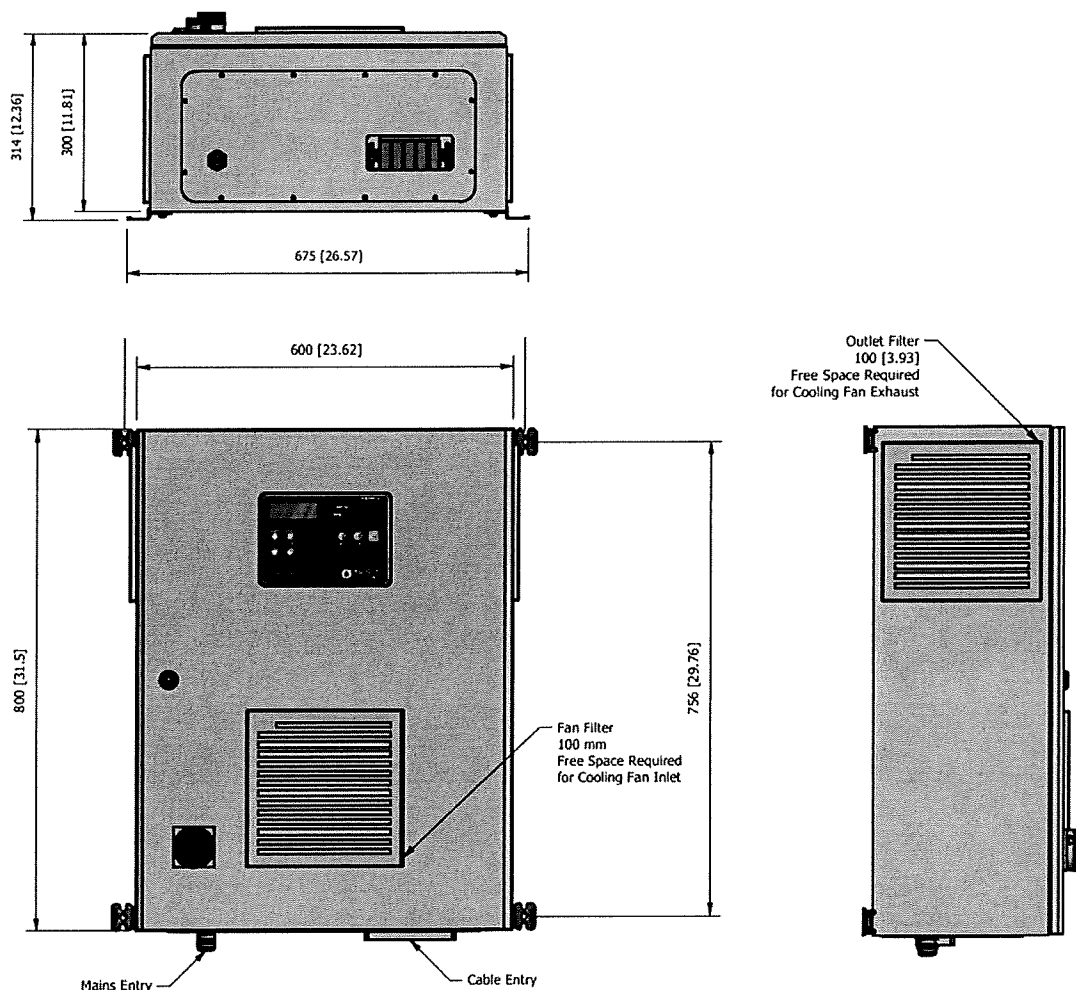
Sales & Service : +1 920-885-4628
www.neptunebenson.com

4/1/20

WAFER™ UV for Recreational Water



CONTROL PANEL WF-230-10 Technical Data Sheet



Type	Lamp & Power	Panel Weight	Breaker Size	Power Supply	Phase	Frequency
PGA 2x3000	2 X 3.0 kW	121 lbs	30 Amp	380-480V	3 Ph	50/60 Hz
Variable Power			100% to 30% Power (Automatic Dose Pacing)			
User Interface			Spectra Membrane			
Ventilation			Forced Air Cooled (Fan)			
Ingress Protection			IP 54			

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EVOQUA

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www.neptunebenson.com

4/1/20



Date: MARCH 23, 2022
From: Enna A. Bachelor, Purchasing Manager
To: Prospective Bidders
Subject: Addendum No. 1 – LEISURE POOL UV REPLACEMENT

Addendum No. 1 is being issued as a result of the mandatory prebid meeting held on March 22, 2022. The prebid sign-in sheet is attached to this addendum. Bids will only be considered from firms in attendance.

Please be advised that firms submitting bid security in the form of a cashier's check should take a picture of the check and include it with their bid submission uploaded to the MITN website. The City will make arrangements after the bid opening to secure the bid security from firms submitting them in the form of checks as prescribed in the solicitation.

Also be advised that the flow rate specified in the bid document is incorrect. The UV unit must be rated to handle a flow rate of 1,780 gpm.

The due date remains the same. All other provisions of the bid remain the same. Return addendum acknowledgement with bid response.

ADDENDUM NO. 1-KRC LEISURE POOL UV REPLACEMENT - ACKNOWLEDGEMENT--

-

Company Name: _____

Signature: _____

Title: _____

Print Name: _____ Date _____

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

15

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

18. AWARD OF BID: Department of Parks and Recreation, re: for the Spa UV unit replacement at Jack E. Kirksey Recreation Center, from budgeted funds.

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

Council Vice President Laura Toy offered an approving resolution on the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

18.

Parks and Recreation April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the Spa UV Replacement at the Jack E. Kirksey Recreation Center, from budgeted funds.

BACKGROUND

The Department of Parks and Recreation have solicited bids to replace the Spa UV unit Kirksey Recreation Center.

The UV unit is outdated, and replacement parts are becoming harder to find and increasing in cost. UV units are secondary disinfection that aid in increased water and air quality.

Specifications were prepared by the Department, and an advertisement for bids was placed on the MITN website. Two (2) companies submitted bids, which were opened in the presence of the Bid Committee at 2 p.m. on March 29, 2022. Below is the bid tabulation, for the Council's review.

Company	Address	Total
Aquatic Source, LLC	190 Summit Street Brighton, MI 48116	\$28,088
Baruzzini Contracting, LLC	1281 S. Old US Hwy 23 Brighton, MI 48114	\$31,810

RECOMMENDATION

We recommend that City Council authorize the Mayor and City Clerk to execute contracts for the Spa UV Replacement to Baruzzini Contracting, LLC 1281 S. Old US Hwy 23, Brighton, MI 48114. Aquatic Source declined to be awarded for this project when informed Baruzzini would be presented for award on the Leisure Pool UV bid. Attached for review is their form of proposal and bid specification.

FISCAL CONSIDERATION

Sufficient funds have been budgeted in 208-755-971-000.

ATTACHMENTS

1. 2022 BID FORM (SPA UV REPLACEMENT BID) Baruzzini
2. Spa UV bid specs

APPROVED BY



Date: April 07, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 07, 2022

Michael Slater, Finance Director



Date: April 07, 2022

Maureen Miller Brosnan, Mayor

FORM OF PROPOSAL
City of Livonia
SPA UV Replacement

Bid of Baruzzini Contracting, LLC hereinafter called
Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business
as _____

* Insert as applicable: "a corporation", "a partnership" or "an individual"

TO THE CITY OF LIVONIA, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Notice to Bidders, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Proposal, Bond, Specifications and Drawings, as prepared by the City of Livonia, and understands all of the same; that the Bidder or its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
<u>1</u>	<u>3.23.22</u>

The work may be awarded per item number.

Item No.	Description	Quantity	Complete for the Sum Of
1	ChlorKing Sentry Aqua Guard UV system #SAG 480-CR	1	\$ 0.00
	Alternate: <u>ProMinent LPUV 2x50</u>	1	\$ 31,810.00
	<u>Low pressure U.V. System</u>		
2	Labor and Materials		\$ N/A
3	TOTAL ITEMS 1 & 2		\$ 31,810.00

FORM OF PROPSAL – Spa Replacement
CITY of LIVONIA DEPARTMENT OF PARKS & RECREATION

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities and informalities therein. It is agreed that this bid may not be withdrawn for 120 days from the opening thereof.

Number of days it will take to complete the project upon being given notice to proceed
4 **DAYS**

Number of days it will take to obtain materials for project upon being given notice to proceed
21 **DAYS**

We are able to complete the project on or before May NOV 21, 2022?
 x Yes No

If no, please specify the date by which work will be completed_____

The contractor and their sub-contractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to their hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of their sex or age, except when based on a bona fide occupational qualification, or because of their race, color, religion, national origin or ancestry. (Act 453 P.A. 1976 As Amended) The contractor further agrees that they will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this contract may be regarded as a material breach of contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership, (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Date 3/28/22 Firm Name Baruzzini Contracting, LLC
(If corporation, partnership, or assumed name)

Address 1281 S. Old US Hwy 23 Signature 
(Person executing bid and official capacity)

Print Name Anthony Baruzzini

City Brighton State MI Zip Code 48114

Email tony@baruzzini.com

Phone 810-229-8996 FAX 810-229-1874

Donald, Theodore, Domenic & Anthony Baruzzini
(Names of Principal Officers and designate
official capacity)

N/A

(If partnership or assumed name, indicate names of owners)

CONTACT PERSON TO WHOM QUESTIONS REGARDING PROPOSAL RESPONSE SHOULD BE DIRECTED:

NAME: Tony Baruzzini **TITLE:** Member

PHONE: 810-229-8996

EMAIL: tony@baruzzini.com

To be considered for this project, the following forms must be delivered by 2:00 PM on MARCH 29, 2022 VIA UPLOAD TO THE MITN WEBSITE (WWW.MITN.INFO) IN ADOBE ACROBAT PDF FORMAT.

Firms must upload with their bid response the following documents in the format prescribed

- **Form of Proposal Pages (FP1 – FP6)**
- **Project Timeline**
- **Warranty Documentation**
- **Company Overview**

**SPA POOL UV Replacement
REFERENCE FORM**

COMPANY NAME: Baruzzini Contracting, LLC

Reference Company Name: Washtenaw Parks	
City/State: Michigan	
Summary of Work Performed: Installation of ProMinent low pressure U.V System	
Dates of Work:	
Company Contact Person: Scott Linn	Title: Facilities Director
Phone Number: 810.772.9764	Email:

Reference Company Name: City of Detroit	
City/State: Detroit, MI	
Summary of Work Performed: Replace system mechanical at multiple sites	
Dates of Work: Ongoing	
Company Contact Person: Stella Boyd	Title:
Phone Number: 313.938.8351	Email:

Reference Company Name: Traverse City YMCA	
City/State: Traverse City, MI	
Summary of Work Performed: On going service work and upgrade / replacement	
Dates of Work: On going	
Company Contact Person: Angie Howie	Title:
Phone Number: 231.649.2511	Email:

**STATEMENT OF QUALIFICATIONS
SPA POOL UV REPLACEMENT**

Respondents must answer all questions. If more space is needed to complete a question, attach a separate sheet.

Company Name: Baruzzini Contracting, LLC

Address 1281 S. Old US Hwy 23 Brighton, MI 48114

Contact Person: Tony Baruzzini Title Member

Phone No. 810-229-8996 Email tony@baruzzini.com

1. Number of years operating under you present name: 5
2. Number of years present owners have owned the company: 5
3. How many years of experience does your company have with UV Replacement? 15
4. List municipalities who the bidder has serviced in the past five (5) years to present:

Name of Municipality	Term of Service
City of Detroit	Monthly service all sites
City of Warren	Monthly service all sites
City of Farmington Hills	On call all sites
Ann Arbor Public Schools	3 days per week / 8 schools
Eastern Michigan University	On call all sites

5. General nature of work performed by your company:
Commercial concrete foundations, flatwork-swimming pools, spas, fountains and waterparks

6. Have you performed work for the City of Livonia in the last ten (10) years? If so, please specify:

Year of Service	Department Serviced	Description of Services Provided
2017	Recreation	Pool construction
2017 to present	Recreation	Aquatic service

7. List the members of the team who will oversee the contract and the roles they will perform.

Name	Title	Role	Years of Experience
Jason Cavicchioli	Service Manager	Project Manager	20+
Paul Dean	Plumber	Installation / Plumbing	20+

8. What challenges to you foresee?

None

9. What is included in your base price for services? What services will incur additional fees:
All installation, labor, start-up and training. Up to 2 return trips in first 6 months.
-

10. Provide Phone Numbers for Customer contact during normal business hours. Provide phone number for
24-hour contact by City of Livonia personnel.

Company Phone No.: Jason (c) 810-986-5132

24-Hour Phone No.: N/A

11. Hours of Operation

DAYS	BUSINESS HOURS
Monday – Friday	8am - 5pm
Saturday	N/A
Sunday	N/A
Holidays	N/A

COMPANY NAME: Baruzzini Contracting, LLC

Interviews will be scheduled with contractors based upon the results of proposal evaluations. Interviews will be conducted

RESPONSIVE BIDS

All pages and the information requested herein shall be furnished completely in compliance with instructions. The manner and format of submission is essential to permit prompt evaluation of all bids on a fair and uniform basis. Accordingly, the City reserves the right to declare as non-responsive and reject an incomplete bid if material information requested is not furnished, or where indirect or incomplete answers or information is not provided. Any exceptions on the specification must be noted on the bid form.

INSTRUCTIONS TO BIDDERS

Please provide at least three (3) references, with contact name and phone number, of similar projects that you have done in the last five years.

Project Scope

1. Bid submission must include total work time needed to complete project, including any prep, cure and dry times. Lead time for materials must also be included.
2. All required permits, licenses, inspections, approvals and fees for installation and demolition work shall be secured, submitted, and paid for by the contractor, to any and all agencies. All work shall conform to all applicable codes, rules, and regulations.
3. Contractor is responsible for pool building and components, in addition to everything as stated herein for the duration of construction. No assumptions shall be made as to outside conditions or events, which may occur during demolition and installation, which could cause damage to the pool and piping.
 - a. In the event of damage, the contractor shall provide whatever monetary and labor means deemed necessary, as directed by the City of Livonia, to repair or replace and complete all work as described with the same standards.
4. Quantities shown herein or on the drawings are approximate and are provided for general information purposes only. Any quantities or measurements stated are estimates only and each contractor is responsible for taking their own measurements

Spa UV Replacement

1. Remove and replace current UV System. Properly dispose of materials. Current Model: ETS/ATG Willand. Model #: Sp-25.6 Serial #: X14962

2. Install ChlorKing Sentry Aqua Guard UV System and Control Panel. Model # SAG 480-CR. Submittal sheet attached. Approved Equivalents will be accepted.
3. Any electrical work must be included in bid submission. If permits are required, it is the responsibility of the contractor. Current unit uses an input of 480V 60 Hz.
4. Please see additional specifications below. Alternate submissions must be able to meet the same requirements.

2.0 LOW PRESSURE ULTRAVIOLET LIGHT TREATMENT SYSTEMS- SPA

- A. The spa system shall be a Sentry Aqua Guard model #SAG 480A-CR. ***Unit is to be rated for 200 US GPM***

1. One (1) ultraviolet light disinfection chamber for each pool constructed from of 316L stainless steel electro-polished and passivated. Unit is to be rated for and approved for crypto reduction per Model Aquatic Health code as certified by NSF as such
 - a. Each chamber shall contain 1 – 12, 120watt high output amalgam lamps and quartz sleeves emitting 185nm and 254nm wavelengths to provide constant disinfection/inactivation of bacteria, algae, molds and viruses, and destruction on Monochloramines, trichloramines, and Dichloramines at 45mj/cm2 @ 95% UVT.
 - b. Each chamber shall contain 1 – 12 quick disconnect sleeve removal assemblies so that lamps and sleeves can be easily and timely removed from the chamber without having to drain any water from the chamber when cleaning/repair/replace is required.
2. One [1] power supply containing 1 – 12 ballasts with mj output reading visible on the front panel, and warning indicator lights/audio alarms should mj reading fall below lowest setting.
3. The design of the system shall be such that the disinfection chamber can be installed vertically or horizontally and that inlet/outlet flange configuration can be same side or apposed side for easy installation.
4. **Ultraviolet light systems that do not utilize high output amalgam lamps and emit only 185nm and 254nm wavelengths shall not be accepted as equal.**
5. **Ultraviolet light systems tested and certified at mj/cm2 output of lower than 45 and UVT higher than 95% shall not be accepted as equal.**
6. The manufacturer shall verify proper operation of the lamps and all controls by connection to water for a factory test prior to shipping.
7. **Systems shall have been third party validated by NSF to confirm a minimum inactivation equivalent of 3 log (99.9%) cryptosporidium parvum in accordance with NSF 50 and the US EPA UV DGM.**
8. **SAG systems have also met the requirements of NSF/ANSI 50, Anex H.1 Disinfection efficacy for a minimum of a 3 log (99.9%) reduction of enterococcus faecium and pseudomonas aeruginosa.**

- B. Request for substitution for the specified make and model will not be considered unless equal to

the specified system in every respect and must be submitted to the specifying agent not less than 10 calendar days prior to bid date. Requests for substitution must include a sample system with all specified features; complete documentation relating to all the specified features; and manufacturer's sales literature, engineering drawings, and installation, operation, and maintenance manuals. Failure to provide these or any other information necessary to confirm that all specified features are provided will be cause for rejection of substitution request

C. The system shall be certified and listed by NSF International under the latest edition of the NSF/ANSI standard 50. The system shall be ETL listed by Intertek and certified to UL 1081.

D. The ultraviolet light system shall be constructed of passivated, electro-polished 316L stainless steel,

1. The chambers shall allow access for maintenance at least one end.

2. Union/flange sizes shall be available from 2" – 12" [model specific].

E. An air bleed valve shall be located on the top of the chamber for removal of unwanted trapped air.

F. A drain plug shall be located at the bottom of the chamber for easy draining during routine repair/maintenance.

G. A flow sensor/pressure sensor shall be field installed and wired to the power supply to not allow the system to operate when there is not sufficient flow.

H. The ultraviolet light system shall be third party tested and certified for operation at 45mj/cm² at 95% UVT.

I. ULTRAVIOLET LAMP

1. Ultraviolet lamp shall be 120watt high output amalgam lamp[s]. Lamp[s] shall be designed to emit continuous Ultraviolet light wavelengths of 185nm and 254nm to provide constant disinfection/inactivation of bacteria, algae, molds and viruses, and destruction on Monochloramines, trichloramines, and Dichloramines.

J. CONTROLS

1. Display showing output mj/cm² with warning lights/audio alarms if output drops below recommended level shall be required.

K. ELECTRICAL CONTROLS

1. The ultraviolet light system shall be equipped with a single pole contactor for supply voltage. Supply voltage shall be 110-120 volt/60 hertz/ single phase.

2. A standard 10amp or 20amp GFCI breaker shall be acceptable.
3. An additional 110-120 volt/60 hertz/ single phase shall be required for secondary control.

L. OPERATION & RATINGS

1. The SENTRY AQUA GUARD shall be capable of continuous operation without interruption at 45mj/cm² for 13,000 hours EOL. Intermittently operated lamps where on/off cycles exceed once per day will reduce lamp life significantly.
2. The SENTRY AQUA GUARD shall be capable of operating in air temperatures between 35F and 110F and water temperatures between 40F and 104F.

M. COMMISSIONING AND INSTRUCTIONS

1. A factory trained and certified service technician (through ChlorKing training) shall perform commissioning of the SENTRY AQUA GUARD SYSTEM.
2. Printed and bound operating, installation and service manuals shall be supplied with the system.

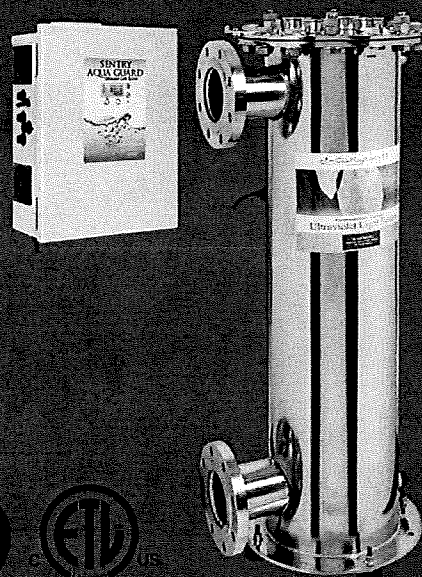
N. WARRANTY

1. Warranty is as follows;
 - a. 3-year warranty on stainless steel chambers
 - b. 1-year warranty on PVC chambers
 - c. 1-year warranty on power supply
 - d. 90-day warranty on lamps

- O. Manufacturer must maintain spare or replacement parts in the USA for next day delivery.

SAG A-CR series

-SENTRY AQUA GUARD- High output amalgam UV systems for commercial pools and spa's



ChlorKing's Sentry Aqua Guard stainless steel CR ultraviolet light systems are leading the way to better, safer water. Their unique, forward-thinking design employs high output amalgam technology for better chloramine control and inactivation of chlorine resistant bacteria. Sentry Aqua Guard systems are designed for commercial pools and spa's, and they pay for themselves through lower cost of operation and a longer lasting system.

Custom high output amalgam lamps used in the SAG series are proven to be the most effective lamps used in the aquatic industry. Low heat generation allows these UV system to operate in a variety of aquatic facilities and not destroy free chlorine, while still reducing chloramines for indoor air quality enhancement.

LONGEST LAMP LIFE

Our 13,000 hour amalgam lamps sets the standard for the aquatic industry, with cost effective, easy to replace lamps.

SECONDARY DISINFECTION

SAG systems have been third party validated by NSF to confirm a minimum inactivation equivalent of 3 log (99.9%) cryptosporidium parvum in accordance with NSF 50 and the US EPA UV DGM.

SAG systems have also met the requirements of NSF/ANSI 50, Annex H.1 Disinfection efficacy for a minimum of a 3 log (99.9%) reduction of enterococcus faecium and pseudomonas aeruginosa.

VESSEL CONSTRUCTION FOR STAINLESS-CR SERIES

- 316L stainless steel electropolished
- 316L stainless steel removable top with lamp bosses.
- 316L stainless steel quick disconnect clamps for easy quartz sleeve removal.

FEATURES OF THE STAINLESS STEEL CR SERIES

- High output amalgam lamps for chloramine reduction
- 254 & 185nm wave length lamps
- 13,000 hour lamps and sleeves
- Ozone generated in sleeves for hydroxyl radical production
- Protection against cryptosporidium and other pathogens
- Vertical or horizontal installation
- 5 models available with flow rates from 46 - 1,141 GPM

MICROPROCESSOR CONTROLS

- Graphic display with touch controls for menu selection
- W / m2 or mW / cm2 UV intensity display
- mJ / cm2 UV dose display
- Flow meter or flow switch input with flow display
- Flow rate actual reading capability (with flow meter)
- Safety cover monitoring
- Individual lamp and ballast monitoring with alarm
- Vessel water temperature monitoring
- Additional dry contact or low voltage DC output for additional alarm functions

SAG A-CR Series specifications & dimensions

Model	Lamps	Max flow rate @ 91% UVT (GPM)	Port size	Amps @ 120VAC	Max PSI	Enclosure dimensions (W x H x D)
SAG 120A-CR	1	46	2" flanges	1.2	50	13" x 17" x 6.5"
SAG 240A-CR	2	119	3" flanges	2.4	50	13" x 17" x 6.5"
SAG 480A-CR	4	352	4" flanges	4.8	50	17" x 21" x 6.5"
SAG 720A-CR	6	620	6" flanges	7.2	50	17" x 21" x 6.5"
SAG 960A-CR	8	770	6" flanges	9.6	50	25" x 25" x 8.5"
SAG 1200A-CR	10	1141	8 or 10" flanges	12	50	25" x 25" x 8.5"

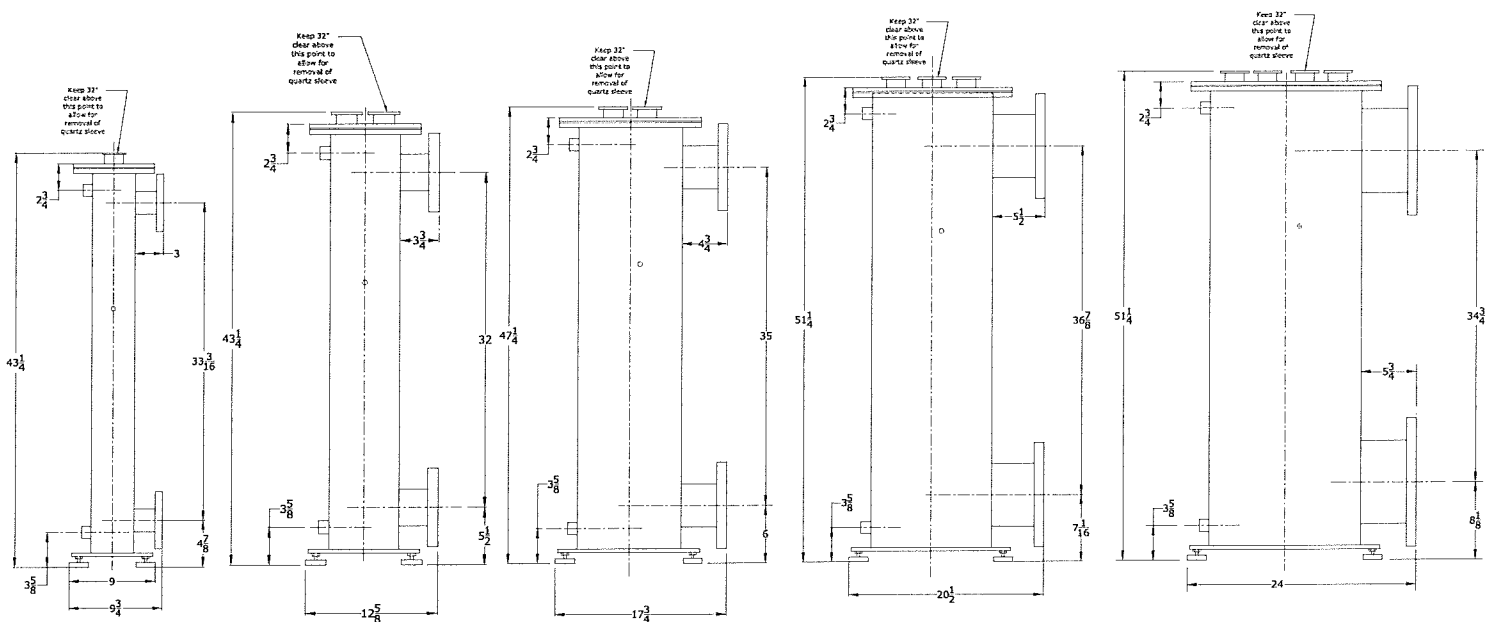
SAG 120-CR

SAG 240A-CR

SAG 480A-CR

SAG 720 & 960A-CR

SAG 1200A-CR



ChlorKing pioneered on-site chlorine generating technology in the 1970's. Realizing the potential for swimming pools and commercial applications, the company began generating "ultimate water" with simple, yet highly advanced technology. Today, ChlorKing® leads the way in commercial saline chlorination and is consistently seeking new frontiers in sanitizing solutions including ultraviolet light technology and their NEXGEN® pH onsite chlorine generators. These environmentally friendly solutions are changing the way we treat H₂O.



Safer water through smarter technology.

Salt Chlorination Systems • Ultraviolet Light Systems • Hypochlorous Acid Generators

ChlorKing Inc. 2935 Northeast Parkway, Atlanta, GA 30360 sales@chlorking.com 800.536.8180 chlorking.com



Date: MARCH 23, 2022
From: Enna A. Bachelor, Purchasing Manager
To: Prospective Bidders
Subject: Addendum No. 1 – SPA POOL UV REPLACEMENT

Addendum No. 1 is being issued as a result of the mandatory prebid meeting held on March 22, 2022. The prebid sign-in sheet is attached to this addendum. Bids will only be considered from firms in attendance. The prebid sign in sheet is attached to this addendum.

Please be advised that firms submitting bid security in the form of a cashier's check should take a picture of the check and include it with their bid submission uploaded to the MITN website. The City will make arrangements after the bid opening to secure the bid security from firms submitting them in the form of checks as prescribed in the solicitation.

The due date remains the same. All other provisions of the bid remain the same. Return addendum acknowledgement with bid response.

ADDENDUM NO. 1-SPA POOL UV REPLACEMENT - ACKNOWLEDGEMENT---

Company Name:_____

Signature:_____

Title: _____

Print Name:_____ Date_____

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

16

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

19. AWARD OF BID: Department of Public Works, re: for the Silver Village roof replacement, from budgeted funds.

Jacob Rushlow, Assistant Superintendent of Public Works, presented the request to Council.

Councilmember Rob Donovic asked when construction would commence and complete.

Jacob Rushlow stated they will need to sit down with the contractor and have a preconstruction meeting to determine the start and stop date. Councilmember Donovic asked if this was a fixed price. Jacob Rushlow replied that it is a fixed priced.

Councilmember Rob Donovic offered an approving resolution on the Consent agenda.

Councilmember Brandon McCullough asked if they are using a dimensional shingle and what the warranty is. Jacob Rushlow confirmed the shingle and stated the warranty is 40 years.

Council Vice President Laura Toy asked how the residents affected be notified of the project. Jacob Rushlow replied he is working with the Housing Department to notify residents and stated the contractor is to complete one project before moving on to the next.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

19.

DPW
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Jill Russell, Secretary III,

AGENDA ITEM

AWARD OF BID: Department of Public Works, re: for the Silver Village roof replacement, from budgeted funds.

BACKGROUND

The Silver Village Apartments, located at 33789 Lyndon, Livonia, Michigan 48154, were constructed in 1977 for low-income senior living and are comprised of 18 buildings with 6 apartments each (108 apartments total) with 4 two-bedroom and 2 one-bedroom contained within each building. Each building has approximately 4,800 sq. ft. of roof surface. There is also a community center that services all the apartments and totals 5,200 sq. ft. of roof surface. Total roof square footage for replacements is approximately 91,600 sq. ft. The existing asphaltic shingle roof system is past its serviceable life-cycle and in need of replacement. Visual observations from the City Housing and Building staff and Architect team include active roof leaks, cracking, curling, discoloration, and poor flashing details.

The proposed project scope includes replacement of existing shingles and any saturated roof decking, proper flashing details, perforated soffits, and ancillary system components to achieve a complete watertight roof assembly.

In order to proceed with construction, bid documents were prepared by the Department with assistance from our architect, Hubbell, Roth, and Clark (HRC) and bid documents were made publicly available on Bid Net Direct (MITN). A bid opening was held on April 5, 2022 and two competitive bids were received. KJP Roofing was the lowest qualified bidder at \$506,940.00. This was significantly lower the design team's opinion of probable construction costs. Considering the potential for unknowns that may need to be addressed during construction through change orders, we recommend adding a 10% contingency to the authorized expenditure for a total of \$557,634.00. A copy of the bid proposal, bid tabulation, and recommendation letter from HRC are provided for your consideration.

RECOMMENDATION

The Department of Public Works requests Council accept the bid and award a construction contract to KJP Roofing and Sheet Metal, Inc., 46958 N. Gratiot Ave., Suite #174, Chesterfield, MI 48051, for all labor, materials, and equipment to complete the Silver Village Apartments roof replacements in an amount not to exceed \$557,634.00 from budgeted funds

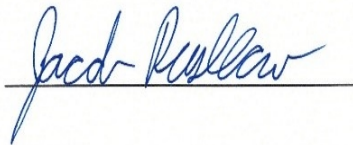
FISCAL CONSIDERATION

Budgeted funds of \$557,634 are available in 2021-22 budget in Silver Village capital outlay account no. 538-676-987-000.

ATTACHMENTS

1. HRC Silver Village Roof Contractor Recommendation
2. KJP Roofing Silver Village Bid

APPROVED BY



Jacob Rushlow, P.E., Assistant Director of Public Works

Date: April 07, 2022



Don Rohraff, Director of Public Works

Date: April 07, 2022



Michael Slater, Finance Director

Date: April 07, 2022



Paul Bernier, City Attorney

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 08, 2022

April 6, 2022

Department of Public Works
City of Livonia
12973 Farmington Rd.
Livonia, MI 48150-4202

Attn: Mr. Jacob Rushlow, P.E.
Superintendent of Public Service

Re: Recommendation for Award and Bid Tabulation
Silver Village Roof Replacements

HRC Job No. 20210748

Dear Mr. Rushlow:

We have reviewed the bids that were received electronically by the City on Tuesday, April 5, 2022, and forwarded to our office for the Silver Village Roof Replacements Project and have found them to be in order. There were two (2) official bids received. The apparent low bidder is KJP Roofing of Chesterfield, Michigan. Please refer to the attached Bid Tabulation for an itemized bid breakdown of the bids.

KJP Roofing has satisfied the bidder's prequalification and specification requirements and has submitted all the necessary information for their bid proposal to be considered complete and responsive. They have submitted several satisfactory references for similar projects completed. They have also performed work for the City of Livonia Housing Commission for similar projects in the past, with satisfactory results. Their company background appears to be well suited to provide the proposed work for the Silver Village Roof Replacements project.

Based on the above, this office recommends award of the Contract to KJP Roofing of Chesterfield, Michigan with a total bid of **\$ \$506,940.00**, subject to the submission of the necessary bonds and insurance, which comply with the contract specifications.

Enclosed, please find a copy of the Bid Tabulation for your records. If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,
HUBBELL, ROTH & CLARK, INC.



Adrianna M. Melchior, AIA, LEED AP BD+C
Associate

Attachment: Bid Tabulation

pc: HRC; R. Alix, File

BID TABULATION
SILVER VILLAGE ROOF REPLACEMENT
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

4/6/2022
 20210748

KJP Roofing
 46958 N. Gratiot Suite 174
 Chesterfield, MI 48064

Weatherseal Home Impr
 51662 Oro Dr
 Shelby Twp, MI 48315

Item	Quantity				Total Cost		Total Cost
BASE BID							
1.	Residential Units 1-18 Reroofing, Complete	18	EA	\$	441,000.00	\$	436,680.00
2.	Residential Units 1-18 Plywood Replacement	324	EA	\$	22,680.00	\$	32,400.00
3.	Community Building Reroofing, Complete	1	EA	\$	30,000.00	\$	27,551.00
4.	Community Building Plywood Replacement	18	EA	\$	1,260.00	\$	1,800.00
5.	Remove Gutter Guards & Associated Repairs	1	LS				
6.	Allowance for Building Permit	1	LS	\$	12,000.00	\$	12,000.00
TOTAL				\$	506,940.00	\$	510,431.00

BID LIST							
Project:	SILVER VILLAGE ROOF REPLACEMENT						
Owner:	City of Livonia						
Bids Due:	2:00 PM	Date:	4/5/2022				
ENGINEER: HUBBELL, ROTH & CLARK, INC.							
BIDDER	AMOUNT	POSITION	ADDENDUM ACKNOWLEDGED	LIVONIA FORMS	BID BOND	SCHEDULE	ATTENDED PRE-BID MTG
KJP Roofing	\$506,940	1	Y	Y	Y	N	Y
Weatherseal Home Impr	\$510,431	2	Y	Y	Y	Y	Y

Selective Insurance Company of America
40 Wantage Avenue
Branchville, New Jersey 07890
973-948-3000

Bond No. B 1260104

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That KJP Roofing and Sheet Metal Inc
46958 Gratiot Ave #174 Chesterfield, MI 48051 (hereinafter called the Principal)
as Principal, and the SELECTIVE INSURANCE COMPANY OF AMERICA, a corporation created and existing under
the laws of the State of New Jersey, with its principal office in Branchville, New Jersey (hereinafter called the Surety),
as Surety, are held and firmly bound unto City of Livonia
33780 Lyndon St. Livonia, MI 48154 (hereinafter called the Obligee)
in the full and just sum of 5 % Percent of the Total Bid Amount Dollars
(\$ 5 %) good and lawful money of the United States of America, to the payments of which sum of
money well and truly to be made, the said Principal and Surety bind themselves, their and each of their heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 5th day of April, 2022 A.D.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, if the Obligee shall make any award within 60 days to
the Principal for

Silver Village Roof Replacements

according to the terms of the proposal or bid made by the Principal therefor, and the Principal shall duly make and
enter into a contract with the Obligee in accordance with the terms of said proposal or bid and award and shall give
bond for the faithful performance thereof with Surety or Sureties approved by the Obligee; or if the Principal shall,
in case of failure so to do, pay to the Obligee the damages which the Obligee may suffer by reason of such failure, not
exceeding the penalty of this bond, then this obligation shall be null and void; otherwise it shall be and remain in full
force and effect.

When this Bond has been furnished to comply with a statutory, regulatory or other legal requirement in the location where
the construction is to be performed, any provision in this Bond conflicting with said statutory, regulatory or legal
requirement shall be deemed deleted from this form and provisions conforming to such statutory, regulatory or other
legal requirement shall be deemed incorporated herein. The intent is that this Bond shall be construed as a statutory
bond and not as a common-law bond.

In Testimony Whereof, the Principal and Surety have caused these presents to be duly signed and sealed.

WITNESS:

KJP Roofing and Sheet Metal Inc

(If individual or firm)

By: [Signature] (SEAL)

JASON PRIESKORN PRESIDENT

ATTEST:

(If Corporation)

SELECTIVE INSURANCE COMPANY OF AMERICA, SURETY

By: [Signature]
Michael G. Zervos, Attorney-in-fact

B-201 (6/20)

POWER OF ATTORNEY

SELECTIVE INSURANCE COMPANY OF AMERICA, a New Jersey corporation having its principal office at 40 Wantage Avenue, in Branchville, State of New Jersey ("SICA"), pursuant to Article VII, Section 1 of its By-Laws, which state in pertinent part:

The Chairman of the Board, President, Chief Executive Officer, any Executive Vice President, any Senior Vice President or any Corporate Secretary may, from time to time, appoint attorneys in fact, and agents to act for and on behalf of the Corporation and they may give such appointee such authority, as his/her certificate of authority may prescribe, to sign with the Corporation's name and seal with the Corporation's seal, bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said Officers may, at any time, remove any such appointee and revoke the power and authority given him/her.

does hereby appoint **Michael G. Zervos**

, its true and lawful attorney(s)-in-fact, full authority to execute on SICA's behalf fidelity and surety bonds or undertakings and other documents of a similar character issued by SICA in the course of its business, and to bind SICA thereby as fully as if such instruments had been duly executed by SICA's regularly elected officers at its principal office, in amounts or penalties not exceeding the sum of: **\$4,000,000.00**

Signed this 5th day of April, 2022

SELECTIVE INSURANCE COMPANY OF AMERICA

By:

Brian C. Sarisky
Brian C. Sarisky

Its SVP, Strategic Business Units, Commercial Lines

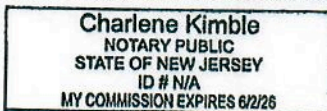


STATE OF NEW JERSEY :

:ss. Branchville

COUNTY OF SUSSEX :

On this 5th day of April, 2022 before me, the undersigned officer, personally appeared **Brian C. Sarisky**, who acknowledged himself to be the Sr. Vice President of SICA, and that he, as such Sr. Vice President, being duly authorized to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as Sr. Vice President and that the same was his free act and deed and the free act and deed of SICA.



Charlene Kimble
Notary Public



The power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of SICA at a meeting duly called and held on the 6th of February 1987, to wit:

"RESOLVED, the Board of Directors of Selective Insurance Company of America authorizes and approves the use of a facsimile corporate seal, facsimile signatures of corporate officers and notarial acknowledgements thereof on powers of attorney for the execution of bonds, recognizances, contracts of indemnity and other writing obligatory in the nature of a bond, recognizance or conditional undertaking."

CERTIFICATION

I do hereby certify as SICA's Corporate Secretary that the foregoing extract of SICA's By-Laws and Resolutions is true in force and effect and this Power of Attorney issued pursuant to and in accordance with the By-Laws is valid.

Signed this 5th day of April, 2022.

Michael H. Lanza
Michael H. Lanza, SICA Corporate Secretary



Important Notice: If the bond number embedded within the Notary Seal does not match the number in the upper right-hand corner of this Power of Attorney, contact us at 973-948-3000.

B91 (4-14)

CERTIFIED COPY

PROPOSAL
FOR
SILVER VILLAGE ROOF REPLACEMENTS
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154

Bids Due: Tuesday, April 5, 2022
On or Before 2:00 pm, Local Time
HRC Job No. 20210748

To Prospective Bidders:

Name of Bidder: KIP ROOFING AND SHEET METAL

Address: 46958 N. GRATIOT SUITE 174 CHESTERFIELD, MI 48001

Date: 4/4/2022 Telephone: (581) 256-1376 EMAIL: INS@KIPROOFING.COM

The above, as Bidder, hereby declares this bid is made in good faith without fraud or collusion with any persons bidding, and that the Drawings, Specifications, and all other information referenced in the Instructions to Bidders have been examined. Further, the Bidder is familiar with the location of the work described herein and is fully informed as to the nature of the work and conditions relating to the performance of the Contract.

The Bidder acknowledges that no representations or warranties of any nature whatsoever have been received, or are relied upon from the City of Livonia, its agents or employees, as to any conditions to be encountered in accomplishing the work and that the bid is based solely upon the Bidder's own independent judgment.

The above, as Bidder, hereby certifies that the Drawings, Specifications, and other data provided by the Owner for bidding purposes have been examined. Further, the undersigned certifies that the proposed construction methods have been reviewed and found acceptable for the conditions which can be anticipated from the information provided for bidding.

The Bidder hereby affirms that the site of work has been inspected and further declares that no charges in addition to the Individual Unit Prices shall be made on account of any job circumstances or field conditions which were present and/or ascertainable prior to the bidding. In addition, The Contractor, as such and as Bidder, shall make the determination as to existing soil conditions and shall also complete the work under whatever conditions created by the Contractor/Bidder's sequence of construction, construction methods, or other conditions the Contractor/Bidder may create, at no additional cost to the Owner.

The above, as Bidder, confirms knowledge of the location of the proposed Silver Village Roof Replacements Project and appurtenant construction in the City of Livonia, Wayne County, Michigan, and the conditions under which it must be constructed; and also declares to have carefully examined the Drawings, Specifications, and Contract Documents which the Bidder understands and accepts as sufficient for the purpose of constructing said Silver Village Roof Replacements Project, and appurtenant work, and agrees to contract with the City of Livonia to furnish all labor, materials, tools, equipment, facilities and supervision necessary to do all the work specified and prescribed for the City of Livonia, in strict accordance with the Owner's General Conditions, and with the full intent of the Drawings and Specifications, prepared by Hubbell, Roth & Clark, Consulting Engineers, and will accept in full payment therefore the sum of:

Hubbell, Roth & Clark, Inc.
Job 20210748

BASE BID

<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Cost</u>
1. Residential Units 1-18 Reroofing, Complete	18 EA @	\$ <u>24,500⁰⁰</u>	= \$ <u>441,000⁰⁰</u>
2. Residential Units 1-18 Plywood Replacement (4'x8' sheet)	324 EA @	\$ <u>70⁰⁰</u>	= \$ <u>22,680⁰⁰</u>
3. Community Building Reroofing, Complete	1 EA @	\$ <u>30,000⁰⁰</u>	= \$ <u>30,000⁰⁰</u>
4. Community Building Plywood Replacement (4'x8' sheet)	18 EA @	\$ <u>70⁰⁰</u>	= \$ <u>1,260⁰⁰</u>
5. Remove Gutter Guards & Associated Repairs	1 LS @	\$ <u>INC</u>	= \$ <u>INC</u>
6. Allowance for Building Permit	1 LS @	\$ <u>12,000.00</u>	= \$ <u>12,000.00</u>

Total Amount of Base Bid

\$ 506,940⁰⁰

Important: *A tentative construction schedule is to be included with this proposal for Owner consideration.*

The Owner reserves the right to award the Base Bid depending upon the availability of funds. No additional compensation will be made to the Contractor to offset lost compensation due to the possible deletion/reduction of parts of the Base Bid.

The Owner, at its sole discretion, reserves the right to award to the Bidder who, in the sole determination of the Owner, will best serve the interest of the Owner. The Owner reserves the right to accept any bid, to reject any or all bids, to waive any and all informalities involving price, time, or changes in the work, and to negotiate contract terms with the successful Bidder, and the right to disregard all nonconforming, nonresponsive, unbalanced or conditional bids. However, it is the intention of the Owner to award to the low total bid to one bidder. Also, the Owner reserves the right to reject the bid of any Bidder if the Owner believes that it would not be in the best interest of the Project to make an award to that Bidder, whether because the bid is not responsive or the Bidder is unqualified, of doubtful financial ability, or fails to meet any other pertinent standard or criteria established by the Owner.

Each bidder agrees to waive any claim it has or may have against the Owner, the Architect/Engineer, and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

Each Proposal must be accompanied by a bid deposit in the form of a certified check, cashier's check or bid bond, executed by the bidder and Surety Company, payable to the City of Livonia in the amount of Five Percent (5%) of the amount of the Proposal. See Instructions to Bidders – Bid Deposit for more information.

TAXES

The Bidder affirms that all applicable Federal, State and Local taxes of whatever character and description are included in all prices stated in this Form of Proposal.

ADDENDA

Hubbell, Roth & Clark, Inc.
Job 20210748

The Bidder acknowledges the following Addenda, covering revisions to the drawings or specifications and the cost, if any, of such revision has been included in the quoted proposal:

Addendum No. <u>1</u>	Dated <u>3/17/2022</u>
Addendum No. <u>2</u>	Dated <u>3/23/2022</u>
Addendum No. _____	Dated _____

COMPLETE BID

The following items shall be submitted for the bid to be considered complete:

1. Completed proposal form on Owner supplied sheets – all lines must be filled in
2. Certified check, cashier's check or bid bond and completed Bid Bond form included in this section
3. Addenda acknowledgement herein
4. Signed "Iran Linked Business" Vendor Certification (See Section 00704)
5. Municipal references (See Section 00120)
6. Completed Statement of Qualifications and Subcontractor List Forms (Following this Section)
7. Proposed construction schedule.

FEES

The Bidder shall refer to the General Conditions for allowable Fees for additional work performed, upon Owner's written authorization, by Bidder's own forces and/or for additional work, upon Owner's written authorization, by Bidder's subcontractors.

TIME OF COMPLETION

If awarded the Contract for the Silver Village Roof Replacement Project, we agree to have all work substantially completed within **Ninety (90) days** of the issuance of a Notice to Proceed. Substantial Completion is defined that the facilities are ready to use for their intended purpose with all systems fully functional.

The Bidder hereby agrees to furnish the required Bonds, Insurance Certificates, and Policies within **Ten (10)** days after acceptance of this Proposal.

Final Completion with all clean-up and punch-list items shall be complete within **Ten (10) days** of Substantial Completion.

The execution of all work and specific constraints as described in the contract drawings and specifications must be strictly adhered to.

LIQUIDATED DAMAGES

Hubbell, Roth & Clark, Inc.
Job 20210748

Time is of the essence for completion of this project in order to have the Project ready for the City. The Bidder guarantees that the work will be completed within the time limit stated herein before or within the time as extended as provided elsewhere in the Specifications. Inasmuch as the damage and loss to the Owner which will result from the failure of the Bidder to complete the work within the stipulated time, will be most difficult or impossible to accurately determine, it is mutually agreed that the damages to the Owner for such delay and failure on the part of the Bidder shall be liquidated in the amount of Five Hundred Dollars (\$500.00), for each and every calendar day by which the Bidder shall fail to complete the work or any part thereof within the provisions hereof, and such liquidated damages shall not be considered as a penalty.

The Owner will deduct and retain out of any money due or to become due hereunder the amount of the liquidated damages, and in case those amounts are less than the amount of actual liquidated damages, the Bidder shall pay the difference upon demand of the Owner.

We understand that liquidated damages may be assessed should we fail to meet the stipulated completion dates. Specifically, liquidated damages will be assessed daily beginning the **Ninety-First (91st) day after Notice to Proceed is issued** until such a time that Substantial Completion is achieved and further if all work is not completed by the prescribed Final Completion Date.

BIDS TO REMAIN FIRM

The price stated in this Proposal shall be guaranteed for a period of not less than 120 days from the bid due date and if authorized to proceed within that period, the bidder agrees to complete the work covered by the Proposal at said price.

If this Proposal is accepted by the Owner and the undersigned shall fail to contract as aforesaid and to furnish the required surety bonds within fifteen (15) days after being notified of the acceptance of their bid, then the undersigned shall be considered to have abandoned the contract, and the Certified Check, Cashier's Check or Bid Bond accompanying this Proposal shall be forfeited to the City of Livonia.

If the undersigned enters into the contract in accordance with their proposal, or if their proposal is not accepted, then the accompanying bid guarantee shall be returned to the undersigned.

Company Name: KSP ROOFING AND SHEET METAL
Signature: [Signature] Title: PRESIDENT
Address: 46958 N. GRATIOT SUITE 174
County: MACOMB State: MI
Telephone No.: (586) 256-1376 Fax No.: N/A
Email Address: JASON@KSPROOFING.COM

LEGAL STATUS OF BIDDER

This Bid is submittal in the name of:

(Print) KSP ROOFING AND SHEET METAL

The undersigned hereby designates below the business address to which all notices, directions or other communications may be served or mailed:

Street 46958 N. GRATIOT SUITE 174

City CHESTERFIELD, MI

State MI

Zip Code 48051

The undersigned hereby declares the legal status checked below:

☐ INDIVIDUAL

☐ INDIVIDUAL DOING BUSINESS UNDER AN ASSUMED NAME

☐ CO-PARTNERSHIP

The Assumed Name of the Co-Partnership is registered in the County of _____, Michigan

☒ CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF MICHIGAN

_____. The Corporation is

☒ LICENSED TO DO BUSINESS IN MICHIGAN

☐ NOT NOW LICENSED TO DO BUSINESS IN MICHIGAN

The name, titles, and home addresses of all persons who are officers or partners in the organization are as follows:

A corporation duly organized and doing business under the laws of the State of _____

NAME AND TITLE

HOME ADDRESS

JASON PRIESKORN PRESIDENT

9910 SPRINGBORN

CASEO, MI 48064

Signed and Sealed this

4th

day of

APRIL, 2022

LAUREN WITTMAN
NOTARY PUBLIC - MICHIGAN
MACOMB COUNTY
MY COMMISSION EXPIRES 08/01/2026
ACTING IN MACOMB COUNTY

By (Signature)

Printed Name of Signer

Title

SEE ATTACHED

BID BOND

We, the undersigned, _____

As Principal, hereinafter called the Principal, and _____

A corporation duly organized under the laws of the State of _____

As surety, hereinafter called the SURETY, are held and firmly bound unto:

The Owner: _____

in the sum of _____ Dollars (\$ _____),

For the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for _____

NOW, THEREFORE, if the OWNER shall accept the bid of the Principal and the Principal shall enter into a contract with the OWNER in accordance with the terms of such bid, and give such bond or bonds as may be specified in the CONTRACT DOCUMENTS with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the OWNER the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the OWNER may in good faith contract with another party to perform the work covered by said bid, then the obligation of the Principal shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this _____ day of _____, 20____

(Witness)

(Principal)

(Seal)

(Title)

(Witness)

(Surety)

(Title)

END OF SECTION

Hubbell, Roth & Clark, Inc.
Job 20210748

STATEMENT OF QUALIFICATIONS

Bidder must answer all questions. If more space is needed to complete a question, attach a separate sheet. Bidder may submit any additional information.

Name: KSP ROOFING AND SHEET METAL

Address: 4658 N. GRATIOT SUITE 174 Phone: (586) 256-1376
CHESTERFIELD MI 48051

Number of years operating under your present name: 11

General nature of work performed by your company: ROOFING OF
ALL TYPES

Background and experience of the principal members of your organization including officers:

25 PLUS YEARS ROOFING EXPERIENCE
15 PLUS YEARS LEADERSHIP EXPERIENCE
11 YEARS SUCCESSFULLY OWNING & OPERATING EXP.

Major equipment available for this contract:

ALL EQUIPMENT NEEDED TO SUCCESSFULLY
COMPLETE PROJECT IS OWNED BY
KSP ROOFING

Provide information of work performed for any City of Livonia Departments in the last five (5) years: LIVONIA HOUSING 2019

Bidder shall have installed a minimum of 1,000 roof squares of specified roofing materials, during each of the last three (3) years. Bidder shall also have a minimum of Ten (10) years' experience in installing low-slope shingle roofs. Provide documentation on compliance with this qualification as an attachment.



Date: MARCH 17, 2022
From: Enna A. Bachelor, Purchasing Manager
To: Prospective Bidders
Subject: Addendum No. 1 – SILVER VILLAGE ROOF REPLACEMENTS (9 Pages)

Addendum No. 1 is being issued to provide the drawings associated with this bid. Drawings are attached to this cover sheet and should be given full consideration.

All other provisions of the bid remain the same. The due date remains the same. Please return the acknowledgement form for Addendum No. 1 with your bid response..

ADDENDUM NO. 1-SILVER VILLAGE ROOF REPLACEMENTS
- ACKNOWLEDGEMENT---

Company Name: KSP ROOFING AND SHEET METAL

Signature: [Handwritten Signature]

Title: PRESIDENT

Print Name: JASON PRESKORN Date 4/4/2022

Addendum No. 2 – Silver Village Roof Replacement

ADDENDUM NO. 2 -SILVER VILLAGE ROOF REPLACEMENTS-ACKNOWLEDGEMENT

Company Name: KIP ROOFING AND SHEET METAL

Signature: [Signature]

Title: PRESIDENT

Print Name: JASON PRIESTORN Date 4/4/2022

KJP Roofing and Sheet Metal, Inc.

46958 N. Gratiot Suite 174

Chesterfield, MI 48051

jason@kjproofing.com

(586) 256-1376

References:

Roofing Suppliers:

Louis T Ollesheimer & Son Inc

605 E 12 Mile Rd

Madison Heights, MI 48071

Contact: Parks, Jayme

(248) 544-3900

ABC Building Supply

25900 Grosebeck Hwy.

Warren, MI 48089

Contact: Jordan Adams

(248) 943-7140

Projects:

Pontiac Public Schools

High School North

Barton Malow- Jon Johnson (248) 794-3599

Contract Price- \$1,900,000.00

Project included removal of existing membrane and installation of 300,000 SF of fully adhered EPDM including .50 aluminum gutters and edgings

Trenton Public Schools

Anderson Elementary and Arthur Middle School

Owners Rep- John Stoner (248) 670-0160

Contract Price- \$900,000.00

Project included removal and replacement of 90,000 SF of roofing down to deck and installing new fully adhered EPDM roof system and Metal Era edgings

Marysville Public Schools

Marysville Middle School and Elementary

NTH Consultant- Rick Bresso (248) 553-6300

Contract Price- \$600,000.00

**Project included removal and replacement of 45,000 SF of roofing down to deck and
Installing new fully adhered EPDM roof system and shop fabricated metal edgings**

Livonia Housing Tower 2

Owners Rep-Richard Moore(574) 276-1411

Contract Price- \$125,000.00

**Project Included removal and replacement of 10,000 SF of roofing down to deck and
installing new fully adhered TPO roof system with Pre-Fabricated edgings**

Samaritas Senior Living

Point of Contact- Patrick Erne (248) 703-0226

Contract Price- \$600,000.00

**Remove and Replace 60,000 SF of asphalt roofing and installing new Certainteed
Landmark shingles, new 6" gutters and downspouts. Roof area was 3 stories tall and a
12/12 pitch**

Sherwood Creek Condominiums

President of Board-Denny (586) 305-9043

Contract Price- \$500,000.00

**Remove and Replace 130,000 SF of asphalt roofing and installing new Certainteed
Landmark shingles. 12 buildings in total ranging between 2 and 4 units per building**

Department of Veterans Affairs

Detroit VAMC – Replace Roofs

Contract John Lee – Project Manager (586) 255-4946

Contract Price - \$2,400,000

**Project includes 80,000 SF of complete removal and replacement of existing roofing
and insulation. The new roof is a fully adhered TPO membrane roofing system by
Firestone with a 20 year no dollar limit warranty. Project also includes 65 roof
drain, 800 LF of expansion joint, and 10,000 SF of saturated modified built up
roofing repairs.**

Women's Huron Valley Correctional Facility

Remove and Replace both steep slope and low slope roofing

Contract Price- 1,500,000.00

Contact.- Paul Majokowski (Intertek-psi) (248) 957-9911

**Project includes complete removal and replacement of roofing, metal components
and complete deck replacement on steep slope roofing totaling 130,000 SF**

Parnall Correctional Facility

Contact Richard Mann- Project Engineer Consultant (248) 658-7777

Contract Price \$240,000.00-

Project included removal of complete roof system and installing a fully tapered roof system including wood nailers and a new metal fascia on a 10,000 sf building. Project required high security requirements

CMA Management –

-111 N. Main St Lofts Royal Oak, MI

Roof Project includes complete removal of existing screenwall, 14,000 SF of roofing and all related materials and installation of new roofing and metal components

Contract Price- \$132,000.00

-Kings Row Plaza Troy, MI

Project included 22,000 SF of complete removal of all existing roof layer's, insulation and all related components down to structural deck. The new roof is a 60 Mil mechanically attached PVC roof system by Sika/ Sarnafil with a 20yr No Dollar Limit warranty

-Contract Price- \$165,000.00

-29829 Telegraph Rd, Southfield, MI

Project included 15,000 SF of complete removal of BUR roof system and insulation. New roof is a 80 Mil mechanically attached PVC roof system by Johns Manville with a 25yr No Dollar Limit warranty

Contract Price- \$135,00.00

Contact Ed Powers- Owner (248) 353-9010

Department of Military and Veteran Affairs

Port Huron Armory – Replace Roof

Contact Douglas Shilling – Building Construction Superintendent(517) 599-6881

Contract Price - \$239,000.00

Project includes 15,000 SF of complete removal and replacement of existing roofing and insulation. The new roof is a fully adhered 60 mil EPDM Firestone system with new insulation, hardboard, metal coping, drains, and associated plumbing.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

17

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

20. AWARD OF CONTRACT: Department of Public Works, re: for parking, athletic, and streetlight electrical maintenance and general electrical maintenance at all City buildings and facilities for the period April 1, 2022 through March 31, 2024, with an optional third year extension, from budgeted funds.

Jacob Rushlow, Assistant Superintendent of Public Works, presented the request to Council.

Councilmember Brandon McCullough offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

20.

DPW
March 31, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Jill Russell, Secretary III,

AGENDA ITEM

AWARD OF CONTRACT: Department of Public Works, re: for parking, athletic, and street light electrical maintenance and general electrical maintenance at all City buildings and facilities for the period April 1, 2022 through March 31, 2024, with an optional third year extension, from budgeted funds.

BACKGROUND

A bid request for Electrical Services of the City of Livonia's Parks, Athletic, Street Light and General Electrical Maintenance was posted on MITN March 16, 2022. Bids were requested for a two-year (4/1/22 - 3/31/24) period with an optional third year extension upon mutual consent. One bid was submitted by RCI Electric of Milford, Michigan. RCI (formerly MAS Electric) has been providing general electrical service to the City for the past several years as the winning bidder of our previous 2018 contract.

RECOMMENDATION

The department is requesting Council to authorize the Mayor and City Clerk to execute an agreement with RCI Electric, 4999 McCarthy Dr., Milford, MI 48381 for the period of April 1, 2022 through March 31, 2024; with an additional one-year extension upon mutual consent to provide general electrical services including parking, athletic and street lights, at the unit pricing submitted via the bid process, estimated not to exceed \$291,975.00 annually, from budgeted funds

FISCAL CONSIDERATION

Funds for the General Electrical Services contract are budgeted in various departmental contractual services accounts.

ATTACHMENTS

1. RCI Electric Livonia Electrical Maintenance Bid 2022 COMPLETED
2. CONTRACT - RCI Electric 2022-2024 Revised

APPROVED BY



Don Rohraff, Director of Public Works

Date: April 07, 2022



Michael Slater, Finance Director

Date: April 07, 2022



Paul Bernier, City Attorney

Date: April 07, 2022



Maureen Miller Brosnan, Mayor

Date: April 07, 2022

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

Bidding Contractor: RCI Electric

Honorable Members of the Council

33000 Civic Center Drive

Livonia, Michigan 48154

Dear Council Members:

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, permits, insurance, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above referenced contract documents.

Note: All Fuel, Service, Tool, and Other Charges will be incorporated into the bid

These proposals will be separated by the following general locations:

Location # 1 - Plymouth Rd (M-14)

Location # 2 - Ball Diamonds

Location # 3 - Parking Lots and Parks

Location # 4 – Miscellaneous City Facilities

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

PROPOSAL:

1. Location # 1 - Plymouth Rd (M-14) from Inkster to the split of Plymouth Rd and Ann Arbor Rd.

Note: For Location #1 only, materials will be supplied by the City of Livonia

Item	Estimated Qty/Year		Description	Unit Price	Total
#1	50	Each	Call Out and Determination of cause of outage (each time*)	\$ <u>280.00</u>	\$ <u>14,000.00</u>
#2	100	Each	Replace Lamp	\$ <u>90.00</u>	\$ <u>9,000.00</u>
#3	25	Each	Replace Ballast	\$ <u>90.00</u>	\$ <u>2,250.00</u>
#4	20	Each	Replace Starter	\$ <u>225.00</u>	\$ <u>4,500.00</u>
#5	50	Each	Replace Fuse (Per pole/per electric box**)	\$ <u>60.00</u>	\$ <u>3,000.00</u>
#6	10	Each	Replace Lens	\$ <u>90.00</u>	\$ <u>900.00</u>
#7	25	Each	Replace Photo Cell	\$ <u>90.00</u>	\$ <u>2,250.00</u>
#8	10	Each	Replace Breakers	\$ <u>90.00</u>	\$ <u>900.00</u>
#9	200	Each	Tighten & Lubricate anchor bolts, Horizontal Refractors, Glass washing, lamp replacement (Per pole double or single lamp)	\$ <u>180.00</u>	\$ <u>36,000.00</u>
#10	5	Each	Replace Light Pole	\$ <u>500.00</u>	\$ <u>2,500.00</u>
#11	5	Each	Remove & Replace Fixture	\$ <u>250.00</u>	\$ <u>1,250.00</u>
LOCATION #1 TOTAL BID PROPOSAL:				Items #1 - #11	\$ <u>76,550.00</u>

* See **SPECIFICATIONS**, Page 1., "**WORK TO BE DONE UNDER THIS CONTACT**: Item 1.

** See **SPECIFICATIONS**, Page 1., "**WORK TO BE DONE UNDER THIS CONTACT**: Item 5.

Exceptions Location #1

All materials to be provided by City of Livonia per note above.

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

2. Location # 2 - Ball Diamonds –

a. Ford Field – Farmington Rd and Lyndon

b. Bicentennial Field – Seven Mile between Farmington Rd and Newburgh Rd

Item	Estimated Qty/Year		Description	Unit Price	Total
#1	10	Each	Call Out and Determination of cause of outage (each time*)	\$ <u>280.00</u>	\$ <u>2,800.00</u>
#2	10	Each	Replace Lamp	\$ <u>275.00</u>	\$ <u>2,750.00</u>
#3	10	Each	Replace Ballast	\$ <u>325.00</u>	\$ <u>3,250.00</u>
#4	10	Each	Replace Starter	\$ <u>575.00</u>	\$ <u>5,750.00</u>
#5	10	Each	Replace Fuse (Per pole/per electric box**)	\$ <u>150.00</u>	\$ <u>1,500.00</u>
#6	10	Each	Replace Lens	\$ <u>425.00</u>	\$ <u>4,250.00</u>
#7	10	Each	Replace Photo Cell	\$ <u>90.00</u>	\$ <u>900.00</u>
#8	10	Each	Replace Breakers	\$ <u>325.00</u>	\$ <u>3,250.00</u>
#9	50	Each	Tighten & Lubricate anchor bolts, Horizontal Refractors, Glass washing, lamp replacement (Per pole double or single lamp)	\$ <u>1,500.00</u>	\$ <u>75,000.00</u>
#10	5	Each	Remove & Replace Fixture	\$ <u>2,350.00</u>	\$ <u>11,750.00</u>
#11	5	Each	Replace bulbs on Athletic Field Poles (approx. 80' in height)	\$ <u>750.00</u>	\$ <u>3,750.00</u>
LOCATION #2 TOTAL BID PROPOSAL:				Items #1 - #11	\$ <u>114,950.00</u>

* See SPECIFICATIONS, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 1.

** See SPECIFICATIONS, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 5.

1.

Exceptions Location #2

We assume materials are to be provided by RCI Electric.

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

Location # 3 - Parking Lots –

- | | |
|---|---|
| <p>c. City Hall Campus – 32000 Civic Center Dr. (Five Mile at Farmington)</p> <p>d. Livonia Community Recreation Center – 15100 Hubbard (between Merriman and Farmington)</p> <p>e. Livonia Fire Department (LFD) Station # 3 – 35000 Seven Mile (east of Farmington)</p> <p>f. LFD Station # 4 – 12300 Middlebelt (north of Plymouth Rd)</p> <p>g. LFD Station # 5 – 18910 Middlebelt (south of Seven Mile)</p> <p>h. LFD Station # 6 – 37876 Plymouth Rd (west of Newburgh)</p> <p>i. Bicentennial Park and Fox Creek Golf Course – 36000 Seven Mile (between Farmington Rd & Newburgh Rd)</p> <p>j. Whispering Willows Golf Course – 20500 Newburgh (south of Eight Mile)</p> <p>k. Idyl Wild Golf Course – 35780 Five Mile Rd (east of Newburgh)</p> <p>l. Housing Commission – 10800 Farmington (south of Plymouth Rd)</p> | <p>m. DPW Campus – 12973 Farmington Rd (south of Schoolcraft west of Farmington)</p> <p>n. Noble Library – 32901 Plymouth Rd (east of Farmington Rd.)</p> <p>o. Sheldon Pool – 32929 Plymouth Rd (east of Farmington Rd behind Library)</p> <p>p. Botsford Pool – 19444 Lathers (north of Seven Mile)</p> <p>q. Clement Circle Pool – 9999 Harrison (north of West Chicago)</p> <p>r. Livonia Police Firing Range – 32400 Glendale (east of Farmington Rd)</p> <p>s. Ford Field/Eddie Edgar Ice Arena – 14203 Farmington Rd (north of Schoolcraft)</p> <p>t. Devon-Aire Ice Arena – 9510 Sunset (east of Merriman)</p> <p>u. Rotary Park – 32300 Six Mile (east of Farmington Rd)</p> <p>v. Wilson Barn – 29350 W. Chicago (east of Middlebelt)</p> <p>w. Greenmead - 20501 Newburgh (Newburgh and Eight Mile)</p> |
|---|---|

Item	Estimated Qty/Year		Description	Unit Price	Total
#1	30	Each	Call Out and Determination of cause of outage (each time*)	\$ 280.00	\$ 8,400.00
#2	120	Each	Replace Lamp	\$ 100.00	\$ 12,000.00
#3	30	Each	Replace Ballast	\$ 200.00	\$ 6,000.00
#4	15	Each	Replace Starter	\$ 325.00	\$ 4,875.00
#5	40	Each	Replace Fuse (Per pole/per electric box**)	\$ 60.00	\$ 2,400.00
#6	25	Each	Replace Lens	\$ 250.00	\$ 6,250.00
#7	15	Each	Replace Photo Cell	\$ 90.00	\$ 1,350.00
#8	15	Each	Replace Breakers	\$ 200.00	\$ 3,000.00
#9	150	Each	Tighten & lubricate anchor bolts, horizontal refractors, glass washing, lamp replacement (per pole double or single lamp)	\$240.00	\$36,000.00
#10	5	Each	Remove & Replace Fixture	\$ 590.00	\$ 2,950.00
LOCATION #3 TOTAL BID PROPOSAL:				Items #1 - #10	\$ 83,225.00

* See **SPECIFICATIONS**, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 1.

** See **SPECIFICATIONS**, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 5.

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

Exceptions Location #3

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

3. Location # 4 - Miscellaneous City Facilities (Isolated interior Park locations, Isolated building locations, etc.)

Item	Estimated Qty/Year		Description	Unit Price	Total
#1	10	Each	Call Out and Determination of cause of outage (each time*)	\$ <u>260.00</u>	\$ <u>2,600.00</u>
#2	10	Each	Replace Lamp	\$ <u>35.00</u>	\$ <u>350.00</u>
#3	10	Each	Replace Ballast	\$ <u>90.00</u>	\$ <u>900.00</u>
#4	10	Each	Replace Starter	\$ <u>650.00</u>	\$ <u>6,500.00</u>
#5	10	Each	Replace Fuse (Per pole/per electric box**)	\$ <u>50.00</u>	\$ <u>500.00</u>
#6	10	Each	Replace Lens	\$ <u>75.00</u>	\$ <u>750.00</u>
#7	10	Each	Replace Photo Cell	\$ <u>90.00</u>	\$ <u>900.00</u>
#8	10	Each	Replace Breakers	\$ <u>300.00</u>	\$ <u>3,000.00</u>
#9	50	Each	Tighten & Lubricate anchor bolts, Horizontal Refractors, Glass washing, lamp replacement (Per pole double or single lamp)	N/A - This section interior work \$ _____	\$ -
#10	5	Each	Remove & Replace Fixture	\$ <u>350.00</u>	\$ <u>1,750.00</u>
#11	5	Each	Replace bulbs on Athletic Field Poles (aprox. 80' in height)	N/A - This section interior work \$ _____	\$ -
LOCATION #4 TOTAL BID PROPOSAL:				Items #1 - #11	\$ <u>17,250.00</u>

* See SPECIFICATIONS, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 1.

** See SPECIFICATIONS, Page 1., "WORK TO BE DONE UNDER THIS CONTACT: Item 5.

SUMMARY BID LIST:	Location #1 Total Bid:	<u>\$76,550.00</u>
	Location #2 Total Bid:	<u>\$114,950.00</u>
	Location #3 Total Bid:	<u>\$83,225.00</u>
	Location #4 Total Bid:	<u>\$17,250.00</u>
	GRAND TOTAL:	<u><u>\$291,975.00</u></u>

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

Exceptions Location #4

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

The following items (#12 through #18) will be used in determining unit costs for activities that will be considered General Electrical Maintenance at City facilities assigned to City Buildings and/or other locations.

4. General - Electrical Maintenance

Item	Description	PRICE PER HOUR		
		Regular	Overtime	Holiday
#12	Hourly labor rate per crew (crew includes 1 journeyman electrician, 1 instrument technician)	\$ 170.00	\$ 220.00	\$ 290.00
#13	Hourly labor rate Master Electrician	\$ 95.00	\$ 140.00	\$ 190.00
	Rate includes service van, fuel and basic tools			
#14	Hourly labor rate Journeyman Electrician	\$ 90.00	\$ 135.00	\$ 185.00
#15	Hourly labor rate Apprentice Electrician	\$ 75.00	\$ 120.00	\$ 170.00
#16	Hourly rate for Service Truck	\$ 35.00	\$ 35.00	\$ 35.00
	Includes operator			
#17	Hourly rate for Service Truck with crane	\$ 165.00	\$ 210.00	\$ 260.00
	Bucket truck with operator			
#18	Hourly rate for Lift Truck	\$ 155.00	\$ 200.00	\$ 250.00
ADDITIONAL ITEMS:				
		\$	\$	\$
Non-scheduled Emergency Response Time		HOURS	2-4	

Non-Contract Replacement Parts:

Discount (markup or markdown) on parts not listed above + 15 % or - 0 %

Parts List: N/A Dated: N/A will be used. A published company pricing sheet will be accepted.

OR Invoiced Price: (☒) Yes, Invoices will be supplied.

Parts quoted are manufactured by: As required per job

IMPORTANT: Employees performing various specific work must be licensed to perform that work in conformance with applicable laws governing such work.

PROPRIETARY PRICE LISTS:

If your company deems that your price lists are proprietary information, your company can provide a price list that is marked with the words "PROPRIETARY INFORMATION" which will then exclude that document for Freedom of Information requests. If a price list is provided which is not identified as "PROPREITARY INFORMATION", it cannot be marked as such by City staff and will be subject to Freedom of Information requests.

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

Exceptions General Electrical Maintenance:

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

PRICES:

Prices shall remain firm for 60 days or bid award, whichever comes first; except for the successful bidder whose prices shall remain firm for the entire contract period. The contract may be renewed for one (1) additional year based upon mutual consent of both parties within 90 days of contract termination based upon the same prices, terms, and conditions. The renewal is subject to a favorable market survey and City Council approval. A request by City staff to determine a successful bidder's interest in renewing a contract in no way obligates the City. The option cannot be exercised without Livonia City Council approval and a blanket purchase order issued.

The only exception to firm prices shall be in the case of a part that is needed which is not listed in Items #1-10. The parts prices shall be in accordance with the manufacturer's current published price list and firm discount or markup quoted. Or, if a company's computer generated price list is used, the price list submitted with the bid document will be firm for the entire year of the contract. In each contract year, a company's computer generated price list may be updated on or after the anniversary date (one time per contract year). Parts lists will be required to be on file in the offices of the City of Livonia. If a parts list is not available, the manufacturer's invoiced price with a markup or markdown will be used. Verification of the invoiced price may be required by the City of Livonia at the City of Livonia's discretion

NOTE: The undersigned has checked carefully the bid figures and understands that he/she shall be responsible for any error or omission in this bid offer and is in receipt of all addendum as issued.

COMPANY: RCI Electric
 ADDRESS: 4999 McCarthy Dr. CITY: Milford STATE: MI ZIP: 48381
 TELEPHONE: (248) 471-2277 EMAIL: frank@rcielect.com

REPRESENTATIVE'S NAME:

Frank Struble

(PRINT)

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE:

Frank Struble

TERMS: Net 30 days WARRANTY: Parts _____ Labor _____

RESPONSE TIME: Emergency: 2-4 hours

(1) year on workmanship and
materials provided by RCI Electric

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

UNIT PRICES: Unit prices prevail. The City of Livonia Finance Department will correct extension errors

IMPORTANT: For award purposes, all quantities listed will be multiplied by the unit price quoted for each item. The lowest bid will be determined by summing these amounts.

CONTACT INFORMATION: Hours of operation: 24/7
24 Hr. Contact Phone No. Frank Struble Cell (248) 672-1508
Paul Tokarsky Cell (734) 564-1728

ESTIMATED QUANTITIES:

The quantities as shown on the proposal are based on annual projections and will be used for award purposes only. The actual work may vary from the proposal. The contractor will be paid only for the work he/she does, which may be more or less than the quantities shown on the proposal.

Note: All (but emergency) work will be scheduled by the City on regular work time.

DEFINITION OF HOURLY TIME CHARGES: Regular time charges are to defined as any time between the hours of 8:00 AM and 5:00 PM, Monday through Friday with the exception of the following Holiday: New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day. Overtime will be defined as any other time not specified above.

INFORMATION: For additional general information or questions about the specifications, please contact Steve Mackie, Supervisor of Building Maintenance at (734) 466-2643 between the hours of 8:00 am to 4:00 pm, Monday through Friday.

DOWNPAYMENTS AND PREPAYMENTS: Any proposal submitted which requires a down payment or prepayment for services prior to performance and acceptance, as being in conformance with specifications will not be considered for award.

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

REFERENCES:

The City of Livonia requires that your company list at least three (3) clients who have recently had similar work performed by your company. Please, print.

COMPANY: City of Livonia, DPW - Sammy Lovin, Arnold Pollis

ADDRESS: _____ CITY: _____ ZIP: _____

TELEPHONE: _____ CONTACT: _____

COMPANY: McCarthy & Smith, Inc.

ADDRESS: 24317 Indoplex CITY: Farmington Hills ZIP: 48335

TELEPHONE: (248) 427-8400 CONTACT: Bill McCarthy

COMPANY: Hitachi Automotive Products (USA)

ADDRESS: 34500 Grand River CITY: Farmington Hills ZIP: 48335

TELEPHONE: (248) 477-5400 CONTACT: Tom Bieniek

AWARD: The evaluation and award of this bid shall be a combination of factors, including but not limited to cost, professional competence, references, and the correlation of the proposal submitted to the needs of the City of Livonia. The City of Livonia reserves the right to award this bid to the lowest total responsible bidder for both years who meets specifications using those items that have estimated quantities; to reject low bids which have major deviations from specifications; to accept a higher bid which has only minor deviations. The City reserves the right to split the award among more than one bidder.

IMPORTANT: The proposal submitted must contain a unit price for each pay item listed. Also, the proposal may be rejected if the bidder adds any provision. Vendor further declares that he/she has familiarized him/herself with the locations of the existing street, parking lot, and athletic field lighting systems in the City of Livonia, and the conditions under which it must be serviced. Bidder acknowledges that they have carefully examined the specifications that they understands and accepts as sufficient for the purpose of maintenance of the Livonia Street, Parking Lot, and Athletic Field Lighting Systems.

SUBCONTRACTORS: The undersigned agrees to submit a list of proposed subcontractors, if applicable, for approval by the designated City representative within 72 hours after notification

CITY OF LIVONIA PROPOSAL FORM
PARKING, ATHLETIC, STREET LIGHT, AND GENERAL ELECTRICAL MAINTENANCE

of being the low qualified bidder. It will be understood that this may occur prior to bid award, but the bidder's status will not be final until approved by the Livonia City Council.

INVOICES: The contractor shall submit to the designated City representative detailed invoices that include minimally; the blanket order number, service preformed, and location(s) of the repair/maintenance work. The City may require separate invoices by location of work. The Designated City representative reserves the right to review a prototype of the invoice for completeness prior to award. Invoices that are incomplete will not be paid until all requested/required information is submitted. Payments will be made, 30 days from the submission of invoices, based on the value of the work completed to date that is within the parameters of the specifications.

INSURANCE: Insurance certificates in the amounts shown on attached Sample Certificate of insurance must be provided.

WARRANTY: All parts and labor provided by contractor shall be warranted for a period of one year. Bidder shall state warranty for all work and parts with bid response.

CONTRACT

THIS CONTRACT, entered into this First day of April A.D. 2022 between the **CITY OF LIVONIA**, hereinafter referred to as the Owner, party of the first part, and **RCI Electric, 4999 McCarthy Dr., Milford, MI 48381** hereinafter referred to as the Contractor, party of the second part.

WITNESSETH, that the said Contractor, for the consideration mentioned in the various items set forth below, by these presents does agree that he will furnish all labor, materials, machinery, tools and equipment and do all things necessary for and incidental to the Parking, Athletic, Street Light, and General Electrical Maintenance Service Contract, together with appurtenances thereto, as set forth in certain Instructions to Bidders, Proposal, General Conditions, Specifications, Bonds, Plans, Drawings, and the following documents, all of which are attached hereto and made a part of this agreement for the two-year period of April 1, 2022 through March 31, 2024 with an optional third year upon mutual consent.

IN CONSIDERATION WHEREOF, said Owner does agree to pay to said Contractor for time and materials at the unit prices listed in the proposal, estimated to not exceed a sum of Two hundred ninety-one thousand, nine hundred seventy-five dollars (\$291,975.00), based upon the amounts and sum listed in the Proposal; which is subject, however, to adjustment by reason of any change in, addition to, or deduction from the work, as provided in the General Conditions.

For the faithful performance of all and singular terms and stipulations contained in this agreement, said parties respectively bind themselves, their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, said parties have this day hereunto set their hands and seals, in triplicate.

Witness:

CITY OF LIVONIA, Owner

By _____
Maureen Miller Bosnan, Mayor

Susan Nash, City Clerk

X _____
Contractor

Approved:

Donald R. Rohraff, Director of Public Works

Michael T. Slater, Director of Finance

Approved as to form:

Department of Law

Pursuant to Resolution # _____

Adopted by City Council on _____

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

18

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

21. AWARD OF CONTRACT: Department of Public Works, re: for the City's 2022-2023 Vegetation Control Program, from budgeted funds.

Jacob Rushlow, Assistant Superintendent of Public Works, presented the request to Council.

Council Vice President Laura Toy offered an approving resolution for the Consent agenda, noting it was a great idea.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

21.

DPW
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Jill Russell, Secretary III,

AGENDA ITEM

AWARD OF CONTRACT: Department of Public Works, re: for the City's 2022-2023 Vegetation Control Program, from budgeted funds.

BACKGROUND

The Department of Public Works has taken bids for a 2-year Vegetation Control agreement in accordance with the requirements of the Finance Ordinance, and the 2022-2023 approved Roads and Parks Maintenance budget (Account No. 101-463-818-000 and 101-704-818-000).

Specifications were prepared by the Department of Public Works and placed on the Michigan Inter-governmental Trade Network (MITN). Three bids were received and opened in the presence of the Bid Committee at 2:00 p.m. on April 5, 2022. The bid tab is attached.

We would like to grant a split award selecting the lowest bidder for each project:

TruGreen, 48932 Wixom Tech Dr., Wixom, MI 48393 = \$ 29,025.08
Green World, 1401 Souter Blvd., Troy, MI 48083 = \$ 10,500.00
TOTAL: \$ 39,525.08

	2022	2023	Total
<u>TRUGREEN:</u>			\$29,025.08
Major County road medians	\$ 1,570.64	\$ 1,570.64	\$ 3,141.28
City buildings	\$ 8,974.10	\$ 8,974.10	\$ 17,948.20
Sports fields	\$ 3,967.80	\$ 3,967.80	\$ 7,935.60
<u>GREEN WORLD</u>			\$ 10,500.00
Schoolcraft fence line	\$ 4,500.00	\$ 4,500.00	\$ 9,000.00
Retention Pond	\$ 750.00	\$ 750.00	\$ 1,500.00

RECOMMENDATION

The Department of Public Works recommends that Council approve awarding the vegetation control contract to both Tru Green, 48932 Wixom Tech Drive, Wixom, MI 48393 in the amount of

\$29,025.08 for the maintenance of the major county road medians, city buildings and sports fields; and further award Green World, 1401 Souter Blvd., Troy, MI 48083 in the amount of \$10,500.00 for the maintenance of the Schoolcraft fence line and retention pond vegetation control.

FISCAL CONSIDERATION

Budgeted funds are available in the 2021-2022 budget for this purpose, 101-463-818-000 and 101-704-818-000 (Roads and Parks Maintenance).

ATTACHMENTS

1. Weed Control BID TAB 2022-2023

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works

Date: April 08, 2022



Don Rohraff, Director of Public Works

Date: April 08, 2022



Michael Slater, Finance Director

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 08, 2022

City of Livonia - 2-Year (2022/2023) Vegetation Control

BID TAB

Bid Opening: 04/05/2022

Location	Trugreen			Green World			Green Meadows		
	2022	2023	Total	2022	2023	Total	2022	2023	Total
Major County road medians	\$ 1,570.64	\$ 1,570.64	\$ 3,141.28	\$ 1,846.00	\$ 1,938.00	\$ 3,784.00	\$ 2,101.60	\$ 2,101.60	\$ 4,203.20
City buildings	\$ 8,974.10	\$ 8,974.10	\$ 17,948.20	\$ 10,530.00	\$ 11,056.00	\$ 21,586.00	\$ 11,187.66	\$ 11,187.66	\$ 22,375.32
Sports fields	\$ 3,967.80	\$ 3,967.80	\$ 7,935.60	\$ 4,700.00	\$ 4,935.00	\$ 9,635.00	\$ 4,995.60	\$ 4,995.60	\$ 9,991.20
Schoolcraft fence line	\$ 5,690.40	\$ 5,690.40	\$ 11,380.80	\$ 4,500.00	\$ 4,500.00	\$ 9,000.00	\$ 6,500.00	\$ 6,500.00	\$ 13,000.00
	\$ 20,202.94	\$ 20,202.94	\$ 40,405.88	\$ 21,576.00	\$ 22,429.00	\$ 44,005.00	\$ 24,784.86	\$ 24,784.86	\$ 49,569.72
Retention pond weed control	No bid			\$ 750.00	\$ 750.00	\$ 1,500.00	\$ 6,450.00	\$ 6,450.00	\$ 12,900.00
				\$ 0.0035	per Square Foot		\$ 0.03	per Square Foot	
State Licenses Held	3A, 3B, 6, 7A, 7F			3A, 3B, 6			3A, 3B, 5, 6, 7A, 7B, 7F, PF-2, Fum		

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

19

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

22. REQUEST TO APPROVE RESOLUTION: Department of Public Works, re: to declare that the City of Livonia will not be responsible for paying GLWA for the City of Highland Park's water debt.

LaShawn Thomas, Director of Government Affairs, presented the request to Council.

Councilmember Scott Bahr thanked the Administration for their productivity on this issue, stating that you shouldn't ask other communities to pay for something that another community is not paying. He offered an approving resolution for the Consent agenda.

Councilmember Rob Donovic agreed with Councilmember Scott Bahr's previous statements and noted that Wayne County Commissioner Terry Marecki has been working hard to push this forward as well.

Council President Jim Jolly wanted to point out that it wouldn't be the city paying for this, but the residents paying through the city, which would be doing a disservice to the residents and businesses if they did not object to this request.

Councilmember Brandon McCullough pointed out that this is a cease and desist and is happy to be getting out of this.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

22.

DPW
April 8, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO APPROVE RESOLUTION: Department of Public Works, re: to declare that the City of Livonia will not be responsible for paying GLWA for the City of Highland Park's water debt.

BACKGROUND

Ten years ago the State of Michigan had a role in determining that emergency water services were to be provided to Highland Park due to its water treatment plant creating a public health risk. The emergency action required the GLWA to supply safe drinking water to Highland Park residents, while they worked on bringing their treatment plant up to code. To date, no attempts have been made by Highland Park to upgrade their water treatment plant and they have accumulated \$54 million in debt to the GLWA.. Over this period, Livonia has paid \$378,000.00 (\$3,383 per month) towards the more than \$54 million debt owed to the GLWA by Highland Park.

Understanding that there are multiple sides to this story, nevertheless, the City of Livonia is looking to stop further payments to GLWA for the City of Highland Park's debt and seeking the State of Michigan to become directly involved in this dispute, address the issues in Highland Park and provide reimbursement for these payments.

Therefore, the Administration requests the City Council to approve the following resolution which will, among other things, stop the City from making any future payments towards Highland Park's debt.

RECOMMENDATION

DEMANDING LIVONIA NOT BE RESPONSIBLE TO PAY GLWA FOR THE CITY OF HIGHLAND PARK'S DEBT

WHEREAS the City of Livonia is comprised of 95,535 residents and about 4,000 businesses who receive their water from Great Lakes Water Authority; and

WHEREAS Livonia receives water services from, and is a paying member of, the Great Lakes Water Authority (GLWA); and

WHEREAS the State of Michigan has a direct role in GLWA providing water services to the City of Highland Park; and

WHEREAS the State of Michigan requested then Detroit Water and Sewerage Department (DWSD) provide emergency water services to the City of Highland Park because the State of Michigan determined Highland Park's water treatment plant was creating a public health risk to its residents; and

WHEREAS on November 12, 2012, the State of Michigan stated the repairs to the water treatment plant were to be completed in 3-4 days; and

WHEREAS neither the State of Michigan or the City of Highland Park repaired the water treatment plant and it remains shuttered to this day; and

WHEREAS the City of Highland Park has paid less than 1% of their water services charges since

2012; and

WHEREAS, since 2012, Highland Park has accumulated \$54,233,700 in debt to GLWA for both water and sewer services. Should their payment pattern continue, this debt will rise to \$60,977,600 by the end of FY 2023; and

WHEREAS the City of Highland Park's debt has now been allocated to the 87 other GLWA member communities, including the City of Livonia; and

WHEREAS of the \$54,233,700 debt Highland Park has accumulated since 2012, \$378,400 has been charged to the City of Livonia; NOW.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City of Livonia hereby requests that the State of Michigan and the Great Lakes Water Authority do not require the 87 paying member communities to pay for the City of Highland Park's debt to GLWA.
2. The City of Livonia will NOT pay any more towards Highland Park's debt for FY 2022 and will NOT pay towards the debt in FY 2023 or beyond.
3. The City of Livonia hereby requests the State of Michigan to become directly involved in solving this dispute.
4. The City of Livonia hereby requests the State of Michigan reimburse City of Livonia for the \$378,400 that has already been paid towards this debt.
5. The City of Livonia hereby implores the State of Michigan to develop a long-term infrastructure solution to address the water and sewer issues in Highland Park.
6. The City of Livonia calls on the State of Michigan and the Legislature to create a system in which this situation of non-payment and communities being charged the non-payment cannot happen in the future.
7. The City of Livonia hereby requests that our state legislators and our Wayne County Commissioners call on the State of Michigan to not require impacted member partner communities to pay for the City of Highland Park's debt to the GLWA and that the State of Michigan reimburse the debt amounts already paid.

FISCAL CONSIDERATION

None

ATTACHMENTS

1. GLWA payment resolution
2. Request for GLWA resolution

APPROVED BY



Don Rohraff, Director of Public Works

Date: April 08, 2022



Michael Slater, Finance Director

Date: April 08, 2022



Paul Bernier, City Attorney

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 08, 2022

OFFICE OF THE MAYOR

Maureen Miller Brosnan
MAYOR



33000 CLIFTON CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2201
mayor@ci.livonia.mi.us

DEMANDING LIVONIA NOT BE RESPONSIBLE TO PAY GOVERNANCE FOR THE CITY OF HIGHLAND PARK'S DEBT

WHEREAS the City of Livonia is comprised of 95,535 residents and about 4,000 businesses who receive their water from Great Lakes Water Authority and

WHEREAS Livonia receives water services from, and is a paying member of, the Great Lakes Water Authority (GLWA) and

WHEREAS the State of Michigan has a direct role in GLWA providing water services to the City of Highland Park and

WHEREAS the State of Michigan requested then Detroit Water and Sewerage Department (DWSD) provide emergency water services to the City of Highland Park because the State of Michigan determined Highland Park's water treatment plant was creating a public health risk to its residents and

WHEREAS on November 12, 2012, the State of Michigan stated the repairs to the water treatment plant were to be completed in 3-4 days and

WHEREAS neither the State of Michigan or the City of Highland Park repaired the water treatment plant and it remains shuttered to this day and

WHEREAS the City of Highland Park has paid less than 1% of their water services charges since 2012 and

WHEREAS, since 2012, Highland Park has accumulated \$54,233,700 in debt to GLWA for both water and sewer services. Should their payment pattern continue, this debt will rise to \$60,977,600 by the end of FY 2023 and

WHEREAS the City of Highland Park's debt has now been allocated to

the 87 other GLWA member communities, including the City of Livonia and

of the \$54,233,700 debt Highland Park has accumulated since 2012, \$378,400 has been charged to the City of Livonia NOW

WHEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City of Livonia hereby requests that the State of Michigan and the Great Lakes Water Authority do not require the 87 paying member communities to pay for the City of Highland Park's debt to GLWA.
2. The City of Livonia will NOT pay any more towards Highland Park's debt for FY 2022 and will NOT pay towards the debt in FY 2023 or beyond.
3. The City of Livonia hereby requests the State of Michigan to become directly involved in solving this dispute.
4. The City of Livonia hereby requests the State of Michigan reimburse City of Livonia for the \$378,400 that has already been paid towards this debt.
5. The City of Livonia hereby implores the State of Michigan to develop a long-term infrastructure solution to address the water and sewer issues in Highland Park.
6. The City of Livonia calls on the State of Michigan and the Legislature to create a system in which this situation of non-payment and communities being charged the non-payment cannot happen in the future.
7. The City of Livonia hereby requests that our state legislators and our Wayne County Commissioners call on the State of Michigan to not require impacted member partner communities to pay for the City of Highland Park's debt to the GLWA and that the State of Michigan reimburse the debt amounts already paid.

OFFICE OF THE MAYOR

Maureen Miller Brosnan

MAYOR



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2201

April 7, 2020

TO: Livonia City Council

RE: GLWA Payments Resolution

Dear Council Members,

As you know, the City of Livonia is billed monthly by the Great Lakes Water Authority for water services to our residents and businesses. Recently, the City was notified that Livonia, and all other members of the GLWA, have been paying a portion of a debt accumulated by the City of Highland Park, based on non-payment of water and sewer services. Over the past 10 years, Livonia has paid \$378,000 toward the more than \$54 million in GLWA debt owed by Highland Park.

This is a complex situation involving the State of Michigan, which had a role in determining that emergency water services were required due to Highland Park's water treatment plant creating a public health risk. Understanding that there are multiple sides to this story, nevertheless, the City of Livonia is looking to stop further payments to GLWA for the City of Highland Park's debt and seeking the State of Michigan to become directly involved in this dispute, address the issues in Highland Park and provide reimbursement for these payments.

Therefore, the Administration requests the City Council to approve the attached resolution which will, among other things, stop the City from making any future payments (currently at \$3,383 per month) toward Highland Park's debt.

Thank you in advance for your consideration of this resolution.

Sincerely,

Maureen Miller Brosnan
Mayor

cc. Finance, DPW, Law, Clerk

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

20

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

23. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Jolly Road Properties, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Hubbard Avenue, north of Plymouth Road, in the Southeast 1/4 of Section 27.

Jacob Rushlow, Assistant Superintendent of Public Works, presented the request to Council.

Council Vice President Laura Toy offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

23.

Engineering
March 25, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT:
Engineering Division, re: from Jolly Road Properties, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Hubbard Avenue, north of Plymouth Road, in the Southeast 1/4 of Section 27.

BACKGROUND

In conjunction with the development of the property located north of Plymouth Road, on the east side of Hubbard Avenue, the City of Livonia required the proprietor to construct a storm drainage system to provide adequate drainage for the site at their own expense. In reference to this storm sewer system, the office has received the attached storm water maintenance agreement from the owner, Jolly Road Properties, LLC, 4729 Wendrick Dr., West Bloomfield, Michigan 48323 requiring them to reimburse the City for any such maintenance that may become necessary.

RECOMMENDATION

The Engineering Division has approved the storm sewer plans and respectfully recommends that the City Council take the actions:

- Accept the Storm Water Management System (SWMS) for Vision Quest, located north of Plymouth Road, on the east side of Hubbard Avenue in the S.E. ¼ of Section 27.
- Authorize the Mayor and the City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

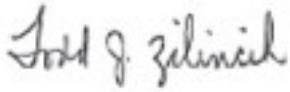
FISCAL CONSIDERATION

None

ATTACHMENTS

1. Signed Vision Quest Agreement 3-19-22
2. Exhibits A & B - Vision Quest

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: March 25, 2022



Don Rohraff, Director of Public Works

Date: March 25, 2022



Paul Bernier, City Attorney

Date: March 28, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022

STORM WATER FACILITIES MAINTENANCE AGREEMENT

THIS AGREEMENT is made this 19 day of MARCH, 2021, by and between the City of Livonia, a municipal corporation, with principal offices located at 33000 Civic Center Drive, Livonia, Michigan 48154, hereafter "City" and

Jolly Road Properties, LLC

a Michigan limited liability company with principal offices located at 4729 Wendrick Dr., West Bloomfield, Michigan 48323 hereafter "Proprietor".

RECITALS

1. The Proprietor has developed certain property located in the City of Livonia, Wayne County, Michigan, as Vision Quest, 11878 Hubbard Avenue, Livonia, Michigan 48150 ("Development") as more particularly described in Exhibit "A" attached hereto.
2. The Proprietor constructed a storm drainage system that provides adequate drainage to the Development.
3. Such storm drainage system encompasses or impacts storm runoff from the Development.
4. The City has issued a permit ("Permit") authorizing the construction, operation and maintenance of the storm drainage system which is located within the Development and/or the City of right-of-way and/or drain, on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference.
5. The Permit signed by the City benefits the Proprietor and the Development.

NOW, THEREFORE, for and in consideration of the mutual covenants and benefits to be derived hereunder, the receipt, adequacy and sufficiency of which is hereby acknowledged, the City and the Proprietor agree as follows:

1. The Proprietor shall assume the obligations of the City under the Permit, as follows:
 - a. The Proprietor agrees that Proprietor will maintain, at Proprietor's own expense, the storm drainage system which is located within the Development and/or the City of Livonia's right-of-way and/or drain, and on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference. In the event the Proprietor fails to maintain the storm drainage system as herein agreed and after the City has notified Proprietor in writing of such failure, the City may enter upon said premises for the purposes of maintaining said storm drainage system, in which event the Proprietor agrees to pay the City all reasonable charges and

expenses incurred thereon. The City will provide sufficient written notice prior to performing any work for which the Proprietor will be charged.

- b. In the event of any failure or settlement in the Development, resulting from said storm drainage system, the City shall take immediate steps, after providing notice to the Proprietor, to correct the situation so that the public health, safety and welfare shall not be endangered nor the road improvement damaged. All reasonable expenses to perform the foregoing, including engineering will be remitted by the Proprietor to the City.
 - c. If it is found necessary to repair all or any portion of said storm drainage system within the Development because of work initiated by Proprietor, the City shall cause such repair to be accomplished, after providing notice to the Proprietor, and all reasonable expenses to perform the foregoing, including engineering, will be remitted by the Proprietor to the City. Prior to any work being performed in a City of Livonia road right-of-way, a separate permit shall be secured from the Engineering Department.
2. Without limitation of the foregoing, Proprietor, its successors and assigns, at its sole cost and expense shall perform maintenance of the storm water facilities described in the City of Livonia's Storm Water Management and Long Term Maintenance Plan as Exhibit "B" attached hereto and incorporated herein by reference.
3. The Proprietor, its agents, representatives, successors and assigns shall defend, indemnify and hold the City harmless from and against any claims, demands, actions, damages, injuries, costs or expenses of any nature whatsoever, hereinafter "Claims", fixed or contingent, known or unknown, arising out of or in any way connected with the design, construction, use, maintenance, repair or operation (or omission in such regard) of the storm drainage system referred to in the permit hereto, appurtenances, connections and attachments thereto which are the subject of this Agreement. This indemnity and hold harmless shall include any costs, expenses and attorney fees incurred by the City in connection with such Claims or the enforcement of this Agreement.
4. In accordance with 1976 PA 453, the parties hereto covenant: (1) not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, sex, age, height, weight or marital status.
5. That this Agreement shall be recorded at the Proprietor's expense with the Wayne County Register of Deeds.

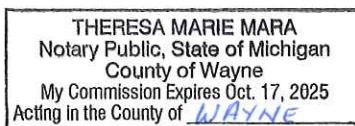
IN WITNESS WHEREOF, the Proprietor and City have executed this Agreement on the day and year first above written.

Jolly Road Properties, LLC
a Michigan limited liability company

By: Brandon Kaufman
Brandon Kaufman
Its: Member

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this 19 day of MARCH, 2021, before me personally appeared Brandon Kaufman to me personally known, who being by me sworn, did for himself say that he the Member of Jolly Road Properties, LLC which executed the within instrument, and the said instrument was signed and sealed on behalf of said limited liability company and acknowledged said instrument to be the free act and deed of said limited liability company.



Theresa Mara
Notary Public

County of WAYNE
My Commission Expires On: 10/17/2025

CITY OF LIVONIA
a municipal corporation

By: _____
Maureen Miller Brosnan

Its: Mayor

By: _____
Susan M. Nash

Its: City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this _____ day of _____, 20____, before me, a Notary Public in and for said County, appeared Maureen Miller Brosnan and Susan M. Nash to me personally known, who, being sworn, did for themselves say that they are respectively the Mayor and the City Clerk of the City of Livonia, the municipal corporation named in and which executed the within instrument and acknowledged said instrument the free act and deed of said municipal corporation.

Notary Public

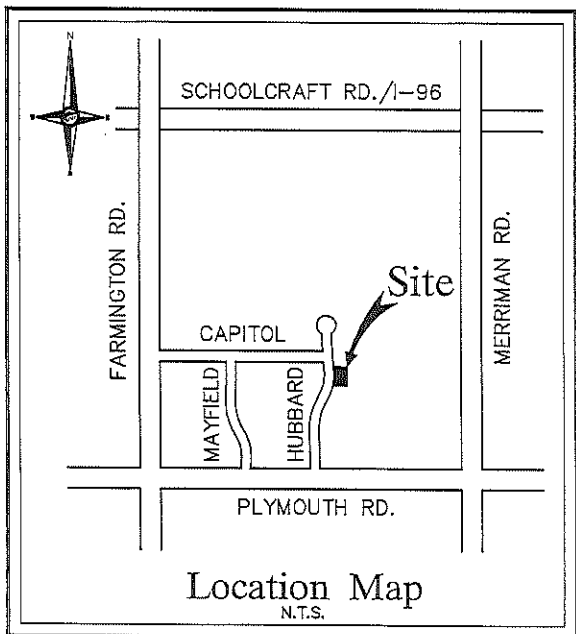
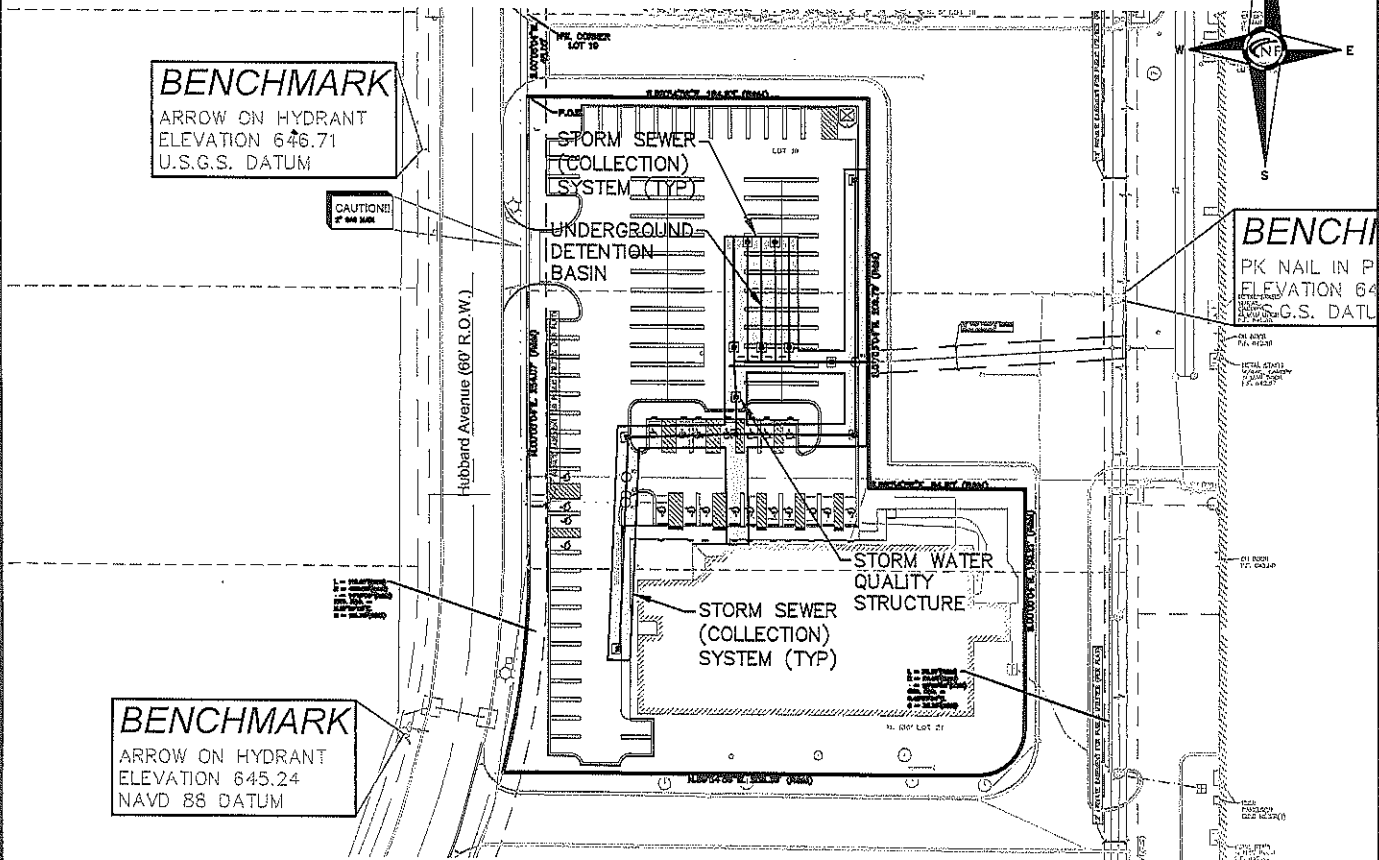
_____ County, Michigan
My Commission Expires On:

INSTRUMENT DRAFTED BY:
Todd J. Zilincik, P.E.
City Engineer
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

WHEN RECORDED RETURN TO:
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154
Attn: Engineering Division

Engineering:M:Storm Water Facilities: Agreement

Exhibit A
PHYSICAL LIMITS OF STORM
WATER MANAGEMENT SYSTEM



LEGAL DESCRIPTION - PER
TITLE COMMITMENT

THE SOUTH 5 FEET OF LOT 18, ALL OF LOTS 19 AND 20 AND THE NORTH 160 FEET OF LOT 21, FARMINGTON-PLYMOUTH INDUSTRIAL COMPLEX, AS RECORDED IN LIBER 94, PAGES 46, 47, 48 AND 49 OF PLATS, WAYNE COUNTY RECORDS.

ADDRESS: 11878 HUBBARD AVE., LIVONIA, MI 48150-1733

TAX ID NO. 46-107-03-0018-003

CONTAINING: 152,604.49 SQUARE FEET OR 3.503 ACRES OF LAND

LEGEND

- CITY OF LIVONIA MAINTENANCE RESPONSIBILITY
- STORM SEWERS & STRUCTURES



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

APPLICANT:
VISION QUEST
4729 WENDRICK DR.
WEST BLOOMFIELD, MI 48323

ENGINEER:
NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVENUE
PONTIAC, MI 48342

SCALE
1" = 100'

DATE
03-08-21

DRAWN
JEL

JOB NO.
J283-02

SHEET
1 of 1

EXHIBIT “B” - STORM WATER MANAGEMENT SYSTEM LONG-TERM MAINTENANCE PLAN

A. Physical Limits of the Storm Water Management System

The storm water management system (SWMS) subject to this long-term maintenance plan (Plan) is depicted on Exhibit A to the permit and includes without limitation the storm sewers, catch basins, manholes, inlets, manufactured treatment system, underground detention system, flow restrictor structure and outlet pipe that conveys flow from the underground detention system to an existing storm manhole within the site. For the purposes of this plan, this SWMS and all of its components as shown in Exhibit A is referred to as “Vision Quest”.

B. Time Frame for Long-Term Maintenance Responsibility

Vision Quest is responsible for maintaining the Vision Quest SWMS including complying with applicable requirements of The City of Livonia soil erosion and sedimentation control program until The City of Livonia releases the construction permit. Long-term maintenance responsibility for the Vision Quest SWMS commences when defined by the maintenance permit issued by the City. Long-term maintenance continues in perpetuity.

C. Manner of Insuring Maintenance Responsibility

The City of Livonia has assumed responsibility for long-term maintenance of Vision Quest SWMS. The resolution, by which The City of Livonia has assumed maintenance responsibility is attached to the permit as Exhibit C. Vision Quest through a maintenance agreement with the City of Livonia, has agreed to perform the maintenance activities required by this plan. The City of Livonia retains the right to enter the property and perform the necessary maintenance of the Vision Quest SWMS if Vision Quest fails to perform the required maintenance activities.

To ensure that the Vision Quest SWMS is maintained in perpetuity, the map of the physical limits of the storm water management system (Exhibit A), this plan (Exhibit B), the resolution attached as Exhibit C, and the maintenance agreement between the City of Livonia and the property owner will be recorded with the Wayne County Register of Deeds. Upon recording, a copy of the recorded documents will be provided to the City.

D. Long-Term Maintenance Plan and Schedule

Table 1 identifies the maintenance activities to be performed, organized by category (monitoring/inspections, preventative maintenance and remedial actions). Table 1 also identifies site-specific work needed to ensure that the storm water management system functions properly as designed.

TABLE 1 STORM WATER MANAGEMENT SYSTEM LONG-TERM MAINTENANCE SCHEDULE							
	SYSTEM COMPONENTS	Storm Collection System (Sewers, Swales, Catch Basins, Manholes)	Manufactured Treatment System	Detention Basin	Flow Restrictor Structure & Outlet Pipe	Pavement Areas	FREQUENCY
Monitoring/Inspection							
Inspect for Sediment Accumulation/Clogging		X	X	X	X	X	Annually
Inspect For Floatables, Dead Vegetation & Debris		X	X	X	X	X	Annually & After Major Events
Inspect For Erosion And Integrity of System		X				X	Annually & After Major Events
Inspect All Components During Wet weather & Compare to As-Built Plans		X	X	X	X	X	Annually
Ensure Maintenance Access Remain Open/Clear		X	X	X	X	X	Annually
Preventative Maintenance							
Remove Accumulated sediments		X	X	X	X	X	As Needed (See Note Below)
Remove Floatables, Dead Vegetation & Debris		X				X	As Needed
Sweeping of Paved Surfaces						X	As Needed
Remedial Actions							
Repair/Stabilize Areas of Erosion		X				X	As Needed
Replace Dead Plantings & Reseed Bare Areas		X					As needed
Structural Repairs		X	X	X	X	X	As Needed
Make Adjustments/Repairs to Ensure Proper Functioning		X	X	X	X	X	As Needed

NOTE: Manufactured treatment system and underground detention system to be cleaned according to the manufacturer's recommendations; at a minimum, whenever sediments accumulate to a depth of 6-12 inches, or if sediment resuspension is observed.

PROJECT: 11878 Hubbard Avenue Office Building Livonia, MI 48150	PROPERTY OWNER: Vision Quest 4729 Wendrick Dr. West Bloomfield, MI 48323 Contact: Mr. Brandon Kaufman (248) 789-6944	ENGINEER: Nowak & Fraus Engineers 46777 Woodward Avenue Pontiac, MI 48342-5032 Phone: (248) 332-7931 Fax: (248) 332-8257	DATE: 3 / 8 / 2021
			SHEET 1 OF 1

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

21

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

24. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Madonna University, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed west of Levan Road, on the north of Schoolcraft Road, in the Southwest 1/4 of Section 20.

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Brandon McCullough offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

24.

Engineering
March 30, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT:

Engineering Division, re: from Madonna University, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed west of Levan Road, on the north of Schoolcraft Road, in the Southwest 1/4 of Section 20.

BACKGROUND

In conjunction with the development of the property located west of Levan Road, on the north side of Schoolcraft Road, the City of Livonia required the proprietor to construct a storm drainage system to provide adequate drainage for the site at their own expense. In reference to this storm sewer system, the office has received the attached storm water maintenance agreement from the owner, Madonna University, 36600 Schoolcraft Road, Livonia, Michigan 48150 requiring them to reimburse the City for any such maintenance that may become necessary.

RECOMMENDATION

The Engineering Division has approved the storm sewer plans and respectfully recommends that the City Council take the actions:

- Accept the Storm Water Management System (SWMS) for the Madonna University Heritage Center, located west of Levan Road, on the north side of Schoolcraft Road in the S.W. 1/4 of Section 20.
- Authorize the Mayor and the City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

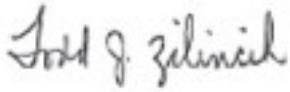
FISCAL CONSIDERATION

None

ATTACHMENTS

1. Madonna University Heritage Center Storm Water Facilities Agreement

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: March 30, 2022



Don Rohraff, Director of Public Works

Date: March 31, 2022



Paul Bernier, City Attorney

Date: March 31, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022

STORM WATER FACILITIES MAINTENANCE AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 20____, by and between the City of Livonia, a municipal corporation, with principal offices located at 33000 Civic Center Drive, Livonia, Michigan 48154, hereafter "City" and

Madonna University

a 501c3 Non-Profit Organization with principal offices located at 36600 Schoolcraft Road., Livonia, MI 48150 hereafter collectively "Proprietor".

RECITALS

1. The Proprietor has completed the development located in the City of Livonia, Wayne County, Michigan, as Madonna University Heritage Center (36700 Schoolcraft Road), Livonia, Michigan 48150 ("Development"), as more particularly described in Exhibit "A" attached hereto.
2. The Proprietor has constructed a storm drainage system to provide adequate drainage for the Development.
3. Such storm drainage system will encompass or impact storm runoff from the Development.
4. The City issued a permit ("Permit") authorizing the construction, operations and maintenance of the storm drainage system which is located within the Development and/or the City of Livonia's right-of-way and/or drain, on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference.
5. The Permit signed by the City will benefit the Proprietor and the proposed Development.

NOW, THEREFORE, for and in consideration of the mutual covenants and benefits to be derived hereunder, the receipt, adequacy and sufficiency of which is hereby acknowledged, the City and the Proprietor agree as follows:

1. The Proprietor shall assume the obligations of the City under the Permit, as follows:
 - a. The Proprietor agrees that Proprietor will maintain, at Proprietor's own expense, the storm drainage system which is located within the Development and/or the City of Livonia's right-of-way and/or drain, and on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference. In the event the Proprietor fails to maintain the storm drainage system as herein agreed and after the City has notified Proprietor in writing of such failure, the City may enter upon said premises for the purposes of maintaining said storm drainage system, in which event the Proprietor agrees to pay the City all reasonable charges and expenses incurred thereon. The City will provide sufficient written

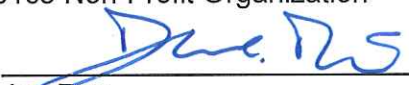
notice prior to performing any work for which the Proprietor will be charged.

- b. In the event of any failure or settlement in the Development, resulting from said storm drainage system, the City shall take immediate steps, after providing notice to the Proprietor, to correct the situation so that the public health, safety and welfare shall not be endangered nor the road improvement damaged. All reasonable expenses to perform the foregoing, including engineering will be remitted by the Proprietor to the City.
 - c. If it is found necessary to repair all or any portion of said storm drainage system within the Development because of work initiated by Proprietor, the City shall cause such repair to be accomplished, after providing notice to the Proprietor, and all reasonable expenses to perform the foregoing, including engineering, will be remitted by the Proprietor to the City. Prior to any work being performed in a City of Livonia road right-of-way, a separate permit shall be secured from the Engineering Department.
2. Without limitation of the foregoing, Proprietor, its successors and assigns, at its sole cost and expense shall perform maintenance of the storm water facilities described in the City of Livonia's Storm Water Management and Long Term Maintenance Plan as Exhibit "C" attached hereto and incorporated herein by reference.
3. The Proprietor, its agents, representatives, successors and assigns shall defend, indemnify and hold the City harmless from and against any claims, demands, actions, damages, injuries, costs or expenses of any nature whatsoever, hereinafter "Claims", fixed or contingent, known or unknown, arising out of or in any way connected with the maintenance or repair (or omission in such regard) of the storm drainage system referred to in the permit as Exhibit "A" hereto, appurtenances, connections and attachments thereto which are the subject of this Agreement (except those Claims caused in whole or in part by the willful or negligent acts or omissions of the City, its employees or agents). This indemnity and hold harmless shall include any costs, expenses and attorney fees reasonably incurred by the City in connection with such Claims or the enforcement of this Agreement.
4. In accordance with 1976 PA 453, the parties hereto covenant: (1) not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, sex, age, height, weight or marital status.
5. That this Agreement shall be recorded at the Proprietor's expense with the Wayne County Register of Deeds.

IN WITNESS WHEREOF, the Proprietor and City have executed this Agreement on the day and year first above written.

WITNESSES:

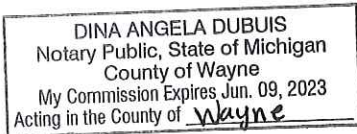
Madonna University
a 501c3 Non-Profit Organization

By: 
Ian Day

Its: Vice President of Finance and Operations

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this 10th day of February, 2022, before me personally appeared Ian Day, the Vice President of Finance and Operations of Madonna University which executed the within instrument, and the said instrument was signed and sealed on behalf of said 501c3 Non-Profit Organization and acknowledged said instrument to be the free act and deed of said 501c3 Non-Profit Organization.




Notary Public

Wayne County, Michigan
My Commission Expires On: 6/09/2023

CITY OF LIVONIA
a municipal corporation

By: _____
Maureen Miller Brosnan

Its: Mayor

By: _____
Susan M. Nash

Its: City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this _____ day of _____, 20_____, before me, a Notary Public in and for said County, appeared Maureen Miller Brosnan and Susan M. Nash to me personally known, who, being sworn, did for themselves say that they are respectively the Mayor and the City Clerk of the City of Livonia, the municipal corporation named in and which executed the within instrument and acknowledged said instrument the free act and deed of said municipal corporation.

Notary Public

_____ County, Michigan
My Commission Expires On:

INSTRUMENT DRAFTED BY:
Todd J. Zilincik, P.E.
City Engineer
City of Livonia
12973 Farmington Road
Livonia, MI 48150

WHEN RECORDED RETURN TO:
City of Livonia
Attn: Engineering Division
Todd J. Zilincik, P.E.
12973 Farmington Road
Livonia, MI 48150

**EXHIBIT A
LEGAL DESCRIPTION**

LEGAL DESCRIPTION

(Per Nowak & Fraus, Parcel Map, Job #3244-17, dated 3/14/11)

Part of the W. 1/2 of Section 20, T.1S., R.9E., City of Livonia, Wayne County, Michigan, being described as: Beginning at a point distant S.89°56'35"E., 1,010 feet along the South line of said Section 20, and N.00°03'45"E., 102.00 feet from the S.W. Corner of said Section 20; thence N.00°03'45"E., 1500.00 feet; thence N.89°56'35"W., 950.00 feet; thence N.00°03'45"E., 306.13 feet along said East Right-of-Way line of Newburgh Road; thence S.88°51'14"E., 728.26 feet; thence N.00°00'05"E., 240.63 feet; thence N.89°59'55"W., 727.88 feet; thence the following two courses along said East Right-of-Way line of Newburgh Road, 1) N.00°03'45"E., 505.86 feet, 2) N.00°13'09"W., 207.53 feet; thence N.75°57'08"E., 361.24 feet; thence S.88°12'20"E., 99.74 feet; thence S.50°27'17"E., 65.37 feet; thence S.89°04'30"E., 229.93 feet; thence N.13°01'26"W., 128.34 feet; thence N.23°48'53"E., 42.99 feet; thence S.88°16'26"E., 205.06 feet; thence N.13°35'53"E., 116.34; thence S.86°41'43"E., 227.34 feet; thence N.79°23'42"E., 100.81 feet; thence N.86°39'01"E., 67.21' feet; thence N.01°55'44"W., 359.36 feet; thence N.86°35'18"W., 251.88 feet; thence N.03°02'46"E., 32.36 feet; thence N.87°12'32"W., 169.57 feet; thence S.84°12'37"W., 249.48 feet; thence N.05°22'39"W., 245.53 feet; thence N.07°55'06"E., 297.99 feet; thence S.87°12'41"E., 220.74 feet; thence S.00°00'10"E., 207.07 feet; thence S.89°45'17"E., 620.01 feet; thence S.00°00'10"E., 285.72 feet; thence S.89°57'08"E., 324.71 feet; thence S.00°11'40"E., feet; thence S.89°57'08"E., 693.34 feet; thence the following two courses along the West Right-of-Way line of Levan Road (86.00 feet wide), 1) S.00°11'40"E., 792.63 feet, 2) S.00°15'22"E., 737.65 feet; thence N.89°58'45"W., 698.00 feet; thence S.00°04'06"E., 134.17 feet; thence N.89°58'42"W., 129.82 feet; thence N.00°04'16"W., 18.00 feet; thence N.89°59'00"W., 34.38 feet; thence S.00°04'04"E., 141.21 feet; thence N.89°58'43"W., 257.42 feet; thence S.00°15'22"E., 1,541.79 feet; along the North Right-of-Way line of I-96 Service Drive N.89°56'35"W., 487.63 feet to the point of beginning. Containing 4,792, 419 square feet or 110.019 acres. And subject to easements of record.

EXHIBIT B
STORM SEWER SYSTEM PLAN

LEGEND

SECTION CORNER

0 50 100
SCALE: 1" = 100'

NORTH

MADONNA UNIVERSITY
36600 SCHOOLCRAFT RD
LIVONIA MI 48150

SHEET 2 OF 3
AUGUST 30, 2021
2017-0310

PEA GROUP
t: 844.813.2949
www.peagroup.com

t: 844.813.2949
www.peagroup.com

EXHIBIT C STORM WATER MANAGEMENT SYSTEM LONG-TERM MAINTENANCE PLAN

Property Information: PART OF THE W 1/2 OF SEC 20,
TOWN 1 SOUTH, RANGE 9 EAST,
CITY OF LIVONIA, WAYNE COUNTY,
MICHIGAN

Applicant/
Property Owner: MADONNA UNIVERSITY
36600 SCHOOLCRAFT ROAD
LIVONIA, MI 48150

A. Physical Limits of the Storm Water Management System

The storm water management system (SWMS) subject to this Long-term Maintenance Plan (Plan) is depicted on Exhibit A to the Permit and includes without limitation the storm sewers, swales, manholes, catch basins, storm water inlets, forebays, detention basin, outlet structures, pump station, emergency overflow, buffer strip and closed conduits that convey flow from the detention basin into the Existing City Storm Sewer System.

For purposes of this Plan, this storm water management system (SWMS) and all of its components as shown on Exhibit A is referred to as the Heritage And Welcome Center SWMS.

B. Time Frame for Long-Term Maintenance Responsibility

Madonna University is responsible for maintaining the Heritage and Welcome Center SWMS, including complying with applicable requirements of the City of Livonia soil erosion and sedimentation control program. Long-term maintenance responsibility for the Heritage and Welcome Center SWMS commences when defined by the maintenance permit issued by the City. Long-term maintenance continues in perpetuity.

C. Manner of Ensuring Maintenance Responsibility

The City of Livonia has assumed responsibility for the long-term maintenance of the Heritage and Welcome Center SWMS. The resolution by which the City has assumed maintenance responsibility is attached to the Permit as Exhibit C. Madonna University, through an agreement to reimburse for maintenance, repairs, restoration and any necessary construction of the SWMS (the "Maintenance Agreement") with the City of Livonia has agreed to perform the maintenance activities required by this plan. The City retains the right to enter the property and perform the necessary maintenance of the Heritage and Welcome Center SWMS if Madonna University fails to perform the required maintenance activities.

To ensure that the Heritage and Welcome Center SWMS is maintained in perpetuity, the map of the physical limits of the storm water management system (Exhibit A), this Plan (Exhibit B), the resolution attached as Exhibit C, and the Maintenance Agreement between the City and the Property Owner will be recorded with the Wayne County Register of Deeds. Upon recording, a copy of the recorded document will be provided to the City.

D. Long-Term Maintenance Plan and Schedule

Table 1 identifies the maintenance activities to be performed, organized by category (monitoring/inspections, preventative maintenance, and remedial actions). Table 1 also identifies site-specific work needed to ensure that the storm water management system functions properly as designed.



MAINTENANCE ACTIVITIES						FREQUENCY
Inspect for sediment accumulation**/clogging of stone filter	X	X			X	Annually
Inspect for erosion and integrity of banks and berms		X	X			Annually and after major events
Inspect for floatables, dead vegetation and debris	X	X	X	X		Annually and after major events
Inspect all components during wet weather and compare to as-built plans	X	X	X	X		Annually
Monitor plantings/vegetation		X				2 times a year
Ensure means of access for maintenance remain clear/open	X	X	X	X		Annually
PREVENTIVE MAINTENANCE						
Mowing		X			X	Up to 2 times/year
Remove accumulated sediment	X	X	X	X		As needed
Remove floatables, dead vegetation and debris	X	X	X	X		As needed
Remove invasive plant species		X				Annually
Sweeping of pavement surfaces (streets and parking areas)						As needed
Re-apply/replace mulch layer						Re-apply every 6 months; Replace every 2 years
Replace subsurface components (i.e. soil, underdrain, etc.)						Every 5 years or when water ponds more than 6 hours
REMEDIAL ACTIONS						
Repair/stabilize areas of erosion		X	X			As needed
Replace dead plantings, bushes, trees		X				As needed
Reseed bare areas		X				As needed
Structural repairs or replacement in kind	X		X	X		As needed
Make adjustments/repairs to ensure proper functioning	X	X	X	X		As needed

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

22

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

25. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Livonia Business Center, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Sears Drive, north of Plymouth Road, in the Southwest 1/4 of Section 26.

Todd Zilincik, City Engineer, presented the request to Council.
Councilmember Rob Donovic offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

25.

Engineering
April 5, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT:

Engineering Division, re: from Livonia Business Center, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for property developed on the east side of Sears Drive, north of Plymouth Road, in the Southwest 1/4 of Section 26.

BACKGROUND

In conjunction with the development of the property located at 12250 and 12350 Sears Drive, north of Plymouth Road, on the east side of Sears Drive, the City of Livonia required the proprietor to construct a storm drainage system to provide adequate drainage for the site at their own expense.

In reference to this storm sewer system, the office has received the attached storm water maintenance agreement from the owner, Livonia Business Center, LLC, 2575 S. Haggerty Road, Suite 500, Canton, Michigan 48188 requiring them to reimburse the City for any such maintenance that may become necessary.

RECOMMENDATION

The Engineering Division has approved the storm sewer plans and respectfully recommends that the City Council take the actions:

- Accept the Storm Water Management System (SWMS) for the Livonia Business Center, located at 12250 & 12350 Sears Drive, north of Plymouth Road, on the east side of Sears Drive in the S.W. ¼ of Section 26.
- Authorize the Mayor and the City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

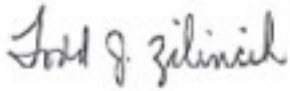
FISCAL CONSIDERATION

None

ATTACHMENTS

1. Livonia Business Center Storm Water Facilities Maintenance Agreement

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: April 05, 2022



Don Rohraff, Director of Public Works

Date: April 06, 2022



Paul Bernier, City Attorney

Date: April 06, 2022



Maureen Miller Brosnan, Mayor

Date: April 07, 2022

STORM WATER FACILITIES MAINTENANCE AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2021, by and between the **City of Livonia, a municipal corporation**, with principal offices located at 33000 Civic Center Drive, Livonia, Michigan 48154, hereafter "City" and **Livonia Business Center, LLC, a Michigan limited liability company**, with principal offices located at 2575 S. Haggerty Road, Suite 500, Canton, Michigan 48188 hereafter "Proprietor".

RECITALS

1. The Proprietor has developed certain property located in the City of Livonia, Wayne County, State of Michigan, commonly known as the Livonia Business Center, 12250 and 12350 Sears Drive, Livonia, Michigan 48150 ("Development") as more particularly described in Exhibit "A" attached hereto.
2. The Proprietor constructed a storm drainage system that provides adequate drainage to the Development.
3. Such storm drainage system encompasses or impacts storm runoff from the Development.
4. The City has issued a permit ("Permit") authorizing the construction, operation and maintenance of the storm drainage system which is located within the Development and/or the City of right-of-way and/or drain, on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference.
5. The Permit signed by the City benefits the Proprietor and the Development.
6. Upon the sale or transfer of the Development (or part thereof), the term Proprietor shall mean such party(ies) that is/are then currently the fee simple owner(s).
7. There is no proposed transfer of ownership as defined by MCL 207.505 (County) and under MCLA 207.526 (State) and is therefore exempt from transfer tax thereunder.

NOW, THEREFORE, for and in consideration of the mutual covenants and benefits to be derived hereunder, the receipt, adequacy and sufficiency of which is hereby acknowledged, the City and the Proprietor agree as follows:

1. The Proprietor shall assume the obligations of the City under the Permit, as follows:
 - a. The Proprietor agrees that Proprietor will maintain, at Proprietor's own expense, the storm drainage system which is located within the Development and/or the City of Livonia's right-of-way and/or drain, and on or adjacent to the Development described in the Permit as Exhibit "A" attached hereto and incorporated herein by reference. In the event the Proprietor fails to maintain the storm drainage system as herein agreed and after the City has provided ten (10) day written notice to Proprietor of such failure, the City may enter upon said premises for the purposes of maintaining said storm drainage system, in which event the Proprietor agrees to pay the City all reasonable

charges and expenses incurred thereon. The City will provide sufficient written notice prior to performing any work for which the Proprietor will be charged. The City may only take remedial action if the Proprietor has failed to diligently pursue a repair or if such delay in maintaining the storm drainage system is do to weather, force majeure, governmental restriction, or an act of God

- b. In the event of any failure, damage, or settlement of the ground in the Development, resulting from said storm drainage system or the actions of the City or its contractor(s)/agent(s), the City shall take immediate steps, after providing notice to the Proprietor, to correct the situation to a condition that existed prior to such damage, and that the public health, safety and welfare shall not be endangered, and the road improvement shall not be damaged. All reasonable expenses to perform the foregoing, including engineering will be remitted by the Proprietor to the City.
 - c. If it is found necessary to repair all or any portion of said storm drainage system within the Development because of work initiated by Proprietor, the City shall cause such repair to be accomplished, after providing notice to the Proprietor, and all reasonable expenses to perform the foregoing, including engineering, will be remitted by the Proprietor to the City. Prior to any work being performed in a City of Livonia road right-of-way, a separate permit shall be secured from the Engineering Department (or such municipal department as is then appropriate).
2. Without limitation of the foregoing, Proprietor, its successors and assigns, at its sole cost and expense shall perform maintenance of the storm water facilities described in the City of Livonia's Storm Water Management and Long Term Maintenance Plan as Exhibit "B" attached hereto and incorporated herein by reference.
3. The Proprietor, its agents, representatives, successors and assigns shall defend, indemnify and hold the City harmless from and against any claims, demands, actions, damages, injuries, costs or expenses of any nature whatsoever, hereinafter "Claims", fixed or contingent, known or unknown, arising out of or in any way connected with the design, construction, use, maintenance, repair or operation (or omission in such regard) of the storm drainage system referred to in the permit hereto, appurtenances, connections and attachments thereto which are the subject of this Agreement. This indemnity and hold harmless shall include any costs, expenses and attorney fees incurred by the City in connection with such Claims or the enforcement of this Agreement. The indemnification obligation(s) herein shall not apply for any Claims resulting from, or on the part of, the City's actions, negligence, gross negligence, or willful misconduct.
4. In accordance with 1976 PA 453, the parties hereto covenant: (1) not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, sex, age, height, weight or marital status.
5. That this Agreement shall be recorded at the Proprietor's expense with the Wayne County Register of Deeds.

6. This Agreement shall automatically terminate upon the removal of the facilities or improvements within the Development which are the subject of the Permit.

IN WITNESS WHEREOF, the Proprietor and City have executed this Agreement on the day and year first above written.

(Signature and Notary Acknowledgment Pages Follow)
Storm Water Facilities Maintenance Agreement – Continued

Proprietor:

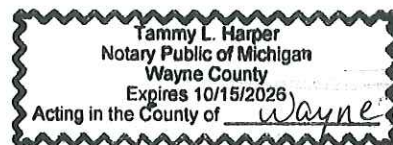
Livonia Business Center, LLC,
a Michigan limited liability company

By: *Susan M. Harvey*
Susan M. Harvey
Its: Authorized Agent

STATE OF MICHIGAN)
COUNTY OF Wayne) ss.

On this 4th day of October, 2021, before me personally appeared Susan M. Harvey, to me personally known, who being by me sworn, did for themselves say that she is the Authorized Agent of Livonia Business Center, LLC, a Michigan limited liability company, which executed the within instrument, and the said instrument was signed and sealed on behalf of said limited liability company and acknowledged said instrument to be the free act and deed of said limited liability company.

Tammy L. Harper
Notary Public, _____
County of _____
My Commission Expires On: _____
Acting in _____ County



(Signature and Notary Acknowledgment Pages Follow)

Storm Water Facilities Maintenance Agreement – Continued

City:

CITY OF LIVONIA
a municipal corporation

By: _____
Maureen Miller Brosnan
Its: Mayor

By: _____
Susan M. Nash
Its: City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this _____ day of _____, 2021, before me, a Notary Public in and for said County, appeared Maureen Miller Brosnan and Susan M. Nash to me personally known, who, being sworn, did for themselves say that they are respectively the Mayor and the City Clerk of the City of Livonia, the municipal corporation named in and which executed the within instrument and acknowledged said instrument the free act and deed of said municipal corporation.

Notary Public, _____
_____ County, Michigan
My Commission Expires On: _____
Acting in Wayne County

INSTRUMENT DRAFTED BY:
Todd J. Zilincik, P.E.
City Engineer
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

WHEN RECORDED RETURN TO:
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154
Attn: Engineering Division

Engineering:M:Storm Water Facilities: Agreement
#02758595-Dawda Mann

Exhibit "A"



Exhibit "A" – Continued

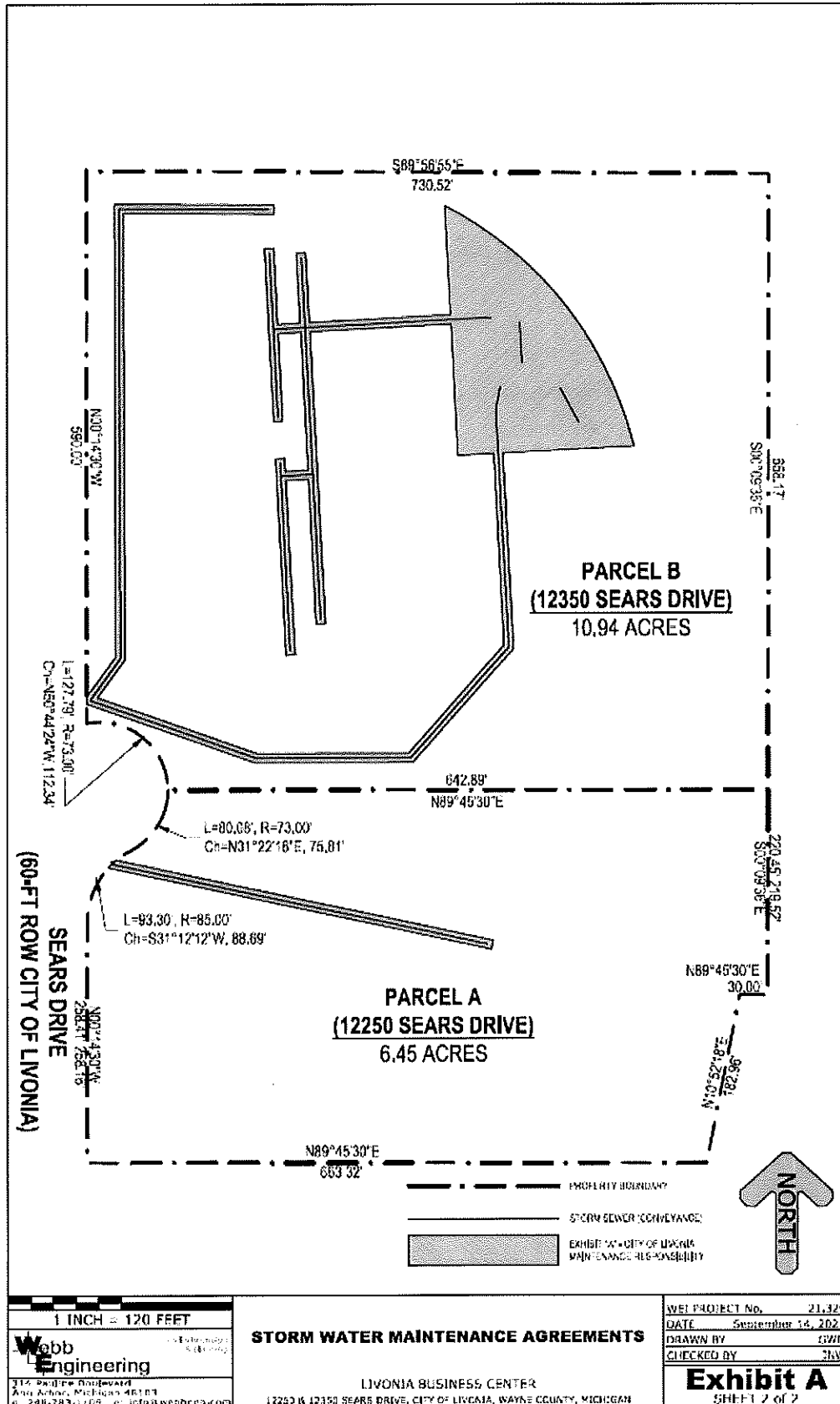


Exhibit "B"

CITY OF LIVONIA STORM WATER MAINTENANCE AGREEMENT "EXHIBIT B" Long-Term Maintenance Schedule 12250 & 12350 SEARS DRIVE

	System Component									
	Catch Basins, Inlets & Storm Sewers	Channels & vegetated Swales	Inlets to Pretreatment Systems & Detention/Retention Systems	Flow Restrictors, Overflow Structures & Outlet Pipes	Emergency Spillways	Riprap	Buffer Strip	Manufactured Treatment System	Underground Detention Systems	
Maintenance Activities										Frequency
Monitoring/Inspection										
• Inspect for sediment accumulation*/chipping of Stone filter	X	X	X					X	X	Annually
• Inspect for floatables, dead vegetation and debris	X	X	X	X				X	X	Annually and after major events
• Inspect for erosion and integrity of banks and berms		X	X			X				Annually and after major events
• Inspect all components during wet weather and compare to as-built plans	X	X	X	X		X		X	X	Annually
• Monitor plantings/vegetation		X								2 times per year
• Ensure means of access for maintenance remain clear/open	X	X	X	X		X		X	X	Annually
Preventative Maintenance										
• Mowing		X								only*
• Remove accumulated sediment	X	X						X	X	As needed**
• Remove floatables, dead vegetation and debris	X	X	X	X						As needed
• Replace or wash/reuse stone riser filters						X				as needed***
• Remove invasive plant species		X								Annually
• Per Manufacturer's maintenance recommendations				X				X	X	
Remedial Actions										
• Repair/stabilize areas of erosion		X	X			X				As needed
• Replace dead plantings, bushes, trees		X								As needed
• Reseed bare areas		X								As needed
• Structural repairs	X	X	X	X		X		X	X	As needed
• Make adjustments/repairs to ensure proper functioning	X	X	X	X		X		X	X	As-needed



STORM WATER MAINTENANCE AGREEMENTS

LIVONIA BUSINESS CENTER
12250 & 12350 SEARS DRIVE, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN

WEI PROJECT No. 21,323
DATE September 14, 2021
DRAWN BY GWD
CHECKED BY JNW

Exhibit B
SHEET 1 of 1

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

23

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

26. REQUEST TO WAIVE FORMAL BIDDING PROCESS AND APPROVE THE 2022 ASPHALT ROAD PROGRAM BY EXTENDING CONTRACT 20-A UNIT PRICES WITH NAGLE PAVING COMPANY: Engineering Division, re: for Contract 22-A in the amount of \$4,000,000 (CR 106-21)

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Scott Morgan offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

26.

Engineering
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO WAIVE FORMAL BIDDING PROCESS AND APPROVE THE 2022 ASPHALT ROAD PROGRAM BY EXTENDING CONTRACT 20-A UNIT PRICES WITH NAGLE PAVING COMPANY: Engineering Division, re: for Contract 22-A in the amount of \$4,000,000 (CR 106-21)

BACKGROUND

Dear Council Members:

Based upon the recommendation for scheduled maintenance in the Pavement Management Study, the Department of Public Works established an Asphalt Road Program for 2022. Our consultant, OHM Advisors (OHM) has finalized plans for the 2022 Road Repair Program.

Previously in 2020, OHM provided plans and specifications for Contract 20-A. The bids for the subject project were taken on February 12, 2020, with two (2) bids being submitted. Nagle Paving Company was the lowest responsive qualified bidder and was awarded the contract (CR 101-20) in the amount of \$3,836,109.85.

A total of \$9.6 million dollars was budgeted for the 2022 Street Repair Program, including both concrete and asphalt repairs. OHM provided quantities based on a \$3.8 million budget for the Asphalt Repair Program, Contract 22-A.

There was a total of 29 asphalt road segments inclusive of rehabilitation and maintenance anticipated to be repaired for 2022 based on the recommendation from the Citizen's Road Advisory Committee meeting held on October 27, 2021.

Nagle Paving Company has been our contractor for the 2012 and 2014 through 2021 Asphalt Pavement Programs. They are willing to extend their unit prices from the 2020 Asphalt Road Repair Program, Contract 20-A, with exceptions where the quantities were reduced or increased significantly, new items to accommodate the proposed improvements, and agreed upon inspector days consisting of 180 days.

Please see the attached proposal provided by Nagle Paving on March 23, 2022 in amount of \$4,551,570.30. Both the City of Livonia and Nagle Paving agreed to fit a \$4.0 million budget in an effort to complete as many as asphalt street segments as possible. Nagle Paving acknowledge and agreed to the revised budget of \$4.0 million and signed the proposal dated April 7, 2022.

There were a total of six (6) street segments that were removed in order to fit a revised budget of \$4.0 million. The street segments deferred for future repairs are St. Francis (Bridge to Pembroke), Grimm Avenue (Pickford to End), Maplewood Avenue (Clarita to Seven Mile Road), Pickford Avenue (Grimm Avenue to East End), Jarvis Avenue (South End to Plymouth Road) and Hathaway Avenue (Stark Road to Farmington Road).

RECOMMENDATION

We are recommending extending the Contract 20-A unit prices and awarding the 2022 Asphalt Road Repair Program, Contract 22-A to the Nagle Paving Company. Please refer to OHM Advisor's recommendation letter dated April 7, 2022.

FISCAL CONSIDERATION

In order to proceed with this project, we recommend that the Council take the following actions:

- Waive the formal bidding process under Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, since no advantage to the City would result from competitive bidding.
- Extend the Contract 20-A unit prices for the 2022 Asphalt Road Repair Program, Contract 22-A and award a contract in the amount of \$4,000,000 to the Nagle Paving Company, 36780 Amrhein, Livonia, Michigan 48150. The award should be on the basis of the bid unit prices from 2020, Contract 20-A with the exception of the revised unit prices for some select bid items and the new quantities and unit prices necessary to complete the proposed improvements and the mutually agreed upon inspector days consisting on 180 days.
- Authorize an expenditure in the amount of \$4,000,000 for the 2022 Asphalt Road Repair Program from the following accounts:

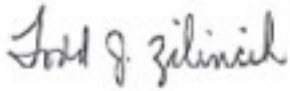
Account Number 204-463-818-112 (Rehabilitation)	\$3,382,800.00
Account Number 204-463-818-114 (Maintenance)	\$617,200.00
- Authorize an additional appropriation and expenditure in the amount of \$200,000 from the Unexpended Fund Balance of the Roads, Sidewalk and Tree Fund (204)
- Authorize the City Engineer to approve minor adjustments in the work, as required.

ATTACHMENTS

1. Contractor Recommendation Letter April 7 rev
2. bidtab

3. Nagle Bid for 22-A

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: April 07, 2022



Don Rohraff, Director of Public Works

Date: April 07, 2022



Michael Slater, Finance Director

Date: April 07, 2022



Paul Bernier, City Attorney

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 08, 2022



April 7, 2022

Mr. Todd J. Zilincik, P.E., City Engineer
City of Livonia
Engineering Division
12973 Farmington Road
Livonia, MI 48150-4202

Re: 2022 Asphalt Paving Program – Contract 22-A
Contractor Recommendation

Dear Mr. Zilincik:

Nagle Paving Company was solely requested by the City to submit an extension of their 2020/21 unit prices for the 2022 Asphalt Paving Project. Their bid came in at amount of \$4,674,432.75 (\$4,552,032.75, not including Inspector Days) which was 10.20% higher than the engineers estimate. Three (3) streets are being eliminated from the as-bid Program to bring costs down to the \$4,000,000 road repair budget. OHM Advisors has checked the results and attached the Bid Tabulation (including inspector days) for your review and information.

The approximate breakdown (after street deletions) on the type of "fixes" for this year's program are Reconstruction – \$0, Rehabilitation - \$3,382,800, Maintenance - \$617,200, (values do not include Inspector Days).

Based on the current bidding environment and OHM staff checking the submitted prices by Nagle, we believe Nagle's bid price is fair. Our past experience working with Nagle Paving Company has proven they are very qualified to perform the work in this year's program. Nagle has worked on the City's 2012, 2014-2021 Asphalt Paving Programs. Their history of being involved in numerous City Paving Programs, providing a quality product, and their good working relationship with both the City and OHM make them a good candidate for this year's Program.

If you wish to discuss this recommendation, please call me at 734-466-4441.

Sincerely,
OHM ADVISORS

A handwritten signature in black ink, appearing to read "Mark Loch".

Mark Loch, P.E.
Senior Project Manager

Enclosure: Bid Tabulation

cc. Don Rohraff, DPW Director, City of Livonia

2022 Asphalt Paving Program
City of Livonia, Wayne County, State of Michigan
OHM Job No.: 0090-21-0150

Nagle Paving Company
36780 Amrhein Rd.
Livonia, MI 48150

Phone: 248-553-0669

Item No.	Description	Estimated Quantity	Unit	Price	Amount
PART 1A - ROAD ITEMS					
1)	Mobilization, Max	1	LSUM	\$ 180,000.00	\$180,000.00
2)	Tree Root Grind	14	Ea	\$ 50.00	\$700.00
3)	Culv, Rem, Less than 24 inch	21	Ea	\$ 300.00	\$6,300.00
4)	Curb and Gutter, Rem	4,171	Ft	\$ 13.00	\$54,223.00
5)	Sidewalk, Rem	859	Syd	\$ 14.50	\$12,455.50
6)	Pavt, Rem, Modified	7,330	Syd	\$ 10.50	\$76,965.00
7)	Ditch Cleanout	5	Sta	\$ 600.00	\$3,000.00
8)	Station Grading 2	124	Sta	\$ 1,285.00	\$159,340.00
9)	Subgrade Undercutting, Type II, Modified	500	Cyd	\$ 25.00	\$12,500.00
10)	Subgrade Undercutting, Type II, Special	500	Cyd	\$ 30.00	\$15,000.00
11)	Driveway Swale Excavation	10	Ea	\$ 250.00	\$2,500.00
12)	Erosion Control, Inlet Protection, Fabric Drop	129	Ea	\$ 90.00	\$11,610.00
13)	Erosion Control, Silt Fence	506	Ft	\$ 1.25	\$632.50
14)	Aggregate Base, 6 inch Modified	6,222	Syd	\$ 12.85	\$79,952.70
15)	Aggregate Base, Modified	1,452	Ton	\$ 34.50	\$50,094.00
16)	HMA Base Crushing and Shaping, Modified	26,860	Syd	\$ 2.90	\$77,894.00
17)	Culv End Sect, Metal, 12 inch	20	Ea	\$ 565.00	\$11,300.00
18)	Culv, CI A, CSP, 12 inch	345	Ft	\$ 63.25	\$21,821.25
19)	Dr Structure Cover, Adj, Case 1	112	Ea	\$ 300.00	\$33,600.00
20)	Underdrain, Subgrade, 6 Inch, Modified	1,000	Ft	\$ 24.00	\$24,000.00
21)	Sanitary Structure Cover, Adj, Case 1	58	Ea	\$ 275.00	\$15,950.00
22)	Cold Milling HMA Surface	42,429	Syd	\$ 3.30	\$140,015.70
23)	HMA Surface, Rem	34,216	Syd	\$ 5.90	\$201,874.40
24)	HMA, 36A	873	Ton	\$ 187.00	\$163,251.00
25)	HMA, 4E3	1,052	Ton	\$ 121.20	\$127,502.40
26)	HMA, 5E3	910	Ton	\$ 131.50	\$119,665.00
27)	Hand Patching, Modified	1,528	Ton	\$ 117.50	\$179,540.00
28)	HMA, 13A (Leveling)	8,511	Ton	\$ 101.25	\$861,738.75
29)	HMA, 13A (Top)	10,448	Ton	\$ 111.00	\$1,159,728.00
30)	Hand Patching, Special	50	Ton	\$ 200.00	\$10,000.00
31)	Driveway, Nonreinf Conc, 6 inch	2,305	Syd	\$ 60.00	\$138,300.00
32)	Curb and Gutter, 24 inch	2,585	Ft	\$ 33.50	\$86,597.50
33)	Curb and Gutter, 30 inch	1,521	Ft	\$ 36.25	\$55,136.25
34)	Curb and Gutter, 18 inch	380	Ft	\$ 31.25	\$11,875.00
35)	Detectable Warning Surface	400	Ft	\$ 48.00	\$19,200.00
36)	Sidewalk Ramp, Conc, 6 inch	3,294	Sft	\$ 8.75	\$28,822.50
37)	Sidewalk, Conc, 4 inch	3,362	Sft	\$ 8.25	\$27,736.50
38)	Post, Mailbox	27	Ea	\$ 100.00	\$2,700.00
39)	Relocate Mailbox	195	Ea	\$ 50.00	\$9,750.00
40)	Brick Mailbox, Remove	2	Ea	\$ 1,500.00	\$3,000.00
41)	Pavt Mrkg, Ovly Cold Plastic, 6 inch, Crosswalk	100	Ft	\$ 13.00	\$1,300.00
42)	Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	45	Ft	\$ 26.00	\$1,170.00
43)	Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym	1	Ea	\$ 390.00	\$390.00
44)	Pavt Mrkg, Sprayable Thermopl, 4 inch, White	180	Ft	\$ 1.25	\$225.00
45)	Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	1,744	Ft	\$ 1.25	\$2,180.00
46)	Sign, Type B, Temp, Prismatic, Furn	100	Sft	\$ 4.30	\$430.00
47)	Sign, Type B, Temp, Prismatic, Oper	100	Sft	\$ 0.50	\$50.00
48)	Traffic Control, Residential Street	15	Ea	\$ 1,425.00	\$21,375.00
49)	Surface Restoration, Seeding	22,339	Syd	\$ 6.65	\$148,554.35
50)	Monument Box Adjust	1	Ea	\$ 825.00	\$825.00
51)	Monument Preservation	4	Ea	\$ 500.00	\$2,000.00
52)	Protect Corners	20	Ea	\$ 150.00	\$3,000.00
53)	Reimbursed Permit Fees	5,000	Dlr	\$ 1.00	\$5,000.00
54)	Gate Well Cover, Adj, Case 1	4	Ea	\$ 275.00	\$1,100.00
55)	Sprinkler Head	200	Ea	\$ 75.00	\$15,000.00
56)	Adjust Sprinkler Head	200	Ea	\$ 75.00	\$15,000.00
57)	Relocate Landscaping	5,000	Dlr	\$ 1.00	\$5,000.00
58)	Irrigation Piping	400	Ft	\$ 4.00	\$1,600.00
59)	Misc Preparing Pavement	138	Sta	\$ 950.00	\$131,100.00

SUBTOTAL \$4,551,570.30

PART 1B - INSPECTOR DAYS
60) Inspector Days (180 Days Min.) 680 \$/day 180 \$122,400.00

TOTAL BID AMOUNT \$4,673,970.30

ATTACHMENTS: The following documents are attached to and made a condition of this bid:

- a. Bid Security in the form of Certified Check, or Bid Bond (cross out one) in the sum of five (5%) percent of amount bid.
- b. A listing of Subcontractors and other persons and organizations required to be identified in the Bid.
- c. Statement of Qualifications.

BULLETINS: Bidder acknowledges receipt of the following bulletins:

No. _____	Date: _____
No. _____	Date: _____
No. _____	Date: _____

The Bidder hereby declares that he has inspected the site of the work and further declares that no charges in addition to the unit prices shall be made on account of it.

The undersigned agrees, if awarded the contract, to deliver the executed contract and bonds and furnish evidence of insurance within ten (10) days after date of award. In addition, the undersigned shall begin work within ten (10) days after receipt of written notice to proceed, unless otherwise directed by the Engineer, and complete the proposed work as outlined in the Special Conditions.

If this Proposal is accepted by the City of Livonia, and the undersigned shall fail to contract as aforesaid and to furnish the required surety bonds within fifteen (15) days of being notified of the acceptance of his/her bid, then the undersigned shall be considered due and payable to the Owner.

If the undersigned enters into the contract in accordance with the Proposal or if his/her Proposal is rejected, then the accompanying bid guarantee shall be voided.

In submitting this bid, it is understood that the right is reserved by the Owner to reject any or all bids, reject any bids that may include unbalanced items, to waive irregularities and/or formalities and, in general, to make award in any manner deemed by it, in its sole discretion, to be in the best interest of the Owner.

SIGNED AND SEALED THIS 7th DAY OF April, 2022.

MAILING ADDRESS:

39525 W. 13 Mile Rd, Suite 300

Noi., MI, 48317



Authorized Signature

JP

Title

Nagle Paving Co.

Firm Name

Rob Nagle

Representative

248-553-0600

Phone Number

248-553-0669

Fax Number

2022 ASPHALT PAVING PROGRAM, Contract 22-A
March, 2022

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
PART 1A - ROAD ITEMS					
1	Railroad Protection	0	Dir	\$ 0.00	\$ 0.00
2	Mobilization, Max (\$180,000)	1	LSUM	\$ 180,000.00	\$ 180,000.00
2a	Tree, Rem, 6 inch to 18 inch	0	Ea	\$ 0.00	\$ 0.00
2b	Tree, Rem, 19 inch to 36 inch	0	Ea	\$ 0.00	\$ 0.00
3	Tree Root Grind	14	Ea	\$ 50.00	\$ 700.00
4	Culv, Rem, Less than 24 inch	21	Ea	\$ 300.00	\$ 6,300.00
5	Curb and Gutter, Rem	4,171	Ft	\$ 13.00	\$ 54,223.00
5a	Masonry and Conc Structure, Rem	0	Ft	\$ 0.00	\$ 0.00
6	Sidewalk, Rem	859	Syd	\$ 14.50	\$ 12,455.50
7	Pavt, Rem, Modified	7,330	Syd	\$ 10.50	\$ 76,965.00
8	Ditch Cleanout	5	Sta	\$ 600.00	\$ 3,000.00
9	Station_Grading_1	0	Sta	\$ 0.00	\$ 0.00
9a	Station_Grading_HUBBARD	0	Sta	\$ 0.00	\$ 0.00
10	Station_Grading_2	124	Sta	\$ 1,285.00	\$ 159,340.00
11	Subgrade Undercutting, Type II, Modified	500	Cyd	\$ 25.00	\$ 12,500.00
12	Subgrade Undercutting, Type II, Special	500	Cyd	\$ 30.00	\$ 15,000.00
13	Driveway Swale Excavation	10	Ea	\$ 250.00	\$ 2,500.00
14	Erosion Control, Inlet Protection, Fabric Drop	129	Ea	\$ 90.00	\$ 11,610.00
15	Erosion Control, Silt Fence	506	Ft	\$ 1.25	\$ 632.50
16	Aggregate Base, 6 inch Modified	6,222	Syd	\$ 12.85	\$ 79,952.70
17	Aggregate Base, 8 inch Modified	0	Syd	\$ 0.00	\$ 0.00
18	Aggregate Base, Modified	1,452	Ton	\$ 34.50	\$ 50,094.00
19	HMA Base Crushing and Shaping, Modified	26,860	Syd	\$ 2.90	\$ 77,894.00
20	Maintenance Gravel	0	Ton	\$ 0.00	\$ 0.00
20a	Culv End Sect, Conc, 12 inch	0	Ea	\$ 0.00	\$ 0.00
20b	Culv End Sect, Conc, 18 inch	0	Ea	\$ 0.00	\$ 0.00
21	Culv End Sect, Metal, 12 inch	20	Ea	\$ 565.00	\$ 11,300.00
22	Culv, CI A, CSP, 12 inch	345	Ft	\$ 63.25	\$ 21,821.25
23	Sewer, CI II, 12 inch, Tr Det A	0	Ft	\$ 0.00	\$ 0.00
24	Sewer, CI II, 12 inch, Tr Det B	0	Ft	\$ 0.00	\$ 0.00
24a	Sewer, CI IV, 12 inch, Tr Det A	0	Ft	\$ 0.00	\$ 0.00
24b	Sewer, CI IV, 18 inch, Tr Det B	0	Ft	\$ 0.00	\$ 0.00
24c	Sewer, CI IV, 12 inch, Tr Det B	0	Ft	\$ 0.00	\$ 0.00
25	Dr Structure Cover, Adj, Case 1	112	Ea	\$ 300.00	\$ 33,600.00
25a	Dr Structure Cover, Adj, Case 2	0	Ea	\$ 0.00	\$ 0.00
26	Dr Structure Cover, Type G	0	Ea	\$ 0.00	\$ 0.00
27	Dr Structure, 24 inch	0	Ea	\$ 0.00	\$ 0.00
28	Dr Structure, 48 inch	0	Ea	\$ 0.00	\$ 0.00
29	Dr Structure, Adj Add Depth	20	Ft	\$ 0.00	\$ 0.00

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
30	Dr Structure, Tap, 12 inch	0	Ea	\$ 0.00	\$ 0.00
31	Underdrain, Subgrade, 6 Inch, Modified	1,000	Ft	\$ 24.00	\$ 24,000.00
32	Sanitary Structure Cover, Adj, Case 1	58	Ea	\$ 275.00	\$ 15,950.00
33	Cold Milling HMA Surface	42,429	Syd	\$ 3.30	\$ 140,015.70
33a	Pavt for Butt Joints, Rem	0	Syd	\$ 0.00	\$ 0.00
33b	HMA Surface, Rem	34,216	Syd	\$ 5.90	\$ 201,874.40
34	HMA, 36A	873	Ton	\$ 187.00	\$ 163,251.00
35	HMA, 4E3	1,052	Ton	\$ 121.20	\$ 127,502.40
36	HMA, 5E3	910	Ton	\$ 131.50	\$ 119,665.00
36a	Pavt Joint and Crack Repr, Det 7, Modified	0	Ft	\$ 0.00	\$ 0.00
37	Hand Patching, Modified	1,528	Ton	\$ 117.50	\$ 179,540.00
38	Hand Patching, Special	50	Ton	\$ 200.00	\$ 10,000.00
39	HMA, 13A (Leveling)	8,511	Ton	\$ 101.25	\$ 861,738.75
40	HMA, 13A (Top)	10,448	Ton	\$ 111.00	\$ 1,159,728.00
41	Driveway, Nonreinf Conc, 6 inch	2,305	Syd	\$ 60.00	\$ 138,300.00
42	Curb and Gutter, 24 inch	2,585	Ft	\$ 33.50	\$ 86,597.50
42a	Curb and Gutter, 30 inch	1,521	Ft	\$ 36.25	\$ 55,136.25
42b	Curb and Gutter, 18 inch	380	Ft	\$ 31.25	\$ 11,875.00
43	Detectable Warning Surface	400	Ft	\$ 48.00	\$ 19,200.00
44	Sidewalk Ramp, Conc, 6 inch	3,294	Sft	\$ 8.75	\$ 28,822.50
45	Sidewalk, Conc, 4 inch	3,362	Sft	\$ 8.25	\$ 27,736.50
46	Post, Mailbox	27	Ea	\$ 100.00	\$ 2,700.00
46a	Guardrail Post, Fun and Install, 72 inch	0	Ea	\$ 0.00	\$ 0.00
46b	Guardrail, Reconst, Type B	0	Ft	\$ 0.00	\$ 0.00
47	Relocate Mailbox	195	Ea	\$ 50.00	\$ 9,750.00
48	Post, Steel, 3 lb	0	Ft	\$ 0.00	\$ 0.00
49	Sign, Type III, Erect, Salv	0	Ea	\$ 0.00	\$ 0.00
50	Sign, Type III, Rem	0	Ea	\$ 0.00	\$ 0.00
50a	Brick Mailbox, Remove	2	Ea	\$ 1,500.00	\$ 3,000.00
51	Pavt Mrkg, Sprayable Thermopl, 4 inch, White	180	Ft	\$ 1.25	\$ 225.00
51a	Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	1,744	Ft	\$ 1.25	\$ 2,180.00
52	Pavt Mrkg, Sprayable Thermopl, 6 inch, Yellow	0	Ft	\$ 0.00	\$ 0.00
53	Pavt Mrkg, Ovly Cold Plastic, 6 inch, Crosswalk	100	Ft	\$ 13.00	\$ 1,300.00
53a	Pavt Mrkg, Ovly Cold Plastic, 12 inch, Crosswalk	0	Ft	\$ 0.00	\$ 0.00
54	Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	45	Ft	\$ 26.00	\$ 1,170.00
54a	Pavt Mrkg, Ovly Cold Plastic, Direction Arrow Sym, Bike	0	Ea	\$ 0.00	\$ 0.00
54b	Pavt Mrkg, Ovly Cold Plastic, Bike, Small Sym	0	Ea	\$ 0.00	\$ 0.00

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
54c	Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym	1	Ea	\$ 390.00	\$ 390.00
54d	Pavt Mrkg, Ovly Cold Plastic, Rt Turn Arrow Sym	0	Ea	\$ 0.00	\$ 0.00
54e	Pavt Mrkg, Ovly Cold Plastic, Sharrow Sym	0	Ea	\$ 0.00	\$ 0.00
54f	Pavt Mrkg, Polyurea, 12 Inch Cross Hatching, White	0	Ea	\$ 0.00	\$ 0.00
54g	Pavt Mrkg, Ovly Cold Plastic, Only	0	Ea	\$	\$
57	Sign, Type B, Temp, Prismatic, Furn	100	Sft	\$ 4.30	\$ 430.00
58	Sign, Type B, Temp, Prismatic, Oper	100	Sft	\$ 0.50	\$ 50.00
58a	Sign, Type B, Prismatic, Spec, Furn	0	Sft	\$ 0.00	\$ 0.00
58b	Sign, Type B, Prismatic, Spec, Oper	0	Sft	\$ 0.00	\$ 0.00
59	Traffic Control, Residential Street	15	Ea	\$ 1,425.00	\$ 21,375.00
60	Surface Restoration, Seeding	22,339	Syd	\$ 6.65	\$ 148,554.35
60a	TS Face, Bag	0	Ea	\$ 0.00	\$ 0.00
60b	TS Face Bag, Rem	0	Ea	\$ 0.00	\$ 0.00
60c	Monument Box Adjust	1	Ea	\$ 825.00	\$ 825.00
61	Monument Preservation	4	Ea	\$ 500.00	\$ 2,000.00
62	Protect Corners	20	Ea	\$ 150.00	\$ 3,000.00
62a	Reimbursed Permit Fees	5,000	Dlr	\$ 1.00	\$ 5,000.00
63	Adjust Sprinkler Head	200	Ea	\$ 75.00	\$ 15,000.00
64	Gate Well Cover	0	Ea	\$ 0.00	\$ 0.00
65	Gate Well Cover, Adj, Case 1	4	Ea	\$ 275.00	\$ 1,100.00
66	Sprinkler Head	200	Ea	\$ 75.00	\$ 15,000.00
66a	Relocate Landscaping	0	LSUM	\$ 0.00	\$ 0.00
66b	Relocate Landscaping	5,000	Dlr	\$ 1.00	\$ 5,000.00
67	Irrigation Piping	400	Ft	\$ 4.00	\$ 1,600.00
68	Misc Preparing Pavement	138	Sta	\$ 950.00	\$ 131,100.00

Total Bid Amount
(Items 1-68)

\$ ~~4,551,570.30~~*

* Note: Contract Amount Not-to-Exceed
\$4,000,000.00

PART 1B - INSPECTOR DAYS

69	Inspector Days (180 Days)	180	Days	\$680/ Day	\$ 122,400.00
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Acknowledged:

Rob Nagle
Vice President

Date:

4-7-20

Total Bid Amount
(Items 1-69)

\$ _____

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

24

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

27. REQUEST TO AMEND THE CONTRACT WITH OHM ADVISORS FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM (CONTRACT 22-A): Engineering Division, re: for same. (CR 336-21)

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Rob Donovic offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

27.

Engineering
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO AMEND THE CONTRACT WITH OHM ADVISORS FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2022 ASPHALT ROAD PROGRAM (CONTRACT 22-A); Engineering Division, re: for same. (CR 336-21)

BACKGROUND

The City Council approved Qualification Based Selection (QBS) firms pursuant to Council Resolution No. 336-21, adopted November 22, 2021 to perform all professional engineering services on various federal, state and locally funded projects through fiscal year 2026. Under this procedure, we are recommending that OHM Advisors (OHM) continue as our consultant for the 2022 Asphalt Road Program. See the attached letter dated April 7, 2022 from OHM Advisors for the construction engineering services.

The estimated construction costs for the asphalt program, which forms the basis for the Engineering contract, is shown on the attached sheet.

RECOMMENDATION

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

FISCAL CONSIDERATION

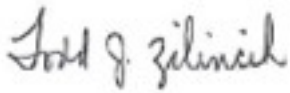
In order to proceed with these projects, it is respectfully recommended that the Council take the following actions:

- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 in the amount of \$480,000 for Construction Engineering for the 2022 Asphalt Road Program. These amounts are based on the actual bid.
- Authorize an expenditure in the amount of \$480,000 from budgeted funds in the Road, Sidewalk and Tree Fund, Account Number 204-441-818-102
- Authorize the City Engineer to approve minor adjustments in the work, as required

ATTACHMENTS

1. OHM CE Proposal 4-07-22
2. CR 336-21

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: April 07, 2022



Don Rohraff, Director of Public Works

Date: April 07, 2022



Michael Slater, Finance Director

Date: April 07, 2022



Paul Bernier, City Attorney

Date: April 07, 2022



Maureen Miller Brosnan, Mayor

Date: April 07, 2022



April 7, 2022

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

RE: Construction Engineering Services - 2022 Comprehensive Road Reconstruction and Rehabilitation Program (Asphalt)

Dear Mr. Zilincik,

Thank you again for your continued confidence in OHM Advisors supporting the 2022 Comprehensive Road Reconstruction and Rehabilitation Program (Asphalt) to provide construction engineering services. We have been a proud partner with the City in this work, for the past 20 years of the Road Program. Attached is the proposed Exhibit A with associated Project Supplements.

OHM Advisors will again team with Soil and Materials Engineers, Inc. (SME) with added support from G2 Consultants, to provide the material testing during this project.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mark R. Loch".

Mark R. Loch, PE
Project Manager

Cc: Rhett Gronevelt, OHM

Attachment: Exhibit A to Agreement

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

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

Project Title: **2022 Comprehensive Road Reconstruction and Rehabilitation Program (Asphalt)**

Dated: _____, 2022

This is an Exhibit to the Contract dated December 1, 2016, and extended on Nov. 22, 2021 between the City of Livonia (CITY), whose address is 33000 Civic Center Drive, Livonia, MI 48154 and OHM Advisors, whose address is 34000 Plymouth Road, Livonia, Michigan, 48150.

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

A. SCOPE OF SERVICES, INCLUDING MATERIAL QUALITY CONTROL PROGRAM

CONSULTANT is requested to provide Construction Engineering Services as stated in accordance with attached Supplement A, dated April 7, 2022.

B. PROJECT SCHEDULE

The Project Schedule is attached as Supplement B, dated April 7, 2022.

C. PAYMENTS TO CONSULTANTS

CONSULTANT shall be paid on an hourly basis up to the not-to-exceed amount of four hundred eighty thousand dollars and zero cents (\$480,000) for construction engineering services in accordance with the phasing and payment terms on Supplement C, dated April 7, 2022.

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

In the Presence of:

CITY OF LIVONIA, a Michigan
Municipal Corporation

By: _____
Maureen Miller Brosnan, Mayor

By: _____
Susan M. Nash, City Clerk

In the Presence of:



OHM Advisors

By: 
Rhett A. Gronevelt, PE

Its: _____
Principal

Approved:

Donald R. Rohraff
Director of Public Works

Approved:

Todd J. Zilincik, P.E.
City Engineer

Approved:

Michael Slater
Director of Finance

Approved as to form:

Paul A. Bernier
Department of Law

Pursuant to Council Resolution

No: _____

Adopted on: _____

SCOPE OF SERVICES

CITY OF LIVONIA

2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM (ASPHALT)

PROJECT UNDERSTANDING

The CONSULTANT will provide construction engineering services for the asphalt portion of the 2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM. The CITY'S intent is to replace the pavement in-kind and minimize construction work behind the curb or beyond the limited edge of pavement restoration.

The streets to be included are:

Rehabilitation Street Locations

Road Name	From	To
Hubbard Road	Norfolk Ave.	Eight Mile Road
Mayfield Road	Pembroke Ave.	Eight Mile Road
Shadyside Road	700' South of North of Ave.	Eight Mile Road
Wayne Road	Curtis Ave.	Seven Mile Road
Clarita Road	Stamford Ave.	Farmington Road
Curtis Ave.	Wayne Road	End
Filmore Ave.	Curtis Ave.	Seven Mile Road
Irving Boulevard	Filmore Ave.	Seven Mile Road
Myron Ave.	Curtis Ave.	Seven Mile Road
Bainbridge Ave.	150' South of Hillbrook Ave.	Seven Mile Road
Hillbrook Ave.	1000' West of Bainbridge Ave.	Bainbridge Ave.
Road Name	From	To
Hidden Lane	Five Mile Road	North End
Henry Ruff	Rayburn Ave.	Puritan Ave.
Bredin Court	Lyndon Ave.	North End
Grantland Ave.	West End	Newburgh Road

Maintenance Street Locations

Road Name	From	To
Norwich Road	Curtis Ave.	Whitby Road
Stamford Ave.	Curtis Ave.	Pickford Ave.
Stamford Ave.	Clarita Ave.	End
Whitby Road	Curtis Ave.	Norwich Road

A. Construction Phase Services

- **Contract Administration Services** shall consist of preparing monthly pay estimates based on quantities provided with field representative's daily reports to meet CITY deadlines for payment purposes. Work shall also include assisting CITY staff (i.e. Project Manager) in the resolution of claims, contract interpretations and review of project schedules and deadlines. CONSULTANT will provide project closeout documentation consisting of final pay estimate preparation, closeout documentation from the contractor and a balancing Change Order identifying adjustments to the construction contract. In addition, the CONSULTANT will make field visits to project sites to observe the work in progress and assist in the review of the contractor's work to be in general compliance with the contract.
- **Stakeout Services** during the construction phase shall consist of the required staking for line and elevation of specific contract items such as pavement replacement for long areas (over 200 feet) or total reconstruction, and curb and gutter replacement when over 200 feet in length or the entire pavement section on reconstruction projects. The existing pavement will be surveyed prior to removal to identify high points and low points in relationship to storm drainage. Staking will be provided at 50-foot intervals that will include top of curb or edge of pavement grades only. Offset stakes will be provided as coordinated with the contractor. Staking will also be provided for new structure(s), culverts and proposed utilities.
- **Construction Observation Services** shall consist of full time observation of the work progress by the contractor(s) on days when work is performed. Daily Field Reports (DFRs) will be prepared documenting pay item quantities and the general work progress for the day. Checking line and elevation for compliance with the survey stakes will also be provided as part of the CONSULTANT'S regular responsibilities. The CONSULTANT will answer residents' questions and attempt to promptly resolve complaints during the course of construction. The CONSULTANT will also interact with the contractor's supervisory staff to notify them when work is unacceptable and in need of correction, or removal and replacement of specific work elements when necessary.

OHM will assist the City with the implementation of their SESC policy as follows; OHM will notify the contractor to install the structure inlet protection prior to the beginning of construction within each work zone, and inform the contractor when the measures are no longer needed once acceptable vegetation has been established. Also, OHM will forward all concerns to the contractor that are made by the City, as well as make the contractor aware of observed inlet protection that is not effective and requires maintenance.

- **Construction Engineering Services** shall consist of a senior construction engineer/technician who will supervise the construction and direct the CONSULTANT'S field staff to provide:
 - a. appropriate project documentation
 - b. shop drawing review, resolution of construction issues/problems that may arise
 - c. provide recommendations to the CITY as it relates to claims from the contractor(s) including:
 - i. preparation of change orders, as required
 - ii. responsive complaint resolution
 - iii. reviewing of project progress for compliance with approved schedule
 - iv. providing recommendations to the CITY'S Project Manager for penalties and/or changes in the time of completion of projects.

CONSULTANT shall coordinate with SME and the CITY'S Project Manager. The CONSULTANT shall lead the preconstruction conference and bi-weekly progress meetings.

- **Materials Testing** by CONSULTANT'S sub-consultant, SME, shall provide the following:
 - a. Attend one (1) pre-construction meeting and perform review of mix designs
 - b. Attend three (3) construction progress meetings
 - c. Twelve (12) half-day site visits to perform field density testing on the pulverized base material
 - d. Thirty (30) full day site visits during HMA paving
 - e. Thirty (30) visits to the bituminous supplier's plant for sampling during paving
 - f. Twenty (20) half-day site visits for concrete testing during curb/gutter placements
 - g. Forty (40) bituminous one-point mix verifications
 - h. One hundred (100) concrete cylinders compressive strength tests

In addition to SME's Services, G2 Consultant has been added to the OHM Team to provide spot checking at the plant to provide a third party testing. It is anticipated the G2 will be involved in spot checking the 13A mixes and the E mixes.

- The CONSULTANT will coordinate with the CITY to develop draft letters to the residents at the start of construction and, when needed, send out letters to residents when there are changes in construction sequences or schedule. There are twenty (20) street segments in this year's program. All streets will receive hand delivered letters for information on construction activities. A second letter may be required for notification of paving dates. If requested, the CONSULTANT will participate in one additional CITY resident communication initiative per street.
- **Resolution Services** is included as a part of observation and construction engineering. This may include:
 - a. Notifying the CITY of contractor violations as it relates to the City of Livonia Ordinance for construction traffic on roads within the City (i.e., dust control and latent bituminous material).
 - b. Notifying the CITY of concerns raised by residents and businesses during the construction phase of the project.
- 8. Attend an informational meeting with residents to explain the proposed construction program and its impacts to the residents/businesses. Attendance shall be by the CONSULTANT project manager and construction engineer.

D. City's Responsibilities

1. Coordination with police and fire departments and Livonia Public Schools.
2. Pay any required permit review fees or reimburse CONSULTANT for permit fees paid to expedite review and approval.
3. Host a public information meeting with residents, businesses and institutions as needed.

Attend bi-weekly Progress Meetings.

PROJECT SCHEDULE

CITY OF LIVONIA

**2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION
PROGRAM (ASPHALT)**

PROJECT SCHEDULE

The CONSULTANT will provide construction engineering services for duration of the construction project as outlined under Progress Clause in the project Proposal, which states the project shall start approximately on May 2, 2022 and is to be completed by October 28, 2022. Should the project extend beyond the completion date, a contract Amendment may be required to complete the work.



Supplement C – Payments to the Consultant

PAYMENTS TO CONSULTANT

CITY OF LIVONIA

2022 COMPREHENSIVE ROAD RECONSTRUCTION AND REHABILITATION PROGRAM

The following fees are based on the as bid construction cost of \$4,000,000.00 utilizing the CITY's fee matrix.

Construction Phase

The CITY agrees to pay the CONSULTANT for construction services on an hourly basis, billed monthly, per the 2022 Rate Schedule (attached Supplement C-1) at the not-to-exceed amount of four hundred eighty thousand dollars and zero cents (\$480,000.00).

Additional Services

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

OHM ADVISORS 2022 HOURLY RATE SCHEDULE

Professional Engineer IV / Architect IV / Senior Interior Designer IV	\$188.00
Professional Engineer III / Architect III / Senior Interior Designer III	\$170.00
Professional Engineer II / Architect II / Senior Interior Designer II	\$155.00
Professional Engineer I / Architect I / Senior Interior Designer I	\$145.00
Project Specialist II	\$160.00
Project Specialist I	\$130.00
Graduate Engineer IV	\$145.00
Graduate Engineer III	\$140.00
Graduate Engineer II	\$135.00
Graduate Engineer I	\$125.00
Graduate Architect III / Landscape Architect III / Interior Designer III	\$138.00
Graduate Architect II / Landscape Architect II / Interior Designer II	\$115.00
Graduate Architect I / Landscape Architect I / Interior Designer I	\$105.00
Technician IV	\$143.00
Technician III	\$125.00
Technician II	\$108.00
Technician I	\$87.00
Engineering / Architectural / Interior Design Aide	\$70.00
Professional Surveyor III	\$162.00
Professional Surveyor II	\$150.00
Professional Surveyor I	\$135.00
Graduate Surveyor	\$120.00
Surveyor III	\$120.00
Surveyor II	\$110.00
Surveyor I	\$90.00
Surveyor Aide	\$70.00
Planner IV	\$160.00
Planner III	\$144.00
Planner II	\$120.00
Planner I	\$105.00
Planner Aide	\$70.00
Graphic Designer	\$110.00
Administrative Support	\$80.00
Clerical Aide	\$68.00
Principal	\$215.00
Sr. Associate	\$198.00
Associate	\$187.00

Regular Minutes of November 22, 2021

AND BE IT FURTHER RESOLVED THAT the street is an approved public street and is open for public purposes; and FURTHER, that said street is accepted into the City's local street system and is located within a right-of-way under the control of the City of Livonia and that said street was open to the public as of December 31, 2021.

#336-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 26, 2021, submitted pursuant to Council Resolution No. 365-16, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, requesting to extend the Qualification-Based Selection (QBS) contracts with OHM Advisors, Hubbell, Roth and Clark, Inc., Spalding Dedecker Associates, Inc. and Anderson, Eckstein and Westrick, Inc., for a period of five (5) years, for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the qualification based-selection (qbs) contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315, for a five (5) year period ending November 30, 2026, to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution; and all QBS contracts based on scope and contract amount for each future individual project will be brought before the City Council for funding approval.

#337-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 29, 2021, 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 approve the proposed 2022 Road Repair Program as proposed by the Department of Public Works and as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year road paving millage approved by Livonia residents, as shown in the attachment to that report.

#338-21 WHEREAS, the Mayor and City Council of the City of Livonia believe quality roads are a vital part of any community; and

WHEREAS, the City of Livonia has a Citizens Advisory Committee on Roads which identifies City streets most in need of repair in order to

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

25

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough. Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier, City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

28. REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH QUALIFICATION BASED SELECTION (QBS) PROCESS WITH HUBBELL, ROTH & CLARK, INC. (HRC) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - GREENMEAD REGIONAL DETENTION POND: Engineering Division, re: same. (CR 95-22)

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Brandon McCullough offered an approving resolution for the Consent agenda and asked about the previous two project and if they will be starting this year. Todd Zilincik replied that are trying to get a proposal for the Bell Creek Court issue and Doug Moore, Assistant Director of Public Works is working the ARC for the Denmore drain.

Councilmember Scott Bahr noted that the packet noted a 2015 study revealed the need for this. There was a detention pond to be put in West of the post office and asked if it was still a potential location. Todd Zilincik noted they added a brief summary of what was proposed in 2015 and they were trying to get funding for the issue and explained that location was still a possibility.

Councilmember Scott Bahr asked if the woods next to the post office was city property. Todd Zilincik noted that it is city property, but the goal is to leave the trees intact.

Council President Jim Jolly noted that initially they didn't know where the funding would be for this, but now there is funding. He is part of the Greenmead Master Plan and it would be great if this can be an added feature for the park as well.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

28.

Engineering
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO AMEND THE ENGINEERING CONTRACT THROUGH QUALIFICATION BASED SELECTION (QBS) PROCESS WITH HUBBELL, ROTH & CLARK, INC. (HRC) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - GREENMEAD REGIONAL DETENTION POND: Engineering Division, re: same. (CR 95-22)

BACKGROUND

Pursuant to Council Resolution No. 95-22, adopted March 14, 2022, the Council approved the acceptance of a grant from the Michigan Economic Development Corporation (MEDC) in the amount of \$1,000,000 for the Bell Creek streambank stabilization, a Greenmead regional detention pond, and Denmar Drain channel improvements. In order to proceed with the Greenmead regional detention portion of the grant, we are recommending that Hubbell, Roth & Clark, Inc. (HRC) as our consultant under the Qualification Based Selection (QBS) process approved by the City Council with Council Resolution No. 336-21, adopted November 22, 2021.

Please refer to the proposal letter from HRC dated April 8, 2022 for a description of the project, the scope of services and the proposed fees.

RECOMMENDATION

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

FISCAL CONSIDERATION

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

- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with Hubbell, Roth & Clark, Inc., P.O. Box 824, Bloomfield Hills, MI 48303-0824 in the amount of \$42,000 for the professional engineering services for the Michigan Economic Development Corporation (MEDC), Greenmead Regional Detention Pond Project.
- Authorize a budget adjustment to recognize the MEDC grant by increasing the budget in account no. 401-000-569-010, State Grant Revenue and account no. 401-000-974-000,

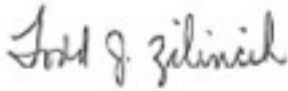
Capital Projects Fund - Land Improvements, each by \$1,000,000.

- Authorize an expenditure in the amount of \$42,000 from budgeted funds in the Capital Projects Fund – Land Improvements 401-000-974-000.
- Authorize the City Engineer to approve minor adjustments in the work, as required.

ATTACHMENTS

1. HRC Proposal - Greenmead Regional Detention Pond
2. CR 95-22

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: April 08, 2022



Don Rohraff, Director of Public Works

Date: April 08, 2022



Michael Slater, Finance Director

Date: April 08, 2022



Paul Bernier, City Attorney

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 12, 2022

April 8, 2022

City of Livonia
Engineering Department
12973 Farmington Rd.
Livonia, Michigan 48154

Attn: Mr. Todd Zilincik, P.E., City Engineer

Re: Section 5 Stormwater Management Project
Proposal for Preliminary Engineering Services

HRC Job No. 20210904

As requested, Hubbell, Roth & Clark, Inc. is pleased to offer our engineering services for the subject project in accordance with the Quality Based Selection (QBS) Professional Services Contract. Our scope of work is based on information provided by the City and our previous work that was conducted as part of the 2002 City of Livonia Stormwater Management Plan, a study conducted in 2015 and a meeting held with the City on March 14, 2022. In summary, our services would include all necessary activities to develop a proposed plan to install stormwater detention ponds strategically in the tributary to reduce flooding near the outlet on the Whispering Willows Golf Course.

BACKGROUND

During the 2002 City of Livonia Stormwater Management Plan Study, it was determined that an unnamed tributary contributes the rainfall that discharges to Denmark Drain through a 36-inch culvert under Newburgh and open channel located on the Whispering Willows Golf Course. This unnamed tributary is approximately 130 acres and includes the following areas:

- Portions of the Greenmeade property south of Joshua Simmons Dr,
- Newburgh Rd storm sewer system from Joshua Simmons Dr to Pembroke Ave,
- Areas west of Victor Parkway, north of Pembroke Ave,
- A large undeveloped tract of land west of the Greenmeade and U.S. Postal office properties,
- The U.S. Post Service property on the northwest corner of Newburgh Rd and Pembroke Ave,
- Pembroke Ave storm sewer system east of Victor Parkway, and
- A portion of the Whispering Willows Golf Course.

At times the existing 30-inch storm drain inlet to the Denmark Drain gets clogged with debris and during large rain events, the area around the inlet floods the surrounding area, including rear yards of residents on Bretton Drive. In 2015, a study was conducted to develop alternates for storm water improvements to help alleviate drainage concerns that were included in the 2002 study. The stormwater improvements included:

1. A new enclosed drainage system with a two-stage overflow structure which would replace the existing 30-inch inlet.
2. Enlarge the volume of storage directly upstream of the existing 30-inch inlet of the Denmark Drain on the Whispering Willows Golf Course.

Delhi Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
1925 Breton Road SE
Suite 100
Grand Rapids, MI 49506
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
401 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-665-2005

Lansing
215 S. Washington SQ
Suite D
Lansing, MI 48933
517-292-1488

3. Ditch Improvements along Newburgh Road from Joshua Simmons Drive and Pembroke Rd.
4. Regional Detention Pond to be installed directly west of the USPS office.

SCOPE OF SERVICES

HRC will provide the following services prior to reporting back to the City with a conceptual design of a detention basin from the area tributary to the 30 inch storm drain that inlets Willow Woods Subdivision between the Whispering Willows Golf Course and Bretton Drive east of Newburgh Road. The following items are a part of the scope of work:

- Task 1 Conduct strategic topographic survey and incorporate LIDAR information to ensure accuracy.
- Task 2 Perform on site visits to locate potential locations.
- Task 3 Calculate required volume for detention pond utilizing the new updated storm water standards of Wayne County.
- Task 3 Meet with the City to discuss locations of the detention pond.
- Task 4 Provide cost estimate for the detention pond.
- Task 5 Present to the City our findings and location of the proposed detention pond

FEE OF SERVICES

A breakdown of the items of work within each task along with our estimated hours and associated fees are provided on the attached Table 1. As shown, our proposed total not-to-exceed cost is \$32,000 for this phase of the project. We also request an allowance of \$10,000 to collect boring borings in the project area. We are proposing four (4) 20 foot soil borings with two (2) infiltration test. Infiltration tests would help determine the size of the detention pond (possible reduction of size).

Daniel Mitchell, P.E., President will be the Principal In-Charge. We are proposing to utilize Bradley Shepler, P.E., as the Project Manager. Other key team members include Jack Nagle, PE, Project Engineer and Adam Mansfield, Student. All four members are familiar with this project and have extensive experience with the municipal water systems in the area. We believe you are familiar with all of these individuals but can provide detailed resumes upon request.

If you have any questions or require any additional information, please contact the undersigned. Thank you again for the opportunity to submit this proposal.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



John Nagle, P.E.
Project Engineer



Daniel W. Mitchell, P.E.
President

Attachment

pc: HRC; B. Shepler, A. Mansfield, File

**CITY OF LIVONIA
SECTION 5 STORMWATER MANAGEMENT PROJECT**

**TABLE 1
ESTIMATED HOURS AND FEES**

April 8, 2022

HRC Job No. 20210904.00

Task Description	Rate Classification & Estimated Hours								Total Hours	Estimated Fees
	Principal	Senior Associate	Associate	Project Engineer	Staff Engineer	Student	1 Man Survey Crew	Survey Office		
	\$ 180	\$ 170	\$ 152	\$ 135	\$ 116	\$ 90	\$ 90	\$ 140		
1 Strategic Topographic survey and LIDAR Intergration			-			-	10	24	34	\$ 4,260
2 Perform site visits	-			5		16	-	-	21	\$ 2,115
3 Calculate storage volume and review potential locations		2		8		60	-	-	70	\$ 6,820
4 Meeting with City to discussion locations	2	2		4		16	-	-	24	\$ 2,680
5 Provide cost estimate		2		8		36	-	-	46	\$ 4,660
6 Prepare Report and present to City	3	6		40		50	-	-	99	\$ 11,460
PROJECT TOTALS	5	12	-	65	-	178	10	24	294	\$ 32,000

ESTIMATED FEE SUMMARY

PERSONNEL	HOURS	RATE	TOTAL
Principal	5	\$ 180.00	\$ 900.00
Senior Associate	12	\$ 170.00	\$ 2,040.00
Associate	-	\$ 152.00	\$ -
Project Engineer	65	\$ 135.00	\$ 8,780.00
Staff Engineer	-	\$ 116.00	\$ -
Student	178	\$ 90.00	\$ 16,020.00
1 Man Survey Crew	10	\$ 90.00	\$ 900.00
Survey Office	24	\$ 140.00	\$ 3,360.00
TOTAL ESTIMATED HRC LABOR COST			\$ 32,000.00
TOTAL SUBCONSULTANT FEES			\$ 10,000.00
TOTAL LUMP SUM NOT-TO-EXCEED			\$ 42,000.00

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

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

Project Title: **Proposal for Preliminary Engineering for the Section 5 Stormwater Management Plan, Design Services**

This is an exhibit to the contract dated November 22, 2021 and extended for 5 years per Council Resolution No. 336-21, between the City of Livonia, and Hubbell, Roth & Clark, Inc. (HRC), whose address is 555 Hulet Drive, Bloomfield Hills, Michigan, 48303-0360.

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

A. SCOPE OF SERVICES, INCLUDING MATERIAL QUALITY CONTROL PROGRAM

CONSULTANT is requested to provide Design Services (Preliminary Engineering) in accordance with attached Supplement A, dated April 8, 2022.

B. PROJECT SCHEDULE:

Construction is anticipated to begin in Late September and completed by the end of November 2022. Supplemental restoration to be completed in Spring 2022.

C. PAYMENTS TO CONSULTANTS

CONSULTANT shall be paid on an hourly basis with the not-to-exceed amount of forty-two thousand dollars (\$42,000.00) in accordance with the tasks and payment terms. No additional work outside the proposal scope will be paid without prior authorization from the City of Livonia as stated in the proposal dated April 8, 2022.

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

In the Presence of:

CITY OF LIVONIA, a Michigan
Municipal Corporation

By: _____
Maureen Miller Brosnan, Mayor

By: _____
Susan M. Nash, City Clerk

In the Presence of:

John Nagle
John Nagle, P.E.

Project Engineer

Hubbell, Roth & Clark, Inc.

By: Daniel W Mitchell
Daniel W. Mitchell, P.E.

Its: President

Approved:

Donald R. Rohraff
Director of Public Works

Approved:

Todd J. Zilincik, P.E.
City Engineer

Approved:

Michael Slater
Director of Finance

Approved as to form:

Paul A. Bernier
Department of Law

Pursuant to Council Resolution:

No.: _____

Adopted on: _____

taken care of. She thanked Sarah Henning and Jeremy Glick for working tirelessly over the last three years to secure the grant from the State.

Karen Kanty, 37586 Kingsbury came to the podium to state that although she is not on the creek side, it will affect the neighbors on the creek side, in turn, affect her property value. She saw the erosion and stated that it was terrible. Her neighbor has lost 15 feet of her property. She invited Council to take a look at it if they haven't already.

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

#95-22 RESOLVED, that having considered a communication from the Director of Government Affairs, dated February 24, 2022, which bears the signatures of the City Engineer, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a Grant Agreement between the Michigan Economic Development Corporation (MEDC) and the City of Livonia, for grant funding available for the period October 1, 2021 through December 31, 2023, in the amount of \$1,000,000.00, to assist the City of Livonia with ongoing erosion and stormwater issues and to provide Bell Creek Streambank Stabilization, a Greenmead Regional Detention Pond, and Denmar Drain Channel Improvements, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the grant agreement between Michigan Economic Development Corporation (MEDC) and the City of Livonia in the manner and form herein submitted, 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.

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

On a motion by Vice President Toy, seconded by Donovic, and unanimously adopted, this 1,940th Regular Meeting of the Council of the City of Livonia was adjourned at 8:20 p.m.

Susan M. Nash, City Clerk



LETTER TO THE LIVONIA CITY COUNCIL

26.

Law
April 5, 2022

MEETING DATE

Regular Meeting of May 2, 2022

PREPARED BY

Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to add Chapter 98, (The City of Livonia Police and Fire Revised Retirement Plan) to Title 2.

BACKGROUND

At the Regular Meeting held on April 4, 2022, resolution #115-22 was adopted referring to the Law Department the subject of drafting an amendment adding Chapter 98 (The City of Livonia Police and Fire Revised Retirement Plan) to Title 2 of the Code of Ordinances, as amended.

RECOMMENDATION

First Read

FISCAL CONSIDERATION

None

ATTACHMENTS

1. 2.98 Police Fire Revised Retirement Plan

APPROVED BY

A handwritten signature in blue ink, appearing to read "Paul Bernier".

Paul Bernier, City Attorney

Date: April 06, 2022

A handwritten signature in blue ink, appearing to read "Maureen Miller Brosnan".

Maureen Miller Brosnan, Mayor

Date: April 07, 2022

**AN ORDINANCE ADDING CHAPTER 98 (THE CITY OF
LIVONIA POLICE AND FIRE REVISED RETIREMENT
PLAN) OF TITLE 2 OF THE LIVONIA CODE OF
ORDINANCES, AS AMENDED.**

THE CITY OF LIVONIA ORDAINS:

Section 1. Chapter 98 is hereby added to Title 2 of the Livonia Code of Ordinances, as amended, which Chapter shall read as follows:

CHAPTER 2.98

THE CITY OF LIVONIA POLICE AND FIRE REVISED RETIREMENT PLAN

Sections:

- 2.98.010 Title for citation.**
- 2.98.020 Purpose of provisions.**
- 2.98.025 Creation of Police and Fire Revised Retirement Plan.**
- 2.98.030 Construction of chapter provisions.**
- 2.98.040 Enabling authority.**
- 2.98.050 Definitions.**
- 2.98.060 Retirement system -- Established -- Purpose.**
- 2.98.070 Retirement system -- Rules and regulations.**
- 2.98.080 Retirement system -- Board of Trustees -- Created -- Organization and authority.**
- 2.98.090 Board of Trustees □ Composition and Election.**
- 2.98.100 Board of Trustees -- Term of office.**
- 2.98.110 Board of Trustees -- Filling vacancies in office.**
- 2.98.120 Board of Trustees -- Meetings and rules of procedure.**
- 2.98.130 Board of Trustees -- Officers, advisors and employees.**
- 2.98.140 Board of Trustees -- Recordkeeping and annual report.**
- 2.98.150 Board of Trustees -- Adoption of mortality and other experience tables.**
- 2.98.160 Retirement system -- Qualifications for membership.**
- 2.98.165 Irrevocable Option Election for Membership.**
- 2.98.170 Termination of membership -- Conditions.**
- 2.98.175 Re-employment by City after retirement.**
- 2.98.180 Service credits -- Computation.**
- 2.98.190 Service credits -- For war service.**

- 2.98.200** **Members service accounts.**
- 2.98.210** **Voluntary retirement.**
- 2.98.220** **Normal retirement.**
- 2.98.230** **Age and service pension.**
- 2.98.240** **Deferred pension.**
- 2.98.260** **Pension options.**
- 2.98.270** **Non-duty death benefits.**
- 2.98.280** **Duty death benefits.**
- 2.98.290** **Disability retirements.**
- 2.98.300** **Pension -- Disability incurred after age fifty-five.**
- 2.98.310** **Pension -- Disability incurred before age fifty-five.**
- 2.98.320** **Disability retirees -- Reexamination -- Return to service.**
- 2.98.340** **Pension savings fund.**
- 2.98.350** **Pension accumulation fund -- Established -- Contributions.**
- 2.98.360** **Pension reserve fund -- Established -- Expenditures.**
- 2.98.370** **Fund management -- Board powers and duties.**
- 2.98.380** **Payments from funds -- Method.**
- 2.98.390** **Interest credits.**
- 2.98.400** **Refund of accumulated contributions -- Conditions.**
- 2.98.403** **Internal Revenue Code qualification.**
- 2.98.404** **Reversion of funds to City prohibited -- Exceptions.**
- 2.98.405** **Termination of retirement system -- Accrued benefit --
Nonforfeitable.**
- 2.98.406** **Termination of participation -- Forfeitures.**
- 2.98.407** **Benefits -- Actuarial equivalence.**
- 2.98.408** **Required distribution.**
- 2.98.409** **Benefit limits.**
- 2.98.410** **Errors and adjustments.**
- 2.98.411** **Eligible rollover distributions.**
- 2.98.412** **Maximum annual earnings.**
- 2.98.413** **Military service.**
- 2.98.414** **esting.**
- 2.98.420** **Assignment of pension or other benefits prohibited.**
- 2.98.430** **Amendment of chapter provisions -- Retroactivity limitation.**
- 2.98.600** **Effect of Collective Bargaining Agreements.**

2.98.010 **Title for citation.** The ordinance codified in this chapter shall be known and cited to as the "Police and Fire Revised Retirement Plan Ordinance."

2.98.020 **Purpose of provisions.** The purpose of this chapter is to provide for the retirement of particular police and fire employees of the City, on account of age and service, or total and permanent disability; to provide for contributions to the Police and Fire Revised Retirement Plan by the members thereof and the City; to provide for the administration of the Police and Fire Revised Retirement Plan; and to promote the

welfare, well-being and security of employees and other persons subject to this defined benefit retirement plan, in order to increase and maintain a high standard of efficiency and public service. Newly employed and otherwise eligible individuals are permitted to participate in the Police and Fire Revised Retirement Plan as of the following dates:

<u>Employee group</u>	<u>Effective date</u>	<u>Applicable to</u>
Non-Union Police Command	7/12/2021	Police Chief and Deputy Police Chief
Non-Union Fire Command	1/25/2021	Fire Chief and Deputy Fire Chief
Police officers	2/27/2021	Members of Livonia Police Officers Association
Police Lieutenants, Sergeants and Command	4/10/2021	Members of Livonia Command Officers Association
Fire	1/30/2021	Firefighters and Fire Command

2.98.025 Creation of Police and Fire Revised Retirement Plan. The City of Livonia hereby establishes the Police and Fire Revised Retirement Plan. The Police and Fire Revised Retirement Plan is an additional defined benefit retirement plan in the Retirement System. The Retirement System was previously established in Chapter 96 of the Code of Ordinances. Membership in the Police and Fire Revised Retirement Plan is determined by the applicable eligibility requirements in Chapter 98 of the Code of Ordinances. All rights and benefits accrued any eligible employee under a previous applicable retirement plan shall remain in full force and effect.

2.98.030 Construction of chapter provisions. This chapter shall be liberally construed in such a manner as to best effectuate its purpose.

2.98.040 Enabling authority. The ordinance codified in this chapter is adopted pursuant to the provisions of Act 279, Public Acts of Michigan, 1909, as amended, and Section 16, Chapter V, of the City Charter. This chapter and any amendments thereto shall be subject to the joint approval of the Civil Service Commission and City Council.

2.98.050 Definitions. As used in this chapter, the following terms shall have the following meaning unless the context clearly indicates a different meaning or requires otherwise.

1. "Accumulated contributions" means the sum of all amounts deducted from the compensations of a member and credited to the member's individual account in the pension savings fund, together with regular interest thereon.

2. "Age" means for the purpose of determining voluntary retirement age, the chronological age of a person. Otherwise, age means age at nearest birthday.

3. "Average final compensation" means the average of the annual compensation received by the member during the best compensated three years of service contained within the member's ten years of service immediately preceding the member's retirement.

In the event the member has less than three (3) years of total service, the member's average final compensation shall be the average of the annual compensation for the member's total years of service. Retirement benefits of members shall be based upon and computed according to the definition contained in this subsection and based upon the definition of "compensation" as defined in subsection 11 of this section.

In those cases where an employee has worked less than one (1) year, and average final compensation must be computed for purposes of determining retirement benefits, it shall be computed by projecting earnings for the balance of the first year of employment at the same rate as earned from the date of initial employment to the date of the employee's last day actually worked.

Members shall be limited to the number of average final compensation calculation requests per calendar year as provided in the Member's applicable collective bargaining agreement.

4. "Anniversary Date" for the Police and Fire Revised Retirement Plan means November 30.

5. "Beneficiary" means any individual who has an insurable interest in the life of a member and who is being paid or is entitled to the future payment of benefits for reason other than the individual's membership in the retirement plan.

6. "Board" means the Board of Trustees provided for in this chapter.

7. "City" or "Employer" means City of Livonia, State of Michigan, and its various offices, boards and departments, including the Livonia City Council.

8. "Civil Service Commission" means the Civil Service Commission of the City.

9. "Civil service position" means any position in City employment or classified service that comes under the jurisdiction of the Civil Service Commission.

10. "Code" or "IRC" means the Internal Revenue Code of 1986, as now or hereafter amended, or as superseded by laws of similar effect.

11. "Compensation" means the compensation received from the City by a person for service rendered to the City. For the purpose of computing average final compensation, compensation shall be defined as including base salary or wages, Worker's Compensation wage loss benefits with supplemental pay not to exceed regular base wages, and any other financial compensation from which pension contributions are withheld. Compensation shall not be defined to include cash payout of accrued sick leave, or overtime paid to a member. In case a member's compensation is not all paid in money, the Board shall fix the value of that part of compensation not paid in money.

12. "Fire Employee" means a classified employee who is a sworn officer in the fire division who performs fire suppression, EMS/paramedic, fire prevention and administration.

13. "Employees Legacy Retirement Plan" means the Defined Benefit Plan of Chapter 96 of the City of Livonia Code of Ordinances, as amended, and referred to as the Employees Legacy Retirement Plan.

14. "General Employee" means an employee represented by AFSCME Union Local 192, AFSCME Union Local 1917, police dispatchers, appointees, elected officials, exempt, confidential, administrative and professional employees.

15. "Member" means any person included in the membership of the Police and Fire Revised Retirement Plan.

16. "Part-time employee" means an employee who is regularly scheduled to work less than an eight (8) hour day or less than a forty (40) hour work week.

17. "Pension" means an annual amount payable from funds of the Police and Fire Revised Retirement Plan, in equal monthly installments, for life.

18. "Pension reserve" means the present value of all payments to be made on account of any defined benefit pension, or benefit in lieu of any defined benefit pension, computed upon the basis of such mortality tables and other tables of experience, as the Board may from time to time adopt, and regular interest.

19. "Police employee" means an employee who is a sworn officer in the police division who has the power to arrest or is a police cadet who performs various assigned duties in order to receive training and orientation benefits before becoming eligible for promotion to police officer.

20. "Police and Fire Revised Retirement Plan" means the retirement plan created and established in Title 2, Chapter 98 of the City of Livonia Code of Ordinances.

21. "Prior service" means service earned from an applicable retirement plan of the Retirement System prior to the membership in the Police and Fire Revised Retirement Plan.

22. "Regular interest" means such rate or rates of interest per year, compounded annually, as the Board may from time to time determine; provided, that regular interest shall not be less than 3 percent per year, nor more than 6 percent per year, compounded annually; provided, however, that for police and fire members regular interest shall not be less than 2 percent per year, nor more than 4 percent per year, compounded annually.

23. "Retiree" means a member who has retired with a pension payable from funds of the Police and Fire Revised Retirement Plan.

24. "Retirement system" means the system for administration and operation of the various retirement plans established by the provisions of Chapters 2.96, 2.97, and 2.98 of the Livonia Code of Ordinances, and applicable collective bargaining agreements.

25. "Service" means the sum of a member's service earned in the Police and Fire Revised Retirement Plan.

26. "Social security benefits" means the benefits provided under the old age and survivors' insurance program of the Federal Social Security Act as now enacted and as it may be amended from time to time.

27. "Total service" means the sum of a member's service earned in the Police and Fire Revised Retirement Plan and applicable prior service.

28. "Voluntary retirement age" shall be as follows:

	<u>REQUIRED TOTAL SERVICE</u>	<u>APPLICABLE TO</u>
Police employees: (except lieutenants, sergeants and police command)	25 years of total service regardless of age or age 52 with 15 years of service.	Police officers
Police lieutenants, sergeants and police command	25 years of total service regardless of age or age 52 with 15 years of service.	Police lieutenants, sergeants and police command

Fire employees	25 years of total service regardless of age or age 52 with 15 years of service.	Firefighters and fire command
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Vesting for members will include the member's service and prior service. For benefit calculation purposes, only the member's service in the Police and Fire Revised Retirement System will be used (i.e., no prior service).

In all cases, however, during time of war engaged in by the United States, or other national emergency recognized by the City Council the Council may extend the age at which any class of members may voluntarily retire.

2.98.060 Retirement system -- Established -- Purpose. A retirement system is established, pursuant to the provisions of Chapter V, Section 16 of the City Charter, for the purpose of carrying out and regulating the provisions of this chapter, including the provisions of this chapter.

2.98.070 Retirement system -- Rules and regulations. The Civil Service Commission is authorized to make rules and regulations for the administration of and performance of the provisions of this chapter; provided, however, that such rules and regulations shall not be inconsistent with or contrary to the provisions of this chapter.

2.98.080 Retirement System -- Board of Trustees -- Created -- Organization and authority. A Board of Trustees is created in whom is vested the power to administer, manage and operate the Police and Fire Revised Retirement Plan and to make effective the provisions of this chapter, Chapter 2.96, and Chapter 2.97. The Board of Trustees shall be organized immediately after the trustees provided for in this chapter have qualified.

2.98.090 Board of Trustees □ Composition and Election.

A. The Board of Trustees shall consist of five trustees, as follows:

1. The Mayor or the Mayor's designated administrative representative;
2. A member of the City Council to be selected by the Council;
3. A member of the Civil Service Commission to be selected by the Civil Service Commission;
4. A police or fire member of any retirement plan established by the City ordinance to be elected by the police and fire members;

5. A general member of any retirement plan established by City ordinance to be elected by the general members of any retirement plan established by City ordinance.

B. Elections shall be held under such rules and regulations as the Board of Trustees shall from time to time adopt.

2.98.100 Board of Trustees -- Term of office. The regular term of office for the member trustees, provided for in subsections (A)(4) and (A)5 of Section 2.98.090, shall be four (4) years. The Council trustee shall serve at the pleasure of the City Council. The Civil Service Commission trustee shall serve at the pleasure of the Civil Service Commission. The Mayor's designated administrative representative shall serve at the pleasure of the Mayor.

2.98.110 Board of Trustees -- Filling vacancies in office. In the event an elected member trustee is no longer employed by the City, said elected member trustee shall vacate the office of trustee. If a vacancy occurs in the office of any trustee, the vacancy shall be filled, within ninety (90) days after the date the vacancy occurred, for the unexpired term, in the same manner as the office was previously filled.

2.98.120 Board of Trustees -- Meetings and rules of procedure. The Board shall hold meetings regularly, at least one in each quarter year, and shall designate the time and place thereof. Three (3) trustees shall constitute a quorum at any meeting of the Board, and at least three (3) concurring votes shall be necessary for a decision by the trustees at any meeting of the Board. The Board shall adopt its own rules of procedure and shall keep a record of its proceedings. All meetings of the Board shall be held in compliance with the Open Meetings Act.

2.98.130 Board of Trustees -- Officers, advisors and employees. The Board shall elect from its members a chairperson and a chairperson pro-tem. The secretary of the Civil Service Commission shall be secretary of the Retirement System. The Board shall designate a treasurer and/or custodian of its funds. The Board shall appoint an actuary who shall be technical advisor to the Board of matters regarding the operation of the Retirement System on an actuarial basis and who shall perform such other duties as are required in connection therewith. The Board shall employ such professional services as are required in the proper operation of the Retirement System.

2.98.140 Board of Trustees -- Recordkeeping and annual report. The Board shall cause to be kept such data as shall be necessary for an actuarial valuation of the assets and liabilities of the Retirement System. The Board shall render a report to the Mayor and the City Council, on or before the first day of May of each year, showing the fiscal transactions of the Retirement System for the year ending the preceding 30th day of November and the last balance sheet showing the financial conditions of the Retirement System by means of an actuarial valuation of its assets and liabilities as of

the preceding 30th day of November and such other reports as the Mayor, City Council or Civil Service Commission may from time to time require.

2.98.150 Board of Trustees -- Adoption of mortality and other experience tables. The Board shall from time to time adopt mortality and other tables of experience as are necessary for the operation of the retirement system on an actuarial basis.

2.98.160 Retirement system -- Qualifications for membership.

A. The Retirement System shall include all eligible employees in the classified and unclassified service of the Civil Service who perform services on a permanent part-time or full-time basis. Temporary persons in either the classified or unclassified service are specifically excluded from membership. In case of doubt as to the employment status of any person, the Civil Service Commission shall decide the issue. Newly employed and otherwise eligible individuals are permitted to participate in the Police and Fire Revised Retirement Plan as of the following dates:

<u>Employee group</u>	<u>Effective date</u>	<u>Applicable to</u>
Non-Union Police Command	7/12/2021	Police Chief & Deputy Police Chief
Non-Union Fire Command	1/25/2021	Fire Chief & Deputy Fire Chief
Police officers	2/27/2021	Members of Livonia Police Officers Association
Police Lieutenants, Sergeants and Command	4/10/2021	Members of Livonia Command Officers Association
Fire	1/30/2021	Firefighters and Fire Command

In case of doubt as to the membership status of any employee, the Board of Trustees shall decide the issue.

2.98.165 Irrevocable Option Election for Membership.

A. The provisions of the Police and Fire Revised Retirement Plan shall apply to all Police Officer employees hired on or after February 27, 2021, Police Lieutenant, Sergeant, and Command employees hired on or after April 10, 2021; Fire employees hired on or after January 30, 2021; Non-Union Police Command hired on or after July 12, 2021; and Non-Union Fire Command hired on or after

- January 25, 2021; and all Police Officer employees hired prior to February 27, 2021, Police Lieutenant, Sergeant, and Command employees hired on or after April 10, 2021; Fire employees hired on or after January 30, 2021; Non-Union Police Command hired on or after July 12, 2021; and Non-Union Fire Command hired on or after January 25, 2021 who elected to convert to the Police and Fire Revised Retirement Plan. The provisions of the Police and Fire Revised Retirement Plan will not apply to employees who are members of the bargaining units on February 26, 2021 (Police Officers); April 9, 2021 (Police Lieutenants, Sergeants, and Command); and January 29, 2021 (Fire), who elect to continue to participate in the Defined Contribution Plan.
- B. Bargaining members of the Police and Fire Revised Retirement Plan who were hired on or after July 1, 1998 and prior to the February 27, 2021 (Police Officers); April 10, 2021 (Police Lieutenants, Sergeants, and Command); and January 30, 2021 (Fire), shall have a one-time irrevocable option during a 60-day window to be announced by the City to elect to participate in the Police and Fire Revised Retirement Plan.
- C. If a bargaining member hired prior to February 27, 2021 (Police Officers); April 10, 2021 (Police Lieutenants, Sergeants, and Command); and January 30, 2021 (Fire), or prior, who does not elect to participate in the Police and Fire Revised Retirement Plan then that bargaining member will continue to participate in the Defined Contribution Plan under the terms and conditions applicable collective bargaining agreement and Retirement Ordinance.
- D. Bargaining unit members hired prior to February 27, 2021 (Police Officers); April 10, 2021 (Police Lieutenants, Sergeants, and Command); and January 30, 2021 (Fire) who elect to convert to the Police and Fire Revised Retirement Plan, will no longer participate in the Defined Contribution Plan and there shall be no further employee or City contributions into the Defined Contribution Plan.

Bargaining unit members so converting to the Police and Fire Revised Retirement Plan shall have a one-time irrevocable option to purchase between 1 and 3 years of service credit in the Police and Fire Revised Retirement Plan at the full actuarial cost as determined by the Board in consultation with its actuary payable at the time of purchase. Vesting funds from the employee's Defined Contribution Plan account may be used to purchase the years of service credit. Service credit purchase does not count toward retirement eligibility.

2.98.170 Termination of membership -- Conditions.

- A. Except as otherwise provided in this chapter, should any member no longer be employed by the City, for any reason other than the member's death or becoming a retiree, that person shall thereupon cease to be a member, and the total service

credited at the date of last separation from City service shall be forfeited. In the event the person is re-employed by the City in a civil service position, the person shall again become a member of the Retirement System, and should re-employment occur within a period of five (5) years from and after the date last separated from City service, the member's total service, if any, forfeited at the date last separated from City service shall be restored subject to subsection (C) of Section 2.98.340, of the Livonia Code of Ordinances. For members of the Police and Fire Revised Retirement System, in event the person is:

1. Re-employed by the City in a civil service position after having been separated from City service for a period greater than five (5) years; and
2. Thereafter remains in the employment of the City for a period of at least five (5) years, the member's total service, if any, forfeited at the date last separated from City service shall be restored subject to subsection (C) of Section 2.98.340. In the event a member becomes a retiree or dies, he shall thereupon cease to be a member.

B. For all fire employees and police employees hired on or before January 30, 2021, for LFFU; February 27, 2021, for LPOA, and April 10, 2021, for LCOA, including those employees that are terminated and re-employed by the City in a position eligible for a pension benefit, the employee shall become eligible to be a member of the Police and Fire Revised Retirement Plan with no opportunity to become a member of the Defined Contribution Plan.

C. In the event a member with ten (10) or more years of service, or a retiree, becomes engaged in a temporary position (either part-time or full-time) in either the classified or unclassified service of the civil service of the City, the member shall not accrue service credit for such temporary employment.

D. In the event a member with less than ten (10) years of service becomes engaged in a temporary position (either part-time or full-time) in either the classified or unclassified service of the civil service of the City, the member shall:

1. Cease to be a member; and
2. Forfeit the service credited to said member's service account.

If the person subsequently becomes engaged in a position entitling the person to membership in the Retirement System, the person shall again become a member and the service credit forfeited at the time the membership last terminated shall be restored to the person's credit subject to subsection (C) of Section 2.98.340, of the Livonia Code of Ordinances.

2.98.175 Re-employment by City after retirement.

A. In the event a member has become a retiree and has begun receiving pension benefits under this chapter, the member shall be entitled to continue to receive such pension benefits upon re-employment by the City provided that one of the following conditions is met:

1. The retiree is re-employed by the City in a different classification or position than that previously held by the retiree when he or she previously worked for the City□or
2. The retiree is re-employed by the City in a temporary or seasonal capacity□or
3. The retiree is elected to a City office.

B. Any retiree so re-employed as a police employee or fire employee shall be considered a new hire and shall, if otherwise eligible, only be entitled to participate in the Police and Fire Revised Retirement Plan.

2.98.180 Service credits -- Computation. The Board shall fix and determine by appropriate rules and regulations how much service in a calendar year shall be credited any member as a year of service, but in no case shall less than ten (10) days of service rendered in any calendar month be credited as a month of service, or less than nine (9) months of service rendered in any calendar year be credited as a year of service, or shall more than one (1) year of service be credited for all service rendered by any person in any calendar year. In cases of vesting in the Police and Fire Revised Retirement Plan, no less than ten (10) days, nine (9) months and fourteen (14) years of completed service shall qualify.

2.98.190 Service credits -- For war service. In the event a member who, while employed by the City, is called to or enters any armed service of the United States, and who shall be on active duty during time of war or other national emergency, and who is subsequently re-employed by the City, in a civil service position, within one (1) year from the date of termination of required service, then such armed service shall be credited the member as City service in the same manner as if the member had served the City uninterruptedly. In case of doubt as to the period so to be credited to any member, the Board shall have final power to determine such period. During the period of such armed service rendered to the federal government and until re-employment by the City, the member's contributions to the pension savings fund may be suspended, and any balance standing to the member's credit in the pension savings fund shall be accumulated at regular interest.

The member on paid military leave of absence may elect to continue to make biweekly employee pension contributions based on regular earnings entitled to if not on

leave pursuant to Michigan Public Act 1951 No. 263 or issue lump sum payment upon reinstatement pursuant to the federal Uniformed Services Employment and Employee Rights Act of 1994 (38 USC Sec. 4318).

2.98.200 Members service accounts. The Board shall credit each member's service account with the number of years and months of service and prior service to which the member may be entitled.

2.98.210 Voluntary retirement. Any member who has attained or attains voluntary retirement age, as defined by this ordinance or subsequently amended by collective bargaining agreement and has fifteen (15) or more years of total service credited to the member's service account or has twenty-five (25) years of total service credited to the member's service account at any age, may retire upon the member's written application filed with the Board setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, the member desires to be retired. Upon retirement the member shall receive a pension provided for in Section 2.98.230.

2.98.230 Age and service pension.

A. Upon retirement, as provided in Section 2.98.210 and Section 2.98.220, a member shall receive a straight life pension provided for in this section, and shall have the right to elect an option provided for in Section 2.98.260.

1. On retirement, a member shall receive a pension as follows:

	<u>VOLUNTARY RETIREMENT AGE</u>	<u>MULTIPLYING FACTOR</u>	<u>MAXIMUM YEARS CREDITED</u>	<u>MAXIMUM AFC BENEFIT</u>
Police officers	52	2.5%	30	75%
LCOA/Command	52	2.5%	30	75%
Fire/Command	52	2.5%	30	75%

Straight Life Benefit Formula: (Final Average Compensation) x (Years of Service up to 30 years) x (Multiplying Factor) = Monthly Straight Life Benefit. For benefit calculation purposes, only the member's service in the Police and Fire Revised Retirement Plan will be used (i.e., no prior service).

B. In the event a retiree dies before the retiree has received in straight life pension payments an aggregate amount equal to the accumulated contributions standing to the retiree's credit in the pension savings fund at the time of retirement, the difference

between said accumulated contributions and the aggregate amount of straight life pensions received shall be paid from the pension reserve fund to such person or persons as shall have been nominated by written designation, duly executed and filed with the Board. If there is no such designated person or persons surviving the said retiree, such difference, if any, shall be paid to the retiree's legal representative. No benefits shall be paid under this subsection (B) on account of the death of a retiree if the retiree was receiving a pension under Option (A) or (B) provided for in subsection (A) of Section 2.98.260.

2.98.240 Deferred pension. In the event a member who has 15 (fifteen) or more years of total service credited to the member's service account separates from City employment prior to the attainment of voluntary retirement age, for any reason except retirement or death, the member shall have the option to elect a voluntary age retirement benefit upon the attainment of the applicable voluntary age, which will be computed according to Section 2.98.230.

2.98.260 Pension options.

A. Prior to the effective date of retirement, but not thereafter, a member may elect to receive a straight life pension computed according to Section 2.98.230, payable for life, or may elect to receive the actuarial equivalent of said straight life pension as of the effective date of retirement, in a reduced pension payable for life, and nominate a beneficiary in accordance with the provisions of Option (A) or (B) set forth below:

1. Option (A) -- Joint and Survivor Pension. Upon the death of a retiree who elected Option (A), the reduced pension payable to the retiree shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life, as the retiree shall have nominated by written designation, duly executed and filed with the Board prior to the effective date of retirement.
2. Option (B) -- Modified Joint and Survivor Pension. Upon the death of a retiree who elected Option (B), one-half of the reduced pension payable to the retiree shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life, as the retiree shall have nominated by written designation, duly executed and filed with the Board prior to the effective date of retirement.

B. Pop-up provision. Any member who has selected either Option (A) -- Joint and Survivor Pension, or Option (B) -- Modified Joint and Survivor Pension pursuant to the provisions of this Section 2.98.260, and who shall survive his or her named beneficiary, shall be entitled upon the death of said beneficiary to a pension the amount of which shall be increased by one-half of the difference between a straight life pension and the pension which the member was receiving under the option selected prior to the effective date of retirement.

2.98.270 Non-duty death benefits.

A. Any member who continues in the employ of the City on or after the date the member acquires ten (10) years of total service credit may, at any time prior to the effective date of retirement, elect Option (A) provided for in Section 2.98.260 and nominate a beneficiary whom the Board of Trustees finds to be dependent upon the member for at least 50 percent of support due to lack of financial means. Prior to the effective date of retirement, but not thereafter, the said member may revoke said election of Option (A) and nomination of beneficiary and may again elect the said Option (A) and nominate a beneficiary as provided in this subsection. Upon the death of a member who has an Option (A) election in force, the beneficiary, if living, shall be entitled to the same pension to which the beneficiary would have been entitled had the member retired the day preceding the date of the member's death, notwithstanding that voluntary retirement age may not have been attained. Payment of the pension shall begin immediately upon the death of the member, if the member had attained voluntary retirement age on the date of death; otherwise, payment shall begin the first day of the calendar month next following the date the member would have attained voluntary retirement age. If a member has an Option (A) election in force at the time of retirement, said election of Option (A) and nomination of beneficiary shall thereafter continue in force unless, prior to the effective date of retirement, the member elects to receive a pension as a straight life pension or according to Option (B) provided for in Section 2.98.260.

B. Any member who continues in the employ of the City on or after the date ten (10) years of total service credit is acquired and does not have an Option (A) election in force, as provided in subsection (A) of this section, and (1) dies while in the employ of the City, and (2) leaves a widow, or in the case of a female member leaves a widower, the said widow or widower, as the case may be, shall be entitled to the same pension to which the said widow or widower would have been entitled if the said member had (1) retired the day preceding the date of the member's death, notwithstanding that voluntary retirement age might not have been attained, (2) elected Option (A) provided for in Section 2.98.260, and (3) nominated said widow or widower, as the case may be, as beneficiary. Payment of the pension shall begin immediately upon the death of the member if the member has attained voluntary retirement age on the date of death; otherwise, payment shall begin the first day of the calendar month next following the date the member would have attained voluntary retirement age.

2.98.280 Duty death benefits.

A. In the event a member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of employment with the City, and such death, injury or disease resulting in death is found by the Board to have been the result of actual performance of duty in the employ of the City, the applicable benefits provided

for in subdivisions 1-3 of this subsection (A) shall be paid, subject to subsections (B) and (C) of this section provided, that no pensions become payable under Section 2.98.270 on account of the member's death.

1. The widow or widower shall receive, for life, a pension equal to the pension for which the widow or widower would have been eligible under Sections 2.98.290, 2.98.300 and 2.98.310, as if:
 - a. The deceased member had become, on the day before the member's death, totally and permanently mentally or physically incapacitated for duty in the employ of the City; and
 - b. Such incapacity had been found by the Board to be the natural and proximate result of causes arising out of and in the course of actual performance of duty in the employ of the City; and
 - c. The member had been retired by the Board; and
 - d. The member had elected Option (A) as provided in Section 2.98.260 and nominated said widow or widower as beneficiary; and
 - e. The member had subsequently died.
2. If the deceased member leaves no widow or widower, or if the widow's or widower's pension provided for in subdivision 1 of this subsection is terminated, the deceased member's unmarried child or children under age 18 shall share equally in a pension equal to the pension computed in subdivision 1 of this section. For purposes of this subsection, the Option (A) pension shall be equal to 80 percent of the straight life pension. The child's or children's pension shall continue until the last child is adopted, married, attains age 18 years or dies, whichever occurs first. If a child's pension is terminated, said pension shall be redistributed equally among the remaining eligible children, if any.
3. If the deceased member leaves no widow or widower or eligible children, or if the widow's or widower's pension and children's pension provided for in subdivisions 1 and 2 of this subsection are terminated, the deceased member's parents, who are at least 50 percent dependent upon the deceased member for support, shall share equally in a pension equal to the pension computed in subdivision 1 of this subsection. For purposes of this subsection, the Option (A) pension shall be equal to 80 percent of the straight life pension. The parent's pension shall continue until death. If a parent's pension is terminated, said pension shall be redistributed equally among the remaining eligible parents, if any.

B. As used in this section, the term "widow" or "widower" means the person to whom the said member was married at the time employment with the City terminated.

C. Any Worker's Compensation benefits payable as a result of the deceased member's death on account of City employment shall be deducted from the benefits payable under this section.

2.98.290 Disability retirements.

A. Upon the application of a member, or the member's department head, a member who has ten (10) or more years of total service credited to the member's service account, and becomes totally and permanently incapacitated for duty in the employ of the City by reason of personal injury or disease may be retired by the Board; provided, that after a medical examination of the said member made by or under the direction of a medical committee, consisting of three (3) physicians, one of whom shall be appointed by the Board, one by the said member, and the third by the first two physicians so named, the medical committee certifies to the Board by a majority opinion in writing:

1. That the member is mentally or physically totally incapacitated for duty in the employ of the City;
2. That such incapacity will probably be permanent; and
3. That such member should be retired.

B. The ten (10) or more years of total service requirement contained in subsection (A) above will be waived in the event that the Board finds:

1. The member's total and permanent mental or physical incapacity is the natural and proximate result of causes arising out of and in the course of actual performance of duty in the employ of the City; and in the case of a police or fire member, duty in the employ of the City as used in subsection (A) above shall mean duty in the employ of the police division or fire division of the City, as appropriate; and
2. The member is in receipt of Worker's Compensation on account of such incapacity.

C. Subsections (A) and (B) of this section also apply to any member who retires, begins receiving pension benefits and is subsequently re-employed in a permanent classification by the City. Such re-employed individual is treated as a new hire and is not eligible for a non-duty disability retirement until the member has ten (10) or more years of total service after being re-employed credited to the member's service account.

Any such re-employed individual may continue to receive a regular pension or may receive a disability pension but shall not receive both.

2.98.300 Pension -- Disability incurred after age fifty-five. A member who retires at or after attainment of age fifty-five (55) years on account of disability, as provided in Section 2.98.290, shall receive a disability pension computed in accordance with the provisions of Section 2.98.230, notwithstanding that voluntary retirement age might not have been attained. Said disability pension shall be subject to Section 2.98.320. Any Worker's Compensation received on account of the member's City employment shall be deducted from said disability pension. Upon retirement, the member shall have the right to elect an option provided for in Section 2.98.260.

2.98.310 Pension -- Disability incurred before age fifty-five.

A. A member who retires prior to attainment of age fifty-five (55) years on account of disability, as provided in Section 2.98.290, shall receive a disability pension computed according to Section 2.98.230, provided that for the sole purpose only of computing said disability pension, total service credit shall be increased by the number of years, and fraction of a year, contained in the period from the date of retirement to the date the member would attain age fifty-five (55) years—provided, however, that the maximum total service credit used shall not exceed the following limits:

<u>TOTAL SERVICE CREDIT BEFORE ADDITIONAL CREDIT TO AGE 55</u>	<u>MAXIMUM TOTAL <u>USABLE</u> SERVICE CREDIT</u>	<u>MAXIMUM PENSION PAY OUT RATE ALLOWED</u>
10 TO 15	20	50%
16 TO 20	25	62.5%
OVER 20	30 YEARS OR ACTUAL SERVICE, IF GREATER	75%

The member's disability pension shall be subject to Section 2.98.320. For members of the Police and Fire Revised Retirement Plan hired on or after February 27, 2021 (Police Officers); April 10, 2021 (Police Lieutenants, Sergeants, and Command); and January 30, 2021 (Fire) benefits under this Section will be calculated utilizing a 2.5% multiplier. Any Worker's Compensation received on account of the member's City employment shall be deducted from said disability pension. Upon retirement, the member shall have the right to elect an option provided for in Section 2.98.260.

B. In the event the Board finds the member's total and permanent mental or physical incapacity is the natural and proximate result of causes arising out of and in the course of actual performance of duty in the employ of the City, the member's disability

pension provided for in subsection (A) of this section, payable to attainment of age fifty-five (55) years, shall not be less than three-quarters or 75 percent of the member's average final compensation. Said disability pension shall be subject to Section 2.98.320. Any Worker's Compensation received on account of the member's City employment shall be deducted from said disability pension.

2.98.320 Disability retirees -- Reexamination -- Return to service.

A. At least once each year during the first five (5) years following the retirement of a member with a disability pension, and at least once in every three-year period thereafter, the Board may, and upon the retiree's application shall, require any disability retiree who has not attained voluntary retirement age to undergo a medical examination to be made by or under the direction of a physician designated by the Board. Should the retiree who has not attained voluntary retirement age refuse to submit to such medical examination in any such period, said disability pension may be discontinued by the Board, and should such refusal continue for one (1) year all rights in and to said pension may be revoked by the Board. If upon such medical examination of a retiree, the physician reports to the Board that the retiree is physically or mentally able and capable of resuming employment with the City, the disability retiree shall be restored to active service with the City and said disability pension shall be discontinued.

B. A disability retiree who has been or shall be returned to active service in the employ of the City shall again become a member of the Police and Fire Revised Retirement Plan. The total service credited at the time of retirement shall be restored. Service shall be credited for the period the member was in receipt of Worker's Compensation benefits on account of the member's disability arising out of and in the course of employment with the City.

2.98.340 Pension savings fund.

A. The pension savings fund is established. It shall be the fund in which shall be accumulated contributions of members to the Police and Fire Revised Retirement Plan, and from which shall be paid refunds of accumulated contributions as provided in this chapter. The accumulated contributions in the pension savings fund of the Employees Legacy Retirement Plan shall be segregated and accounted for separately from the accumulated contributions in the pension savings fund of the Police and Fire Revised Retirement Plan.

1. Members participating in the Police and Fire Revised Retirement Plan and the City will be obligated to contribute 4% of base wages every year to the Police and Fire Revised Retirement Plan. In addition, should the actuarially determined contribution ("ADC") exceed 8% in any year, the City will contribute the next 10% of base wages toward the ADC (between 8% and 18%), and employees will contribute the next 4% of base wages toward the

ADC (between 18% and 22%). The City will contribute the required ADC above 22% of base wages.

B. The officer or officers responsible for making up the payroll shall cause the contributions provided for in subsection (A)(1-2) of this section to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, beginning with the effective date of the Retirement System and continuing so long as a member remains in the employ of the City. When deducted, the contributions provided for herein shall be paid into the pension savings fund and credited to the individual account of the member from whose compensations the contributions were made. Every member shall be deemed to consent and agree to the deductions made and provided for herein, and payment of compensations less said deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the member during the period covered by such payment, except as to benefits provided by the Retirement System. The members' contributions provided for herein shall be made notwithstanding that the minimum compensation provided by law shall be changed thereby.

C. In addition to the contributions deducted from the compensations of a member, as hereinbefore provided, the member shall repay to the pension savings fund, in a manner approved by the Board, all amounts the member may have withdrawn from the fund, together with regular interest thereon computed from the date of withdrawal to the date or dates of repayment. No member shall be given credit for service rendered prior to the date said member withdraws any part of said accumulated contributions from the pension savings fund until the member has paid in full all amounts due the fund.

D. Upon the retirement of a member, the accumulated contributions standing to the member's credit in the pension savings fund shall be transferred from the fund to the pension reserve fund. Except as otherwise provided in this chapter, at the expiration of a period of three (3) years from the date an individual's membership is terminated, any balance of accumulated contributions standing to the member's credit in the pension savings fund, unclaimed by the individual or the individual's legal representative, shall be transferred to the pension accumulation fund.

E. Retirees shall receive their first pension check within forty-five (45) days of the effective date of their retirement.

2.98.350 Pension accumulation fund -- Established -- Contributions.

A. The pension accumulation fund is established. It shall be the fund in which shall be accumulated contributions made by the City to the Police and Fire Revised Retirement Plan. The accumulated contributions of the City in the pension accumulation fund of the Employees Legacy Retirement Plan shall be segregated and

accounted for separately from the accumulated contributions of the City in the pension accumulation fund of the Police and Fire Revised Retirement Plan.

B. Upon the basis of such mortality tables and other assumptions and tables of experience as the Board shall adopt, the actuary shall annually compute the City's contributions to the Retirement System in the manner set forth in subdivisions 1, 2 and 3 of this subsection (B).

1. An amount which, if paid annually by the City during the prospective service of members, will be sufficient, together with the expected net future contributions of members, to cover the actuarial present value of pensions allocated to service rendered after the beginning of the fiscal year; and
2. An amount which, if paid annually by the City over a period selected by the Board but not more than thirty (30) years, will be sufficient, together with present fund balances, to cover the actuarial present value of pensions allocated to service rendered before the beginning of the fiscal year; and
3. The City's contributions to the Pension accumulation fund of the Police and Fire Revised Retirement Plan shall be determined separately for police members and fire members by the Actuary in accordance with the following:
 - i. Members participating in the Police and Fire Revised Retirement Plan and the City will be obligated to contribute 4% of base wages every year. In addition, should the actuarially determined contribution ("ADC") exceed 8% in any year, the City will contribute the next 10% of base wages toward the ADC (between 8% and 18%), and employees will contribute the next 4% (between 18% and 22%). The City will contribute the required ADC above 22% of base wages.

4. The City Council shall appropriate each year such amounts of contributions as determined in subdivisions (1), (2), and (3) of subsection (B) of this section, and the City shall pay such amounts into the pension accumulation fund during the ensuing fiscal year, which payments shall be made quarterly during said fiscal year.

D. At the end of each City fiscal year there shall be a transfer between the pension accumulation fund and the pension reserve fund in order that the pension reserve fund be 100 percent funded at the end of the fiscal year.

E. The Board may adopt different mortality tables and other assumptions and tables of experience for the Employees Legacy Retirement Plan and/or the Police and Fire Revised Retirement Plan.

2.98.360 Pension reserve fund -- Established -- Expenditures. The pension reserve fund is established. It shall be the fund from which shall be paid all pensions, and benefits in lieu of pensions, payable as provided in this chapter. Should a disability retiree be returned to service, the pension reserve for said disability retiree, computed as of the date of said return to service, shall be transferred from the pension reserve fund to the pension savings fund and the pension accumulation fund in the same proportion as the original transfers were made. The assets of the Pension reserve fund of the Employees Legacy Retirement Plan shall be segregated and accounted for separately from assets of the Police and Fire Revised Retirement Plan.

2.98.370 Fund management -- Board powers and duties.

A. The Board shall be the trustees of the fund of the Police and Fire Revised Retirement Plan and shall have full power to invest and reinvest such funds, subject to all terms, conditions, limitations and restrictions imposed by the State upon life insurance companies in the making and disposing of their investments, except that notes, bonds or obligations of the City shall not be subject to such conditions, limitations and restrictions, and except as otherwise provided to the extent and in the manner prescribed by State law. The Board shall have full power to purchase notes, bonds or other obligations of the City at any legally conducted public or private sale. The Board shall have full power to hold, purchase, sell, assign, transfer and dispose of any securities and investments in which any of the funds of the Retirement System have been invested, as well as the proceeds of the investments and any moneys belonging to the Retirement System. The Board may, however, authorize an investment fiduciary to invest such funds in accordance with the guidelines and policies which have been determined by the Board to appropriately further the purposes of the Retirement System. The investment fiduciary shall report all investment transactions to the Board each month or as required by the Board. The Board reserves the exclusive rights to revoke this grant of authority at its discretion at any time.

B. There shall be kept on deposit available cash not exceeding 10 percent of the total assets of the Retirement System. All funds of the Retirement System shall be held for the sole purpose of meeting disbursements for pensions, and other payments authorized by the provisions of this chapter, and shall be used for no other purpose. The description of the various funds of the Retirement System shall be interpreted to refer to the accounting records of the Retirement System and not to the segregation of moneys in the various funds of the Retirement System.

C. The Board shall have the power to authorize disbursements to be made from the funds of the Retirement System for the payment of professional services utilized by the Board and for other expenses necessary in the administration of the Retirement System.

D. The Board may not comingle funds from the Police and Fire Revised Retirement and the Plan Employees Legacy Retirement Plan.

2.98.380 Payments from funds -- Method. No payments from the funds of the Retirement System shall be made unless previously authorized by at least three (3) members of the Board of Trustees, subject however, to the following exceptions:

In the case of retirees, such authorization by three (3) members of the Board of Trustees shall be required only at the time of retirement. The retiree will then be placed on a regular monthly retiree payroll, and check authorization thereafter shall require only the signature of the chairperson or the chairperson pro-tem. Each monthly retiree payroll shall be confirmed at regular meetings of the Board of Trustees. Any changes in the retiree's pension [except for the change occurring at age sixty-five (65)] resulting from amendments to the Retirement System or for any other reason shall necessitate an additional authorization by three (3) members of the Board of Trustees in the first instance only, and thereafter said authorization may be made upon the signature of the chairperson or the chairperson pro-tem.

2.98.390 Interest credits. All interest and other earnings on moneys and investments of the Retirement System shall be credited to the pension accumulation fund. The Board shall, at the end of each fiscal year, allow regular interest computed on members' individual balances in the pension savings fund at the beginning of the fiscal year, and on the mean balance in the pension reserve fund. The amounts of interest so allowed and credited to the pension savings fund and pension reserve fund shall be charged to the pension accumulation fund.

2.98.400 Refund of accumulated contributions -- Conditions.

A. Should any member cease to be an employee of the City for any reason except the member's death or retirement, or after attaining voluntary retirement age and not be entitled to a pension, the person shall be paid the accumulated contributions standing to the person's credit in the pension savings fund upon said person's demand in writing on forms furnished by the Board.

B. Should any member die and no pension become payable, except as provided in Section 2.98.280, the accumulated contributions standing to said member's credit in the pension savings fund, at the time of death, shall be paid to such person or persons as shall have been nominated by written designation, duly executed and filed with the Board. In the event there be no such designated person or persons surviving the said member, the said accumulated contributions shall be paid to the member's legal representative.

C. If any member dies without heirs and without having nominated a beneficiary, as provided in this section, the accumulated contributions standing to said member's

credit in the pension savings fund at the time of death may be used by the Board to pay the member's reasonable burial expenses, provided that no other estate was left sufficient for such purpose.

D. Refunds of accumulated contributions provided for herein may be made according to such rules and regulations as the Board shall from time to time adopt; provided, however, that in any case refunds of accumulated contributions shall be made in full within forty-five (45) calendar days of the date of termination of the employee.

2.98.403 Internal Revenue Code qualification. The Retirement System, consisting of the Employees Legacy Plan and the Police and Fire Revised Retirement Plan is intended and has been administered to be a qualified pension plan under Section 401 of the Internal Revenue Code, as amended ("IRC" or "Code"), or successor provisions of law, including the Tax Reform Act of 1986 (TRA '86); the Technical and Miscellaneous Revenue Act of 1988 (TAMRA); the Unemployment Compensation Amendments of 1992 (UCA); the Omnibus Budget Reconciliation Acts (OBRA); the Uniformed Service Employment and Re-employment Rights Act of 1994 (USERRA); the Uruguay Round Agreements Act of 1994 (GATT); the Small Business Job Protection Act of 1996 (SBJPA '96); the Taxpayer Relief Act of 1997 (TRA '97); the Internal Revenue Service Restructuring and Reform Act of 1998 (RRA '98); the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA), and other applicable laws, regulations and administrative authority. The Retirement System is a governmental plan under IRC Section 414(d) and is administered for the exclusive benefit of the plan's participants and their beneficiaries. The Retirement System's trust is an exempt organization under IRC Section 501.

2.98.404 Reversion of funds to City prohibited -- Exceptions. No part of the corpus or income held in trust under the provisions of this chapter shall be used for, or diverted to, purposes other than for the exclusive benefit of the members, retirees and beneficiaries of the Retirement System, except that:

A. If the Board determines that any contribution was made by a good-faith mistake of fact, then such contribution may be returned to the City within six (6) months after such determination; however, any earnings attributable to the amounts mistakenly contributed shall not be returned to the City, while losses attributable to such amounts shall reduce the amount returned; and

B. If, after termination or partial termination of the Retirement System, by formal action of the City or for any other reason, the accrued benefits of all members, retirees and other Retirement System beneficiaries and all other Retirement System liabilities have been paid, then any residual assets of the Retirement System shall revert to the City.

2.99.405 Termination of retirement system -- Accrued benefit -- Nonforfeitable. In the event of the termination or partial termination of the Retirement System, the rights of all members to benefits accrued to the date of such termination or partial termination, to the extent funded as of such date, or any amounts credited to members' accounts shall be nonforfeitable.

2.98.406 Termination of participation -- Forfeitures. Any forfeiture resulting from a termination of participation in the Retirement System by a member shall not be applied to increase the benefits any member, retiree or beneficiary would otherwise receive under the Retirement System prior to its termination. Amounts forfeited shall reduce the next contribution of the City following determination of the amount of any such forfeitures.

2.98.407 Benefits -- Actuarial equivalence. The present value of any benefit under the terms of this Police and Fire Revised Retirement Plan would be the actuarial equivalent of the normal form of benefit. Actuarial equivalence shall be determined by the Board in consultation with its Actuary.

2.98.408 Required distribution.

A. Distributions shall be made in the manner set forth in Sections 2.98.210 through 2.98.310 of this chapter. Under no circumstances shall any distributions, not made in a lump sum, be made over a period of time different from one of the following periods (or a combination thereof):

1. The life of the member or retiree;
2. The life of the member or retiree and a designated beneficiary;
3. A period certain not extending beyond the life expectancy of the member or retiree; or
4. A period certain not extending beyond the joint and last survivor expectancy of the member or retiree and a designated beneficiary.

B. Minimum amounts to be distributed.

1. If the member or retiree's entire interest is to be distributed in other than a lump sum, then the amount to be distributed each year must be at least an amount equal to the quotient obtained by dividing the member or retiree's entire interest by the life expectancy of the member or retiree or joint and last survivor expectancy of the member or retiree and the designated beneficiary. Life expectancy and joint and last survivor expectancy are computed by the use of the return multiples contained in Section 1.72-9 of the Income Tax Regulations.

For purposes of this computation, a member or retiree's life expectancy may be recalculated no more frequently than annually—however, the life expectancy of a non-spouse beneficiary may not be recalculated. If the member or retiree's spouse is not the designated beneficiary, the method of distribution selected must assume that at least 50 percent of the present value of the amount available for distribution is paid within the life expectancy of the member or retiree.

Distributions to all members or retirees must commence no later than the first day of April following the calendar year in which the later of termination of employment or age 70 $\frac{1}{2}$ occurs.

C. Death distribution provisions. Upon the death of the member or retiree, the following distribution provision shall take effect:

1. If the member or retiree dies after distribution of his or her interest has commenced, the remaining portion of such interest will continue to be distributed at least as rapidly as under the method of distribution being used prior to the member or retiree's death.
2. If the member or retiree dies before distribution of his or her interest commences, the member or retiree's entire interest will be distributed no later than five (5) years after the member or retiree's death, except as follows:
 - a. If any portion of the member or retiree's interest is payable to a designated beneficiary, distribution may be made in substantially equal installments over the life or the life expectancy of the designated beneficiary, or over a shorter period of time as provided in this chapter, commencing no later than one (1) year after the member or retiree's death;
 - b. If the designated beneficiary is the member or retiree's surviving spouse, the date distributions are required to begin in accordance with (2)(a) above shall not be earlier than the day on which the member or retiree would have attained age 70 $\frac{1}{2}$, and if the spouse dies before payments begin, subsequent distribution shall be made as if the spouse had been the member or retiree.
3. For purposes of subsection (C)(2) above, payments will be calculated by the use of return multiples specified in Section 1.72-9 of the Income Tax Regulations. Life expectancy of a surviving spouse may be recalculated annually; however, in the case of any other designated beneficiary, such life expectancy will be calculated at the time payment first commences without further recalculation.

D. With respect to distributions under the plan made for calendar years beginning on or after January 1, 2001, the plan will apply the minimum distribution requirements of IRC Section 401(a)(9) in accordance with the regulations under IRC Section 401(a)(9) that were proposed in January 2001, notwithstanding any provision in the plan to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of final regulations under Section 401(a)(9) or such other date as may be specified in guidance published by the Internal Revenue Service.

2.98.409 Benefit limits. Anything to the contrary notwithstanding, any benefit payable under the Police and Fire Revised Retirement System shall not exceed the limits set forth in Internal Revenue Code Section 415 and Regulations thereunder, the terms of which are specifically incorporated herein by reference.

2.98.410 Errors and adjustments. Should any change in the records result in any member, beneficiary or retiree receiving from the retirement system more or less than ordinarily would have been received had the records been correct, the Board shall correct such error, and as far as practicable, shall adjust the payment in such manner that the actuarial equivalent of the benefit to which the member, beneficiary or retiree was correctly entitled shall be paid.

2.98.411 Eligible rollover distributions. Notwithstanding any provision of the plan to the contrary that would otherwise limit a distributee's election under this section, a distributee may elect, at the time and in the manner prescribed by the Board, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee as a direct rollover. The following definitions shall apply with regard to this section:

A. **Eligible rollover distribution.** An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten (10) years or more, and any distribution to the extent such distribution is required under IRC Section 401(a)(9). For purposes of the direct rollover provision, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be paid only to an individual retirement account or annuity described in IRC Section 408(a) or (b), or to a qualified plan described in IRC Section 401(a) or 403(b) that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

B. Eligible retirement plan. An eligible retirement plan is an individual retirement account described in IRC Section 408(a), an individual retirement annuity described in IRC Section 408(a), annuity plan described in IRC Section 403(a), an annuity contract described in IRC Section 403(b), an eligible plan under IRC Section 457 which is maintained by a state, political subdivision of a state and which agrees to separately account for amounts transferred into such plan, or a qualified trust described in IRC Section 401(a), that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a domestic relations order.

C. Distributee. A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse is a distributee with regard to the interest of the surviving spouse.

D. Direct rollover. A direct rollover is a payment by the Retirement System to the eligible retirement plan specified by the distributee.

2.98.412 Maximum annual earnings. The annual compensation of each participant taken into account for determining all benefits provided under the plan for any determination period shall not include any amounts in excess of the annual compensation limit (originally \$200,000.00) provided for in IRC Section 401(a)(17) prior to the Omnibus Budget Reconciliation Act of 1993 ("OBRA '93") and adjusted for inflation in the manner provided by IRC Section 401(a)(17). The annual compensation of each employee taken into account shall not exceed the annual compensation limit provided for in IRC Section 401(a)(17), as amended by the Omnibus Budget Reconciliation Act of 1993 ("OBRA '93") (\$200,000.00 in 2002). This limit may be adjusted as required by federal law for qualified government plans and shall be further adjusted for inflation in the manner provided by IRC Section 401(a)(17). Annual compensation means compensation during the plan year or such other consecutive 12-month period over which compensation is otherwise determined under the plan. The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year.

2.98.413 Military service. Notwithstanding any provision of the plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with IRC Section 414(u) and regulations.

2.98.414 Vesting. Notwithstanding any provision of the plan to the contrary, a member shall be 100 percent vested in his/her accrued benefit when he or she attains normal retirement age.

2.98.420 Assignment of pension or other benefits prohibited. The right of a person to a pension, to the return of accumulated contributions, the pension itself, any

optional benefit, any other right accrued or accruing to any member, retiree or beneficiary under the provisions of this chapter, and the moneys belonging to the Retirement System, shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or any other process of law, and shall be unassignable, except as is specifically provided in this chapter or pursuant to a support order in accordance with Act No. 295 of the Public Acts of 1982 (MCLA 552.601, et seq.) provided, that the City shall have the right to set off for any claim arising from embezzlement by or fraud of a member.

2.98.430 Amendment of chapter provisions -- Retroactivity limitation. No amendments to this chapter unless otherwise provided, shall serve to increase any pensions which are being paid as of the date of any such amendment to any retiree or beneficiary.

2.98.600 Effect of Collective Bargaining Agreements. Pursuant to Michigan law, when an applicable Collective Bargaining Agreement is properly executed, it immediately amends the applicable provisions of the Police and Fire Revised Retirement System.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

27

Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

4. WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1.

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

Brandon Grysko, Fausone Bohn, 41700 Six Mile Road, Northville Township explained that the request is for approval to park the vehicles in the front of the building.

Council Vice President Laura Toy verified that the petitioner was asking for two parking places in the front of the building and offered an approving resolution adding the two spaces, along with the conditions given by the Planning Commission.

Councilmember Scott Bahr asked what the purpose would be for the additional two spots. Brandon Grysko responded that it was for the ability of the staff to prep the vehicles in front before pick up, rather than allowing people beyond the gate.

Councilmember Bahr asked for clarification of what he meant by prepping the vehicles. Brandon Grysko explained that if there is a vehicle ready for pick up by a customer, it is in front versus having to search for it in the back. Councilmember Bahr asked if there is a recommended resolution from Planning to allow for temporary parking for this reason. Brandon Grysko indicated that the Planning Commission was fine with overnight parking. Once staff was onsite, the vehicles were required to be moved to the back

Councilmember Bahr asked where the amount of twenty vehicles came from, and Brandon Grysko stated that the Planning Commission came up with the number based on eliminating the front spots and said that twenty spots were the amount left.

Councilmember Bahr asked what was meant by contactless renting. Brandon Grysko explained that U-Haul has a contactless pick-up system that allows a customer to pick up their vehicle without having contact with anyone inside the building. Councilmember Bahr asked if there was anything preventing them from doing the same during business hours.

Brandon replied they are required to keep those vehicles in the back. The customer would then have to drive to the back and find the vehicle. Allowing them to park the vehicles in front will allow efficiency. Councilmember Bahr asked if the Planning Commission knew of these two spots. Brandon replied they did and denied them.

Councilmember Scott Bahr offered an approving resolution as the Planning Commission stated.

Councilmember Rob Donovic asked to verify that the vehicles would be new trucks. Brandon Grysko confirmed the average truck was two to two and a half years old. Councilmember Donovic understands that logistically, he agrees with having two vehicles in front.

Councilmember Brandon McCullough asked to verify that the washing and maintenance of the vehicles were done off site and that the two spots would be designated. Brandon Grysko stated there could be a possibility of someone parking in the spot if the vehicle was out. Councilmember McCullough stated that he was fine with the two spots.

Councilmember Rob Donovic asked that the petitioner mark the two spots for U-Haul parking. Brandon Grysko stated that they would be open to a discussion for it.

DIRECTION:

APPROVING

REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

4.

Planning
March 28, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1.

BACKGROUND

March 28, 2022

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2022-02-02-02 – Livonia Budget Storage

Dear Council Members:

At the 1,185th Public Hearings and Regular Meeting held by the City Planning Commission on March 22, 2022, the following resolution was unanimously adopted:

RECOMMENDATION

#03-17-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on March 22, 2022, on Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting waiver use approval pursuant to Section 6.58 of the Livonia Vision 21 Zoning Ordinance to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1, the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02 be approved subject to the following conditions:

1. That the outdoor storage of U-Haul trucks, vans and trailers shall be limited to designated areas within the secured parking lot only, and no U-Haul trucks, vans or trailers shall be stored in front of the building, except for those returned after the hours the security gate is locked.
2. That no U-Haul trucks, vans or trailers shall be parked in front of the building between the hours

of 10:00 a.m. and 9:00 p.m., seven (7) days per week.

3. That the total number of rental trucks, vans and trailers available at this location shall not exceed twenty (20).
4. 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.
5. That there shall be no outdoor storage of auto parts, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals; and
7. 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 an appropriate permit is obtained, this approval shall be null and void at the expiration of said period.

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

FISCAL CONSIDERATION

ATTACHMENTS

1. 2022-02-02-02_Budget Storage_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: March 31, 2022



Maureen Miller Brosnan, Mayor

Date: March 31, 2022

Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting waiver use approval pursuant to Section 6.58 of the Livonia Vision 21 Zoning Ordinance to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest $\frac{1}{4}$ of Section 1.

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

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

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

Date Filed: 2-16-22 Petition 2022-02-02-02
Site Address: 29150 Seven Mile Sidwell 003-01-0415-004 Zoning of Property C-2
Requesting Approval To Add truck and trailer rental to existing use
Applicant: Sidney I. Moss Business/Company: Livonia Budget Storage, LLC
Applicant's Address: 74 W. Long Lake, Suite 201 City: Bloomfield Hills State: MI Zip Code: 48304
Applicant's Phone # (248) 449-6663 Applicant's Email sid@manmgt.com
Contact Person: Brandon M. Grysko Business/Company: Fausone Bohn, LLP
Contact's Address: 41700 Six Mile, Suite 101 City: Northville State: MI Zip Code: 48168
Contact's Phone # (248) 912-3240 Contact's Email bgrysko@fb-firm.com

Please provide the following information:

- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), **a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us**
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) **Three (3) completed application forms & sixteen (16) sets of full-size drawings**

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

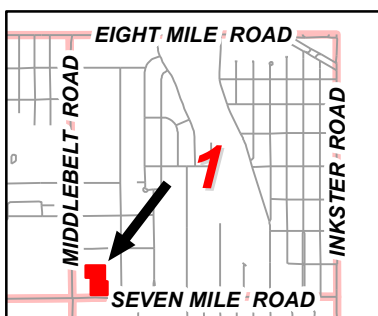
FEE COMPUTATION		\$600.00
_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft.		
(NOTE: Round off to nearest 1,000)	+	
Total Amount Due		\$ <u>600</u>

Owner of Property: Livonia Budget Storage, LLC
Owner's Address: 74 W. Long Lake, Suite 201 City: Bloomfield Hills State: MI Zip Code: 48304
Owner's Phone # 248 449-6663 Owner's Email sid@manmgt.com
Signature of Owner: [Signature] Print Name: Sidney I. Moss, Authorized Agent
Subscribed and sworn to before me, a Notary Public in and for the County of Oakland State of Michigan
on this 7th day of February 20 22
Signature of Notary [Signature] My commission expires 5/2/24
Acting in the County of Oakland

RECEIVED
FEB 17 2022
CITY OF LIVONIA
PLANNING COMMISSION

RECEIVED
OFFICE OF THE CITY CLERK
2022 FEB 16 PM 4:33

AMANDA JEAN HAUGHTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires - av 2 2026
Acting in the County of Oakland



Aerial Map

Petition 2022-02-02-02
Livonia Budget Storage
29150 Seven Mile Road

to operate a truck and trailer rental business in
conjunction with an existing climate-controlled,
indoor self-storage facility



Not to Scale



City of Livonia
Planning Department

P~~LAN~~NING COMMISSION STAFF NOTES

PUB~~IC~~ ~~HE~~ARING

ITEM 1

Petition 2022-02-02-02 submitted by Livonia Budget Storage, LLC. requesting waiver use approval pursuant to Section 6.58 of the Livonia ~~ision~~ 21 ~~oning~~ Ordinance to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ~~of~~ of Section 1.

March 15, 2022 Study Meeting:

This petition seeks waiver use approval to operate a truck and trailer rental facility in conjunction with the recently completed Livonia Budget Storage facility located on Seven Mile Road just east of Middlebelt Road (former Toys-R-Us). Livonia Budget Storage was granted waiver use approval (CR #222-20) on August 5, 2020. The subject property is 4.68 acres in area, with 324 feet of frontage along Seven Mile Road by a depth of approximately 600 feet. The existing self-storage facility is two-stories in height, approximately 81,467 square feet in total size and contains a total of 749 storage units. The property is zoned C-2 (General Business). Truck and trailers rental facilities require waiver use approval under the provisions set forth in Section 6.58 of the Livonia ~~ision~~ 21 ~~oning~~ Ordinance.

The current minimum parking standard for climate controlled, indoor self-storage facilities was established in 2021 with the adoption of the Livonia ~~ision~~ 21 ~~oning~~ Ordinance approximately one (1) year after the approval of the Livonia Budget Storage project. Prior to the new ordinance, no minimum parking standard existed for this type of use. Instead, the required amount of parking was based on the recommendation of the City Planning Commission subject to the approval of City Council. The approved site plan for Livonia Budget Storage showed a total of twenty-two (22) parking spaces. The new zoning regulations, on the other hand, now require one (1) parking space for each 1,000 square foot of building floor area. Accordingly, Livonia Budget Storage, if reviewed today, would require a total of eighty-one (81) parking spaces. The current site plan shows thirty-six (36) parking spaces fourteen (14) more than what was approved by City Council. Of the thirty-six (36) total spaces, twenty-two (22) would be used for the storage and display of rental vehicles and the remaining fourteen (14) would be available for customers and employees of both Livonia Budget Storage and U-Haul.

Parking for the rental trucks and trailers would be allocated in three (3) separate areas of the site as follows: 1) fifteen (15) spaces for box-sized trucks (maximum 26 feet in length) would be provided along the west side of the property 2) five (5) of eight (8) available spaces along the north side of the parking lot would be used for rental vehicles and 3) two (2) of eight (8) available spaces would be

designated along the front of the building for rental vehicles. Parking for employees and customers would also occur in three locations, including: 1) three (3) spaces at the north end of the parking lot 2) seven (7) spaces near the middle of the parking lot directly across from the enclosed loading/unloading area and 3) six (6) spaces along the front of the building.

The existing parking lot where most of the rental vehicles and trailers would be kept is enclosed with fencing. Customer access is controlled by a gate located at the front of the site adjacent to the sales office. Ingress and egress to the parking spaces and driveway located directly in front of the building is not controlled or restricted.

Per Section 9.03(6), City Council can modify the off-street parking requirements based on evidence that another standard would be more reasonable. In determining whether to permit fewer parking spaces, the City Council shall consult the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE). According to ITE's latest Parking Generation manual (5th Edition), the average rate of parking demand for a mini-warehouse use is 1.36 cars per 100 units. For Livonia Budget Storage, this translates to approximately ten (10) parking spaces ($749 \div 100 \times 1.36 \approx 10$). As proposed, fourteen (14) spaces would be available for customers and employees of both the storage facility and U-Haul operation. This demonstrates that the City's current standard of one (1) space per 1,000 square feet of gross floor area is clearly excessive and should be lowered.

No other site changes or improvements, including to the elevations of the building or the site's landscaping, are proposed as part of this petition.

March 22, 2022: Public Hearing:

At the Study Meeting, several items were discussed, including the operations of both the U-Haul and Livonia Budget Storage as they relate to the proposed truck and trailer rental business. Gate hours are limited 7:00a - 9:00p, seven (7) days per week. During these hours, U-Haul customers will be provided an access code so that returning trucks can be parked in the secured area of the parking lot. After hours, on the other hand, returning vehicles will get dropped-off in the front parking lot. The next day, beginning at 9:00a when the office opens, staff can then move the vehicles to the secured lot.

It was pointed out that all maintenance, including washing of the rental vehicles, will be done at off-site locations. The consensus of the Planning Commission is, other than what is necessary to accommodate vehicles returning to the site after 9:00 p.m., that no U-Haul vehicles be allowed to remain in the front parking lot to serve as advertising.

Approving Resolution: That the request to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road is hereby approved, subject to City Council approval and the following conditions:

1. That the outdoor storage of U-Haul trucks, vans and trailers shall be limited to designated areas within the secured parking lot only, and no U-Haul trucks, vans or trailers shall be stored in front of the building, except for those returned after the hours the security gate is locked.
2. That no U-Haul trucks, vans or trailers shall be parked in front of the building between the hours of 10:00 a.m. and 9:00 p.m., seven (7) days per week.
3. That the total number of rental trucks, vans and trailers available at this location shall not exceed twenty (20).
4. 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.
5. That there shall be no outdoor storage of auto parts, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals and
7. 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 an appropriate permit is obtained, this approval shall be null and void at the expiration of said period.

Denying Resolution: That this request to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road is denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use is in compliance with all of the special and general waiver use standards and requirements as set forth in Sections 6.58 and 13.13 of the Livonia Zoning Ordinance.
2. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.
3. That the petitioner has not sufficiently demonstrated that the proposed use would be compatible to and in harmony with surrounding uses in the area.
4. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use and
6. That the proposed use is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

SITE INFORMATION

ZONING
DISTRICT: C-2 GENERAL BUSINESS

SITE USE
INDOOR SELF-STORAGE

AREA & BUILDING AND INFORMATION

	EXISTING	PROPOSED	REQUIRED
SITE AREA (ACRE)	4.69	4.69	3.00 (MIN)
OPEN SPACE (SFT)	91,414	91,414	11,410
OPEN SPACE (%)	4.0%	44.8%	
IMPERVIOUS AREA (SFT)	196,094	112,746	
IMPERVIOUS AREA (%)	96%	55.2%	
BUILDING AREA (SFT)	51,459	53,829	400 (MIN)

SETBACK REQUIREMENTS

FRONT YARD SETBACK (FT)	60
SIDE YARD SETBACK (FT)	NONE
REAR YARD SETBACK (FT)	NONE

OFF-STREET PARKING

STANDARD PARKING	21
ADA PARKING PROVIDED	1
PARKING TOTAL	22

SITE GENERAL NOTES

- DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED
- CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
- BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING, UNLESS NOTED OTHERWISE.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
- THE PETITIONER SHALL FOLLOW THE CITY'S DOUBLE STRIPING DETAIL, CONTACT THE BUILDING DEPARTMENT FOR SPECIFICS.
- ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT SPECIFICATIONS AND STANDARD DETAILS OF THE CITY OF LIVONIA.
- NOTIFY THE CITY OF LIVONIA ENGINEERING DIVISION (734) 466-2571 A MINIMUM OF 48 HOURS PRIOR TO THE START OF CONSTRUCTION.
- CALL MISS DIG (1-800-647-7344/ 1-800-MISS DIG) A MINIMUM OF 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
- ALL WORK IN THE SEVEN MILE ROAD RIGHT-OF-WAY SHALL MEET THE REQUIREMENTS OF AND BE APPROVED BY THE W.C.D.P.S.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING UNDERGROUND UTILITIES CAUSED BY THE CONTRACTOR'S OPERATIONS.
- TRENCHES UNDER OR WITHIN 3 FT OF EXISTING OR PROPOSED PAVEMENTS, DRIVEWAYS, AND/OR SIDEWALKS SHALL BE BACKFILLED AND COMPACTED WITH M.D.O.T. CLASS II SAND.
- WHERE UTILITIES CROSS, PROVIDE POROUS BACKFILL TAMPED IN 12" LAYERS TO THE UNDERSIDE OF THE HIGHER UTILITY. A 6" MINIMUM SAND CUSHION SHALL BE PROVIDED BETWEEN UTILITIES.
- ALL SEWER CONSTRUCTION SHALL HAVE M.D.O.T. CLASS II BEDDING UNLESS OTHERWISE SPECIFIED ON THE PROFILES.
- ALL ELEVATIONS SHOWN ARE BASED ON U.S.G.S. DATUM.
- ALL DRIVEWAYS, DRAIN TILES, CULVERTS AND OTHER FACILITIES REMOVED, DESTROYED, DAMAGED OR OTHERWISE DISTURBED BY THE WORK SHALL BE REPLACED AND/OR RESTORED TO THEIR ORIGINAL CONDITION BY THE CONTRACTOR.
- ALL SOIL EROSION AND SEDIMENTATION MUST BE CONTROLLED AND MAINTAINED ON SITE.
- THE CONTRACTOR MUST MAINTAIN ALL TRAFFIC AT ALL TIMES AS REQUIRED BY THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD), WAYNE COUNTY, AND/OR MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT).
- THE CONTRACTOR SHALL AT ALL TIMES PROVIDE EMERGENCY ACCESS TO ALL PROPERTIES FOR POLICE, FIRE DEPARTMENT, AMBULANCES AND/OR OTHER EMERGENCY VEHICLES TO PROTECT LIFE, HEALTH AND PROPERTY.
- PAVED STREETS AND DRIVEWAYS MUST BE MAINTAINED IN A REASONABLE STATE OF CLEANLINESS AND THE CONTRACTOR SHALL REMOVE ACCUMULATIONS OF DEBRIS CAUSED BY CONSTRUCTION OPERATIONS.
- THE CONTRACTOR SHALL HAVE AN OPERATING SWEEPER BROOM AND CLEAN THE PAVEMENT AT THE CLOSE OF EACH DAY'S OPERATION AND AS OFTEN AS NECESSARY. FAILURE TO COMPLY SHALL BE CAUSE TO STOP CONSTRUCTION. CONTRACTOR SHALL COMPLY WITH THE STATE AIR POLLUTION CONTROL REGULATIONS AND CITY OF LIVONIA SOIL EROSION AND SEDIMENTATION CONTROL (SESC).
- CONTRACTOR MUST PROVIDE ALL NECESSARY SHEETING, SHORING, DEWATERING, BRACING, TRENCH BOXES, ETC. TO PERFORM WORK SAFELY, PROTECT EXISTING UTILITIES AND IMPROVEMENTS IN ACCORDANCE TO MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MOSHA).

PAVEMENT LEGEND

- CONCRETE PAVEMENT**
THICKENED EDGE SIDEWALK, CONC. 6 INCH
SIDEWALK, CONC. 4 INCH
DUMPSTER PAD, CONC. 6 INCH
- STANDARD DUTY PAVEMENT:**
1.5" HMA (165#/SYD) 36A TOP COURSE
1.5" HMA (165#/SYD) 13A LEVELING COURSE
6" AGGREGATE BASE, 22A
12" SUBBASE, CIP
- EXISTING PAVEMENT TO BE SEAL COATED AND RE-STRIPED:
SURFACE PREPARATION: REMOVE LOOSE MATERIAL,
VEGETATION, AND OTHER DEBRIS AND TREAT VISIBLE
CRACKS WITH OVERBAND CRACK FILL

KEY NOTES

- TYPE C4 CURB AND GUTTER (SEE DETAILS)
- EXISTING CONCRETE (TO REMAIN)
- ACCESSIBLE PAVEMENT MARKINGS, TYP. (SEE DETAILS)
- ACCESSIBLE PARKING SIGN, TYP. (MUTCD D9-6)
- ACCESSIBLE PARKING SIGN, TYP. (MUTCD R7-8P)
- BARRIER FREE RAMP, TYP. (SEE DETAILS)
- 4" WIDE PAINTED SOLID WHITE LINE (PARKING STALLS TO BE DOUBLE STRIPED PER CITY OF LIVONIA BUILDING DEPARTMENT, TYP.)
- MASONRY DUMPSTER ENCLOSURE (SEE ARCHITECTURAL)
- PROPOSED LIGHT POLES/BOLLARDS (SEE PHOTOMETRIC PLAN)
- DIRECTIONAL PAVEMENT MARKING (SEE DETAILS)
- CONCRETE FILLED BOLLARD (SEE DETAILS)
- R5-1 "DO NOT ENTER SIGN" (OWNER TO PROVIDE SIGN, GC TO INSTALL)
- RELOCATED PARKING BUMPERS

NOTIFY UTILITY COMPANIES BEFORE YOU DIG

IN CONFORMANCE WITH PUBLIC ACT 174 OF 2013, ALL CONTRACTORS SHALL CALL MISS DIG @ 811 OR 800-482-7171 FOR PROTECTION OF UNDERGROUND UTILITIES A MINIMUM OF THREE FULL WORKING DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) PRIOR TO BEGINNING EACH EXCAVATION IN ANY AREA. MEMBERS WILL NOT BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.



NO MORE THAN
5 RENTAL
VEHICLES

NO MORE THAN
15 VEHICLES, MAX
Box Size = 26ft.

UP TO 2 RENTAL VEHICLES
UP FRONT, EXACT SPACES T.B.D.
MUST MAINTAIN 20ft SETBACK
REQUIREMENT.

LEGEND

- | EXISTING | PROPOSED | |
|----------|----------|--------------------------------------|
| C | C | CABLE |
| E | E | ELECTRIC LINE |
| OHE | OHE | ELECTRIC LINE (OVERHEAD) |
| FO | FO | FIBER OPTIC LINE |
| G | G | GAS LINE |
| T | T | TELEPHONE LINE |
| F | F | FENCE |
| FC | FC | FORCEMAIN |
| GR | GR | GUARDRAIL |
| SS | SS | SANITARY SEWER |
| WM | WM | WATER MAIN |
| CL | CL | CENTER LINE |
| ETL | ETL | EXISTING TREE LINE |
| EDL | EDL | EXISTING DITCH LINE |
| ELP | ELP | EASEMENT LINE/GRADING PERMIT |
| GLS | GLS | GRADING LIMITS/LIMITS OF DISTURBANCE |
| PL | PL | PROPERTY LINE |
| RWL | RWL | RIGHT-OF-WAY LINE |
| SL | SL | SECTION LINE |
| AB | AB | TO BE ABANDONED |
| A | A | ANTENNA |
| CB | CB | CATCH BASIN |
| CRB | CRB | CABLE RISER BOX |
| CO | CO | CLEAN OUT |
| CI | CI | CURB INLET |
| EMH | EMH | ELECTRIC MANHOLE |
| FH | FH | FIRE HYDRANT |
| FIP | FIP | FOUND IRON PIPE |
| GV | GV | GAS VALVE |
| GA | GA | GUY ANCHOR |
| LP | LP | LIGHT POLE |
| M | M | MAILBOX |
| MW | MW | MONITORING WELL |
| P | P | POST |
| SD | SD | SATELLITE DISH |
| SMH | SMH | SANITARY MANHOLE |
| SC | SC | SECTION CORNER |
| S | S | SIGN |
| SB | SB | PAVEMENT/SOIL BORING |
| PH | PH | PROPOSED HYDRANT |
| PV | PV | PROPOSED GATE VALVE & BOX |
| RV | RV | PROPOSED GATE VALVE & VAULT |
| R | R | PROPOSED REDUCER |
| SMH | SMH | PROPOSED SANITARY MANHOLE |
| STMH | STMH | PROPOSED STORM MANHOLE |
| TMH | TMH | STORM MANHOLE |
| TR | TR | TELEPHONE MANHOLE |
| TRB | TRB | TELEPHONE RISER BOX |
| TP | TP | TURNING POINT/TRaverse |
| UP | UP | UTILITY POLE |
| V | V | VAULT |
| WE | WE | WATER ELEVATION |
| WMH | WMH | WATER MANHOLE |
| WM | WM | WATER METER |
| WV | WV | WATER VALVE |
| WS | WS | WATER SPIGOT |
| W | W | WELL |

7 MILE RD (120' WIDE R.O.W.)

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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



MAUREEN MILLER BROSAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

March 2, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2022-02-02-02 – 29150 Seven Mile Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The proposed project parcel is assigned the address of **#29150 Seven Mile Road**.

The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. Since no changes in building services are planned, there should be no impacts to the existing facilities.

It should be noted that the developer may be required to obtain a permit from the Wayne County Department of Public Service should any work occur within the Seven Mile Road right-of-way.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "David W. Lear", is written over a horizontal line.

David W. Lear, P.E.
Assistant City Engineer

cc: 2022 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

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

DATE: February, 22nd 2022
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: Petition 2022-02-02-02, 29150 Seven Mile Rd.

This office has reviewed the site plan submitted in connection with a request to modify the out lot at a commercial building on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE

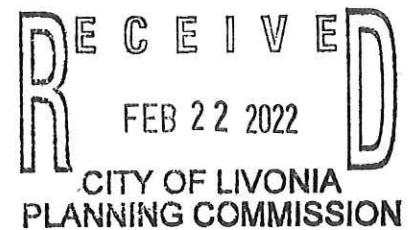


MAUREEN MILLER BROSNAN
MAYOR

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

February 22, 2022

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



Re: Petition 2022-02-02-02 29150 Seven Mile Rd

Mr. Miller,
I have reviewed the plans in connection with the petition. I have no objections to the proposals.

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

Sincerely,

FOR THE CHIEF OF POLICE,

Scott Sczepanski #543

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

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

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

Date: March 14, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-02-02-02 – 29150 Seven Mile Road

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

1. The parking for this use is deficient under the new zoning ordinance. Council may modify the parking requirements based on evidence that another standard would be more reasonable per Livonia Vision 21 Zoning Ordinance 9.03 (6).

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

March 11, 2022

~~March 3, 2022~~

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

Re: Petition 2022-02-02-02

29150 Seven Mile Road
Livonia Budget Storage, LLC

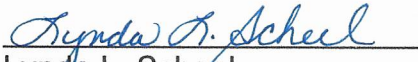
Dear Mr. Miller,

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

~~2021 Real Property Winter Taxes: Bill issued on December 1, 2021~~
~~Due now through March 31: \$15,592.05 Payable to Wayne County Treasurer~~

NEW – 2021 Real Property Winter Taxes were paid on 3/7/2022 in the amount of \$15,592.05 to the Wayne County Treasurer

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

ERIC R. SABREE

WAYNE COUNTY TREASURER
400 Monroe - 5th Floor
Detroit MI 48226-2942



Make checks payable to:
Wayne County Treasurer

Taxpayer Information:
(313) 224-5990

Office Hours:
8:00 a.m. - 4:30 p.m.
Monday through Friday

Web: treasurer.waynecounty.com
Email: taxinfo@waynecounty.com

Mailing Livonia Budget Storage Llc
Address: 74 W LONG LAKE RD STE 201
BLOOMFIELD HILLS MI 48304

Tax Statement

Number: 2022 - 49859

Date: 03/03/2022



46-46003010415004



17374544

Livonia Real Property Description:

Property Classification:(201) Commerical

Parcel ID: 46003010415004

SEV Amt: \$932,500 - 2021

HSTD VAL: \$0

Address: 29150 Seven Mile

PRE: 0%

NON HSTD VAL:
\$932,500

Livonia, MI 48152

Legal Description: 01F415D1, 417A, 418A1 SUPERVISORS LIVONIA PLAT NO 7 T1S R9E L66 P58 WCR LOTS 415, 417 AND 418 EXCEPT S 27 FT THEREOF ALSO EXCEPT E 250 FT OF LOT 415, ALSO EXCEPT W 100 FT OF S 375 FT OF LOT 418.

Tax Year	Base Tax	Total Amt Due	Status Description
2021	\$14,849.57	\$15,592.05	PRE DELINQUENT TAX/UNCONFIRMED

Total: \$14,849.57 \$15,592.05 If this property is available for payment, the amounts presented here are good on or before 03/31/2022.
By providing these figures this office does not represent that this property can be redeemed or reclaimed.

Created by:3111

Page 1 of 1

ERIC R. SABREE

WAYNE COUNTY TREASURER
400 Monroe - 5th Floor
Detroit MI 48226-2942



Make checks payable to:
Wayne County Treasurer

Taxpayer Information:
(313) 224-5990

Office Hours:
8:00 a.m. - 4:30 p.m.
Monday through Friday

Web: treasurer.waynecounty.com
Email: taxinfo@waynecounty.com

Mailing Livonia Budget Storage Llc
Address: 74 W LONG LAKE RD STE 201
BLOOMFIELD HILLS MI 48304

Tax Statement

Number: 2022 - 57647

Date: 03/09/2022



46-46003010415004



17389831

Livonia Real Property Description:

Property Classification: (201) Commerical

Parcel ID: 46003010415004

SEV Amt: \$932,500 - 2021

HSTD VAL: \$0

Address: 29150 Seven Mile

PRE: 0%

NON HSTD VAL:
\$932,500

Livonia, MI 48152

**Legal
Description:**

01F415D1, 417A, 418A1 SUPERVISORS LIVONIA PLAT NO 7 T1S R9E L66 P58 WCR LOTS 415, 417 AND 418 EXCEPT S 27 FT THEREOF ALSO EXCEPT E 250 FT OF LOT 415, ALSO EXCEPT W 100 FT OF S 375 FT OF LOT 418.

Tax Year	Base Tax	Total Amt Due	Status Description
Total:	\$0.00	\$0.00	No outstanding taxes for this parcel

Created by:3111

Page 1 of 1

Tax Receipt

Property & Tax Information

Municipality

46

Parcel ID

46003010415004

Property Address

29150 SEVEN MILE, LIVONIA, MI 48152

Taxpayer(s)

LIVONIA BUDGET STORAGE LLC

Note:

You may use this screen to receive receipt(s) via email for payments made within the last three months. If nothing was paid within that time period the screen defaults to the last payment made.

- Enter a valid email address.
- Select the desired receipt(s) by checking the box(es).

You will receive an email with an attached receipt(s) within two business days.

Please be aware that your email provider might have a limit of the attachment size.

We suggest not to select more than three receipts at one time.

Email: Ischeel@livonia.gov**Receipts:**

AMOUNT	DATE	SELECT
\$15,592.05	03/07/2022	☒

Clear

Submit

Payment Confirmation - eTaxPayments Eric R. Sabree, Treasurer

Thank you for your payment!

Please be aware that it may take up to three business days to post your payment. However, your property tax payment will be applied to the taxes due as of today's date. Electronic payments are accepted as conditional payment of taxes. If your financial institution returns a payment, the amount of the payment will be added to the tax bill without further notice, and will be subject to applicable interest and fee charges. In addition, a \$25.00 return item fee will be added to the amount of taxes due.

Please keep a record of your Confirmation Number, or [print](#) this page for your records.



Confirmation Number: WCTWCT005013391

Confirmation Date (ET): **Mar-04-2022 09:25:10 AM**

Your Payment Detail

Payment Amount: **\$15,592.05**

Scheduled Payment Date: **Mar-04-2022**

Amount Due: **\$15,592.05**

Year(s): **2021**

Interest Date: **03/01/2022**

Your Account Detail

Bank Routing Number: **072000096**

Bank Account Number: **XXXXXXXXXXXX0226**

Bank Account Type: **Checking**

Bank Account Category: **Business**

E-mail Address*: helda@manmgt.com

Please keep a record of your Confirmation Number, or [print](#) this page for your records.



DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

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

March 14, 2022

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

2022-02-02-02 - 29150 Seven Mile Road

Dear Mr. Miller,

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

Please contact me if you have any further questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Connie Kumpula", written over a horizontal line.

Connie Kumpula
Chief Accountant

CK: jw

**OTHER ITEMS
RELATED TO THE
PETITION**

From: [Sue Clinton](#)
To: [Planning](#)
Subject: Petition #2022-02-02-02
Date: Tuesday, March 22, 2022 11:12:48 AM
Attachments: [City Petition - 1.pdf](#)

Hi - my name is Sue Clinton located at 19205 Parkville St, Livonia, MI 48152. Unfortunately I am unable to make the Planning meeting tonight due to family reasons.

I am writing regarding petition #2022-02-02-02 in regards to the new storage facility located at 29150 Seven Mile wanting to operate a truck and trailer rental business. I would prefer they did not do this as I do not want to look out my kitchen window or sit on my deck and have a view of trucks sitting there by the wall. I don't believe that wall is tall enough to hide the trucks.

During the time that the property was vacant there was always semi's parking back there and that was not a pretty site let alone having to listen to the trucks running all day and night for them to have their a/c or heat on.

I have attached a copy of the petition and two photos from my backyard.

Thank you for your time and I hope this will make it on the agenda tonight.

Sue Clinton
19205 Parkville St, Livonia, MI 48152
248-426-1995





UNAPPROVED MINUTES

1

MINUTES OF THE 1,185th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, March 22, 2022, the City Planning Commission of the City of Livonia held its 1,185th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Glen Long, Acting Chairman, called the meeting to order at 7 p.m.

Members present: Glen Long David Bongero Carol Smiley
 Peter Ventura

Members absent: Ian Wilshaw Sam Caramagno Betsy McCue

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

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

ITEM #1 PETITION 2022-02-02-02 Livonia Budget Storage

Ms. Smiley, Acting Secretary, announced the first item on the agenda, Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting waiver use approval pursuant to Section 6.58 of the Livonia Vision 21 Zoning Ordinance to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven Mile Road, located on the north side of Seven Mile Road between

Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1.

Mr. Taormina: Thank you. This is a request to operate a truck and trailer rental business as part of an existing self-storage facility. This site is the former Toys-R-Us located on the north side of Seven Mile Road just east of Middle Belt. The parcel is 4.68 acres in size with approximately 324 feet of frontage on the north side of Seven Mile Road and a depth of roughly 600 feet. As you can see on the zoning map, the property is zoned C-2, General Business. The existing storage facility is two stories in height and contains 749 storage units. Livonia Budget Storage received waiver use approval on August 5 of 2020. This petition seeks an additional waiver use under Section 6.58 to operate a U-Haul truck and trailer rental operation. The site contains two separate parking areas. One is located in front of the building along Seven Mile Road. This lot has eight (8) parking spaces including one barrier free space and is accessible 24 hours a day. The other is located on the west side of the building. This is the larger of the two parking areas. It has roughly 28 parking spaces and is gated to restrict access to employees and customers only between the hours of 7am and 9pm, seven days a week. The proposal would designate two (2) spaces in the front parking lot and twenty (20) spaces in the restricted parking lot for the purpose of parking rental vehicles. The vehicles would include a mix of cargo vans, panel trucks and trailers ranging in size up to 26 feet in length. Of the 36 total parking spaces, 22 would be used for the storage and display of rental vehicles, and the remaining 14 would be available for customers and employees of both Livonia Budget Storage and U-Haul. If we use the Institute of Traffic Engineers (ITE) Parking Generation manual in determining the required amount of parking for the storage business, based on an average demand of 1.36 spaces per 100 units, a total of 10 parking spaces are needed for both customers and employees. This would leave 14 spaces available for customers of the U-Haul operation, assuming that the maximum 22 spaces are occupied by rental trucks and trailers. There are no other changes or improvements proposed as part of this petition. With that, Mr. Chairman, I can read out the departmental correspondence. The first item is from the Engineering Division, dated March 2, 2022, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The proposed project parcel is assigned the address of #29150 Seven Mile Road. The existing building is currently serviced by*

public water main and sanitary sewer, as well as private storm sewer. Since no changes in building services are planned, there should be no impacts to the existing facilities. It should be noted that the developer may be required to obtain a permit from the Wayne County Department of Public Service should any work occur within the Seven Mile Road right-of-way.” The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated February 22, 2022, which reads as follows: *“This office has reviewed the site plan submitted in connection with a request to modify the out lot at a commercial building on property located at the above referenced address. We have no objections to this proposal.”* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated February 22, 2022, which reads as follows: *I have reviewed the plans in connection with the petition. I have no objections to the proposal.”* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated March 14, 2022, which reads as follows: *“Pursuant to your request, the above referenced Petition has been reviewed. 1. The parking for this use is deficient under the new zoning ordinance. Council may modify the parking requirements based on evidence that another standard would be more reasonable per Livonia Vision 21 Zoning Ordinance 9.03 (6). This Department has no further objections to this Petition.”* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated March 14, 2022, which reads as follows: *“I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.”* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer’s Department, dated March 11, 2022, which reads as follows: *“In accordance with your request, the Treasurer’s Office has reviewed the name and addresses connected with the above noted petition. At this time there are delinquent taxes due, therefore I no longer have objections to the proposal. 2021 Real Property Winter Taxes were paid on 3/7/2022 in the amount of \$15,592.05 to the Wayne County Treasurer.”* The letter is signed by Lynda Scheel, Treasurer. Today we received an email correspondence from Sue Clinton, that reads *“Hi, my name is Sue Clinton located at 19205 Parkville Street, Livonia, Michigan 48152. Unfortunately, I am unable to make the planning meeting tonight due to a family reasons. I am writing regarding petition 2022-02-02-02 in regards to the new storage facility located at 29150 Seven Mile,*

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wanting to operate a truck and trailer rental business. I would prefer they did not do this as I do not want to look out my kitchen window or sit on my deck and have to view trucks sitting there by the wall. I don't believe that wall is tall enough to hide the trucks. During the time that property was vacant, there was always semis parking back there and that was not a pretty sight, let alone having to listen to the trucks running all day and night for them to have their AC or heat on. I have attached a copy of the petition and two photos from my backyard. Thank you for your time and I hope this will make it on the agenda tonight. Sue Clinton 19205 Parkdale Street, Livonia, Michigan". That is the extent of correspondence.

Mr. Long: Thank you, Mr. Taormina. Are there any questions for staff? Mr. Bongero?

Mr. Bongero: One quick question for Mark. So, we do have sufficient parking here?

Mr. Taormina: With the adoption of the Livonia Vision 21 Zoning Ordinance, new parking standards were established for storage facilities. The new requirement is one space for each 1,000 square feet of floor space. So, given the fact that the building is 80,000 square feet, that would require approximately 80 parking spaces, which is clearly more than what the site needs. The ordinance also provides possible relief if it is determined that the parking requirement is excessive. It states that an alternative standard can be used including the latest ITE Parking Generation Manual. That's what was referenced this evening and what we believe is the better standard to apply in this case. The evaluation shows that there would be sufficient parking for the storage operation. The unanswered question is how many customer spaces are needed for the U-Haul business?

Mr. Bongero: Yeah.

Mr. Taormina: The petitioner indicated at the study meeting that they would not start out with all 22 vehicles. It would be something less than this. Later, if the demand is there and U-Haul increases the number of rental vehicles, the question then becomes: how many spaces are needed for customers—people that leave their vehicles on-site while they rent the truck or the trailers, especially for day use?

Mr. Bongero: Okay, so as it stands now, we're good for right now.

Mr. Taormina: Yes.

Mr. Bongero: Okay, thank you.

Mr. Long: You're welcome. And are there any other questions? Okay, hearing none, will the petitioner please come to the podium here?

Brandon Grysko, 4170 Six Mile, Northville, MI. I am with Fausone Bohn, LLP. Good evening, commissioners. Mr. Taormina. I'd like to start out by indicating that I'm proud to announce that Livonia Budget Storage, who I represent, is here today requesting this petition in order to expand I'm sorry...so I'm proud to announce that the business is expanding. We have with us today, two generations of responsible business owners that are going to be in part operating this business. We've previously, as Mr. Taormina indicated, we've previously been before this commission and the City Council for a waiver use related to the existing indoor self-storage facility, and that sailed through Planning Commission as well as through City Council with no issue. And as far as I know, we haven't had any issues in the operation of that side of the house in the time that we've been operating. The build out itself, just to highlight some benefits that they brought to the community include some aesthetically pleasing architectural features that you don't necessarily see in every development there along Seven Mile Road. So, I think that's something that should be taken into consideration as one of the better indicators of operations and certainly future operations is, what has the past operations been like? And so, to that extent, we do think that they've been good operators and they brought some benefit, certainly aesthetically, to the community and got a vacant property up to date and back on the tax rolls and things like that. The business also recently joined the Livonia Chamber of Commerce and hosted a well-attended, by city officials and local business owners, open house and ribbon cutting. That was a massive success. And I tell you this to highlight that the business is here to be a partner with the community and has been to the planning process. We think we certainly meet the requirements of the zoning ordinance and of the waiver use. We had a spirited and lively discussion at the study meeting. And we actually have. Today, a representative from U-Haul that would be available to answer any follow-up questions that came out of that. And I'm certainly here as well, to the extent that the commissioners have any questions, we'd be happy to address and answer those. And Mr. Bongero, I think you said you weren't here for the study session. So, if there was anything I

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can answer for you or Jesse, from U-Haul here, please let us know. We'd be happy to take care of that tonight.

Mr. Long: Any members of the Commission have questions? Mr. Ventura?

Mr. Ventura: Mr. Grysko, just to kind of clarify the parking situation. At the study session, you told us that when somebody comes to rent a truck, they park their personal car in the space where the truck is stored on site. Do I have that correct?

Mr. Grysko: That would be the case only if the person were leaving their vehicle.

Mr. Ventura: Right.

Mr. Grysko: And not necessarily indicating that it would be that specific space, but certainly in an open space.

Mr. Ventura: Well, it wouldn't be a customer space. What I'm trying to clarify, and what I'm uncertain about is the adequacy of parking for all of the operations at this business. So, we have people coming to the storage center and they're going to drive their car into the storage building. Is that correct?

Mr. Grysko: Yes. If they're if they're unloading, yes.

Mr. Ventura: Right, okay. If somebody came with them to assist them, they could either ride in their car, or they could come in a car and need a place to put it while they unloaded their truck or trailer in the storage facility.

Mr. Grysko: Potentially.

Mr. Ventura: Okay. So, there's a possible use of spaces and then people that were coming to rent a space in the storage facility that can't get past the gate because they don't yet have a number, they would be parking in the spaces in front.

Mr. Grysko: Presumably, yes.

Mr. Ventura: Okay. So with only 14 parking places on the entire site dedicated to folks that might be accompanying people using a storage facility, and potential new customers stopping into either start or stop their business with the storage facility, I'm concerned that when people come to rent trucks, I thought at the study session, you indicated that they would be putting...if

they left a car, and I don't know what percentage that is, maybe somebody from U-Haul does, if they left a car, they'd be leaving it in the space where they took the truck from, which seems to make sense. Is that an accurate general description of the parking situation here and the demands?

Mr. Grysko: I guess I'll defer to Jesse to answer that question. As he's very familiar with U-Haul operations. I'll only say that the plan is. Obviously, that we're going to have parking for everybody that's going to use the business based on market demands that I think Jesse is going to talk about here and not to have cars parked, you know, willy nilly around the lot, but the idea being that everybody is going to have a space as needed, but Jesse, please.

Mr. Ventura: I guess one other follow up question, what's the ratio of trucks versus trailers? I'm assuming you're going to have both.

Mr. Grysko: Yes, There are plans to have both trucks, and trailers as well you would, please.

Jesse Brown, representing U-Haul. To get with...to help you understand the parking situation, we have two different types of customers. We have customers that are doing odds and ends for their home, so they're keeping the equipment for short hours. Parking a vehicle at the location where they're renting from, renting a truck, coming back, and picking up their vehicle. We also have customers that are moving out of town. So, those customers obviously will not be leaving a car at the facility. The ratio is probably around 50%, to be honest with you, with the different types of customers that we do have. We have overcome parking situations exactly how you're describing it. If a truck is being rented that customer will park their vehicle in a designated, you know, rental location. That's worked out quite well. I don't...the question of having 20 U-Haul vehicles at a location at one time is probably to the extreme. I think our goal is they're not sitting, you know, we want them to be on the road, helping families. So, if there's, you know, a maximum amount of equipment sitting at a location then there's probably an issue.

Mr. Ventura: Okay, I think that gives us a good overview of how you handle the parking there. Thank you, Chairman.

Mr. Long: Thank you. Ms. Smiley?

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- Ms. Smiley: First of all, we need your address for the record, and then secondly, did you want to go over your hours of operation in how...I mean, what if I rented the truck and you closed at six and I come back, can I have access to my car? Can I drop off the truck? I mean what happens?
- Mr. Brown: Yeah, so us, as it were, as a company, we have pushed to have the customer return during open hours.
- Ms. Smiley: Okay.
- Mr. Brown: And that's mainly for a customer service point of view, to be honest with you. That's to make sure that the customer didn't occur any problems with the equipment. If there is a situation where a customer can't utilize that option, and they need to return after hours we call it, there is...there may be a possibility that a truck is parked outside the secured gate area. If you parked your vehicle behind the secured area, then the location would most definitely give you an access code to get it out, from our experience.
- Ms. Smiley: Your hours of operation are?
- Mr. Brown: I don't know what they are at that location.
- Ms. Smiley: You have to come to a microphone.
- Mr. Long: And also, please provide your name and address for the record.
- Raquel Monti, General Manager for storage on U-Haul. Our hours will be Monday through Friday 9 to 6, Saturday 9 to 4, and Sunday 9 to 2.
- Ms. Smiley: So, during those hours, that's the only time they could get in and out of the secured gates?
- Ms. Monti: We will be providing, if absolutely necessary, a temporary code that we change frequently to customers to retrieve their vehicle so that they're not locked out of the gate if they are going to be returning within...not within our hours. So, they have 24-hours that they can access U-Haul system online, so that when they return the truck, they can check their truck in online and then they can retrieve their vehicle and we'll give them a temporary call that they can use, if it's absolutely necessary, if they can't return before we close.
- Ms. Smiley: Okay, and can I have your address for the record?

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- Ms. Monti: 13120 Hall Road, Sterling Heights, Michigan 48313.
- Ms. Smiley: Okay, thank you. Thank you, Mr. Chair.
- Mr. Long: Thank you, Ms. Smiley. Any other questions? I'm going to go to Mr. Bongero, he was a little quicker.
- Mr. Bongero: I just...am I understanding that you wanted to leave a couple vehicles out in front for advertising?
- Mr. Brown: For advertising and more for business operations. We do offer a contactless rental system right now. With the climate and the pandemic, we're trying to ease that a bit so customers can do everything through their mobile device. With that, we would rather have vehicles not in the secured area, we would rather have them out front for access to them.
- Mr. Bongero: Okay, does moving them behind the fence impede advertising in your view at all? Or no?
- Mr. Brown: Um, no.
- Mr. Bongero: I asked this because that fence is like...it doesn't block anything.
- Mr. Brown: No,
- Mr. Bongero: You know what I am saying?
- Mr. Brown: I mean, as long as the equipment behind the fence is properly staged, we're going to call it, I think the display will be perfectly fine. I think more so the equipment parked up front in those two parking spaces is going to be for the contactless pickup system.
- Mr. Bongero: Gotcha. Yeah, I see...I don't see it...like behind the fence won't hurt advertising at all, because I was there today, and you can see everything. You know what I mean? So, if it was a privacy fence that was solid or something, I could see it, but you can. It won't impede in any way to see those vehicles.
- Mr. Brown: Right. No, I agree.
- Mr. Bongero: Okay, thank you,
- Mr. Long: Thank you, Mr. Bongero. Mr. Ventura?

- Mr. Ventura: We have a letter that Mr. Taormina referenced from a neighbor talking about trucks sitting in the in the back of the lot idling prior to the establishment of the of the storage structure there. Will there ever be a time when you have truck sitting back against that or anywhere on the lot just sitting there idling for long periods of time?
- Mr. Grysko: Without having that particular citizen here to address and ask exactly what she's talking about, I'm assuming that she's talking about what we've seen with say...like the South End Walmart, where in the after-hours time, say at night, semi-trucks will pull in that have too many hours on the road. And so, under the Federal Trucking Regulations, they've got to pull off for a certain amount of time before they can resume their trip. That is something that, obviously, the City of Livonia has taken aggressive enforcement measures against down in the south end and something that may or may not have occurred. You know, when this was a vacant site, obviously, in this situation, the site is going to be restricted access and so there's not going to be semi-trucks back in here idling, making any noise, giving off any fumes or anything like that. Additionally, I believe the area that the citizen is referencing is the area that's on the northeast end of the building, which would be the closest to that neighborhood. Where we're talking about parking the trucks, based on the site plan, that's up there. The orange highlighted area is going to be all the way to the west, which is literally as far away from this person's house as we can get. So, I don't necessarily see that being an issue. I hope that the commissioners take that into consideration.
- Mr. Ventura: I think you've characterized her concern well, in relating it to the Walmart situation at Wonderland, and I thank you for that. I think that's good. Thank you, Mr. Chair.
- Mr. Long: Any other questions for the petitioner? I do have a question for Mr. Brown. So obviously, you know, there's a limited number of parking spaces there and you have a maximum of how many vehicles you can have there, but how does U haul determine how many U hauls to put at this location? Is there some kind of a market study? You know, what kind of demand is there? And what do you start with? You start with like four trucks and then you build it up? How does that work?
- Mr. Brown: It is based off of the location itself, the facility itself. As a company, we have a team in place that enforces the logistics side of things. Obviously, we don't want this place to be loaded

with 50 trucks. That's not our goal. So, to answer that, yes, I think the demand in that area justifies a steady flow of, you know, 10 to 15 trucks at all times. They may not be sitting there at all times. That's the goal, right? There may only be, you know, four or five trucks sitting there, but we do have data that supports that the City of Livonia, you know, justifies the rental community and the people that need to utilize these vehicles.

Mr. Long: Thank you for that. I have one more follow up question, I guess. On some of your business is one-way rentals?

Mr. Brown: Correct.

Mr. Long: Is it prearranged, where if I'm moving to Livonia, from Florida and I don't know why I do that, but if I'm doing that, at least not in the winter. In the summer, it's a wonderful place to be, but if I'm doing that, is it prearranged that I'm dropping the U-Haul truck off at this location? Or am I able to just drop it off anywhere? What I'm worried about...what I don't want to see is a run where all of a sudden you have more U-Haul trucks than parking spots and we have...

Mr. Brown: If that's the case, if the location is at their max capacity, we have tools in place that would allow a customer to select another convenient location instead of the one they're initially picking. So, it's really based off of the customer. If that's where the customers moving and they have a max allotted truck sitting there, we're going to try to divert that customer to a location that is not at max capacity.

Mr. Long: Thank you. Any further questions? Okay, if there are no further questions, we'll hear questions from the floor. Is there anybody in the audience who is interested in speaking for against this petition? Going once, going twice, okay, no questions from the audience. So, I'm going to close the public hearing and a motion is in order.

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

#03-17-2022 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on March 22, 2022, on Petition 2022-02-02-02 submitted by Livonia Budget Storage, L.L.C. requesting waiver use approval pursuant to Section 6.58 of the Livonia Vision 21 Zoning Ordinance to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility at 29150 Seven

Mile Road, located on the north side of Seven Mile Road between Middlebelt Road and Parkville Avenue in the Southwest ¼ of Section 1, the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02 be approved subject to the following conditions:

1. That the outdoor storage of U-Haul trucks, vans and trailers shall be limited to designated areas within the secured parking lot only, and no U-Haul trucks, vans or trailers shall be stored in front of the building, except for those returned after the hours the security gate is locked.
2. That no U-Haul trucks, vans or trailers shall be parked in front of the building between the hours of 10:00 a.m. and 9:00 p.m., seven (7) days per week.
3. That the total number of rental trucks, vans and trailers available at this location shall not exceed twenty (20).
4. 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.
5. That there shall be no outdoor storage of auto parts, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals; and
7. 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 an appropriate permit is obtained, this approval shall be null and void at the expiration of said period.

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

Mr. Long: Is there any discussion?

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- Ms. Smiley: I have just one question. Is there any way we could accommodate the no contact picking up of a truck? I guess that would entail having one of the trucks outside between the hours of 10 and 9. I like, no contact. I like that, you know.
- Mr. Long: There is a use for it these days, right? I will pose that to the maker of the motion.
- Ms. Smiley: I don't know how you do it, though.
- Mr. Long: Mr. Taormina, do you have any ideas?
- Mr. Taormina: Maybe this is a question for the Livonia Budget Storage operators, because—if I understood correctly—even after hours using the contactless system, they would provide an access code to allow the customer in the back.
- Ms. Smiley: Okay.
- Mr. Taormina: I'm assuming that using the mobile app, a rental reservation is made and when the person goes to the site to pick the vehicle up, the key is already in the vehicle and can be retrieved via a code to the storage compartment on the side of the truck. So, as long as they can get access to the secured parking lot via a code provided by Livonia Budget Storage, then they can still do the contactless operation. That's my understanding.
- Mr. Long: Miss Monti, could you please approach. So, what the motion on the table is, is an approval, however, without having the trucks out front? So, if you had a contactless pick up, would the people be able to access the gate? Are you able to provide them a code in order to get behind the security gate in order to pick up a truck?
- Ms. Monti: Yes, we're able to put multiple codes in the system for just for the specific use of U-Haul use. So, there's a program when they go in and retrieve their truck that they can access that code once they go through that process. They'll give them that temporary code, they can go back and get their vehicle. The key will be in a designated location and then they can dispatch the truck.
- Mr. Long: Great. We want to make sure that you're able to do business and so thank you Miss Monti.
- Ms. Smiley: I'm fine with that. I'm just not real tech.

Mr. Long: So, we have a motion with the support and our question has been resolved. So good. Your petition will move on to City Council with an approving resolution. Thank you and good luck with your business.

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

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

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Meeting was called to order at 8:00 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough
Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Ilincik, City Engineer, Paul Bernier City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

6. REQUEST TO AMEND COUNCIL RESOLUTION 258-21: Department of Civil Service, re: to amend job descriptions and increase wages for temporary part-time staff in the Department of Parks and Recreation, from budgeted funds.

Jeannine Laible, Human Resources Director, presented the request to Council.

Council President Jim Jolly asked for clarification of wage changes. Jeannine Laible explained they are step changes for different positions so they can bring them back at a higher rate.

Councilmember Scott Bahr asked who the primary competitors are for these positions. Jeannine Laible stated they are similar positions at other municipalities or comparable positions at other companies.

Councilmember Bahr asked if this was limited to summertime work. Jeannine Laible responded that it was not limited to seasonal, this could potentially be full time positions.

Councilmember Scott Bahr asked what the staffing levels currently are for these jobs. Jeannine Laible responded that it is about 60%. Ted Davis, Superintendent of Parks and Recreation agreed they are at 60% staffed. He clarified the other surrounding municipalities and gave examples of their starting wages.

Council Vice President Laura Toy asked if the lowest paid position is that is being requested was \$13.00 per hour. Ted Davis clarified that the lowest is \$12.37 per hour. Council Vice President Toy felt they are pricing too low since fast food is \$17.00 per hour and is concerned that people might leave to go to a fast-food restaurant for more money. Ted Davis gave examples of additional benefits to working with them versus what McDonalds might not offer. Council Vice President Toy stated they might need to take a look at some of the things they do and cut back because of the economy. Ted Davis stated that this doesn't solve any problems, but it helps them move forward.

Council President Jim Jolly stated that he would like to see more of a welcoming atmosphere when going into the Rec Center, a smile or a hello go a long way.

Councilmember Brandon McCullough asked if they all start at Level 1 at \$12.37. Ted Davis stated there are several positions that start at Level 1. Councilmember McCullough noted they are down almost \$2.00 compared to what everyone else is hiring at. He doesn't want to see them train and go somewhere else, there needs to be an incentive to stay.

Councilmember Brandon McCullough offered a resolution to refer this item to the Committee of the Whole.

Councilmember Scott Bahr asked if putting this item in Committee of the Whole creates a hardship. Ted Davis stated that it would impact them with time of meetings. Councilmember Scott Bahr offered an approving resolution on the Regular agenda.

DIRECTION: APPROVING COMMITTEE OF THE WHOLE REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

6.

Civil Service
April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Katie Barbee, Program Supervisor,

AGENDA ITEM

REQUEST TO AMEND COUNCIL RESOLUTION 258-21: Department of Civil Service, re: amend job descriptions and increase wages for temporary part-time staff in the Department of Parks and Recreation, from budgeted funds.

BACKGROUND

At the Civil Service Commission meeting of March 16, 2022, with Chairperson Roger L. Spence, Commissioners Charlotte S. Mahoney, and James Wenson being present, with minutes to be approved on April 20, 2022, the Civil Service Commission approved the following resolution:

Upon a motion by Mr. Wenson, seconded by Ms. Mahoney, and adopted, it was

22-52 RESOLVED, that having reviewed the letter from Edward Davis, Superintendent of Parks and Recreation, dated February 11, 2022, regarding proposed changes to job descriptions and wages for temporary part-time staff in the Department of Parks and Recreation, the Civil Service Commission does hereby approve this request. The Civil Service Commission submits the same to City Council for their review and consideration.

Attached is a copy of the information submitted by the Department of Parks and Recreation for your review. If you have any questions, please call Jeannine Laible at 734-466-2527.

RECOMMENDATION

Approve as submitted.

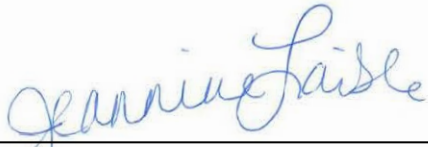
FISCAL CONSIDERATION

Budget for Salaries

ATTACHMENTS

1. Packet to Council transmitting Parks and Recreation job description and wage revisions
04.07.2022

APPROVED BY



Jeannine Laible, Human Resources Director

Date: April 07, 2022



Michael Slater, Finance Director

Date: April 08, 2022



Maureen Miller Brosnan, Mayor

Date: April 08, 2022



Paul Bernier, City Attorney

Date: April 08, 2022

DEPARTMENT OF PARKS & RECREATION

PARKS AND RECREATION
COMMISSION

MARK JOHNSON
CHAIRPERSON

PAUL CONDON
KATHERINE JOLLY
CATHY KEVRA
KEVIN SUMMERS

15100 HUBBARD
LIVONIA, MICHIGAN 48154-3586
(734) 466-2410 RECREATION DIVISION
FAX: (734) 466-2679

MAUREEN MILLER BROSNAN
MAYOR

EDWARD DAVIS
SUPERINTENDENT



February 11, 2022

Civil Service Commission
City of Livonia
Livonia, MI 48154

Re: Proposed changes to Job Descriptions and Wages

Dear Members of the Commission:

The Department of Parks and Recreation respectfully requests your concurrence in the proposed changes for part-time staff as approved by the Livonia Parks and Recreation Commission.

#3816-22 **RESOLVED**, that the Commission approves the job description and wage updates as submitted.

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

AYES: Condon, Kevra, Summers, Jolly, and Johnson

NAYES: None

The Chairperson declared the resolution **adopted**.

The Department of Parks and Recreation requests the following increases for part-time staff based on the highly competitive job market. The across-the-board increase of \$2.50 per hour for Levels 1-6 and \$1.50 for levels 7-9 in 2021, formally adopted by City Council resolution #258-21, was instrumental in increasing our part-time staffing levels. We recommend a new half step at six months of employment and raise the step amounts to encourage staff to stay with our Department.

Additionally, the Department reviewed the job classifications and descriptions. To attract and retain quality staff we recommend the following changes to Job Classifications:

- Move Intern and Climbing Wall Belay up to Level 4.

AQUATICS, ATHLETICS, GOLF, HISTORICAL, PARKS, RECREATION CENTER,
SENIOR CITIZENS, and SPECIAL EVENTS

- Move Front Desk II and Camp Supervisor up to Level 5.
- Various description language and age changes.

Attached are the updated Job Descriptions showing changes and proposed wages.

The increase in 2021 cost approximately \$300,000 and was necessary to stay competitive. The Department budget for 2022 included a minimum wage increase for all levels. These proposed changes will be an additional \$40,000 in wages for 2022.

Thank you for your time and consideration of this request.

Respectfully,

Edward Davis
Superintendent

Attachments

Regular Meeting of August 9, 2021

On a motion by Toy, supported by Jolly, and unanimously adopted, it was:

#258-21 RESOLVED, that having considered a communication from the Human Resources Director, dated July 22, 2021, which bears the signatures of the Finance Director and the City Attorney and is approved for submission by the Mayor, and which sets forth resolution no. 21-102, adopted by the Civil Service Commission on July 21, 2021, wherein it is recommended to approve the temporary hourly rate increase and "Stick-With-Us" bonuses for the 2021 and 2022 Temporary Seasonal positions within Parks and Recreation, to be effective the first pay period after City Council approval, the Council does hereby concur in and approve the recommendation of the Civil Service Commission regarding those changes as outlined in the aforementioned communication and attachments thereto.

<i>UNFINISHED BUSINESS ITEM 11 (Regular Meeting of August 9, 2021)</i>
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Motion by:	Toy
Seconded by:	Jolly
ROLL CALL:	
Ayes:	Jolly, Toy, Bahr, White, McCullough, Donovic, McIntyre
Nays:	None
Absent:	None

Proposed rates for Parks and Recreation temporary part-time employees.

		<u>YEAR</u>	<u>Step 1</u>	<u>Step 1.5</u>	<u>Step 2</u>	<u>Step 3</u>
LEVEL 1	1710	current	\$12.37		\$12.55	\$12.75
		2022	\$12.37	\$12.62	\$12.87	\$13.37
		2023	\$12.37	\$12.62	\$12.87	\$13.37
LEVEL 2	1720	current	\$12.95		\$13.15	\$13.35
		2022	\$12.95	\$13.20	\$13.45	\$13.95
		2023	\$13.10	\$13.35	\$13.60	\$14.10
LEVEL 3	1730	current	\$13.60		\$13.80	\$14.00
		2022	\$13.60	\$13.85	\$14.10	\$14.60
		2023	\$13.75	\$14.00	\$14.25	\$14.75
LEVEL 4	1740	current	\$14.30		\$14.50	\$14.70
		2022	\$14.30	\$14.55	\$14.80	\$15.30
		2023	\$14.45	\$14.70	\$14.95	\$15.45
LEVEL 5	1750	current	\$14.90		\$15.10	\$15.30
		2022	\$14.90	\$15.15	\$15.40	\$15.90
		2023	\$15.05	\$15.30	\$15.55	\$16.05
LEVEL 6	1760	current	\$16.00		\$16.25	\$16.50
		2022	\$16.00	\$16.25	\$16.50	\$17.00
		2023	\$16.15	\$16.40	\$16.65	\$17.15
LEVEL 7	1770	current	\$16.80		\$17.05	\$17.30
		2022	\$16.80	\$17.05	\$17.30	\$17.80
		2023	\$16.95	\$17.20	\$17.45	\$17.95
LEVEL 8	1780	current	\$18.85		\$19.10	\$19.35
		2022	\$18.85	\$19.10	\$19.35	\$19.85
		2023	\$19.00	\$19.25	\$19.50	\$20.00
LEVEL 9	1790	current	\$21.85		\$22.10	\$22.35
		2022	\$21.85	\$22.10	\$22.35	\$22.85
		2023	\$22.00	\$22.25	\$22.50	\$23.00

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL ONE

2022* STEP 1 \$12.37 STEP 1.5 \$12.62 STEP 2 \$12.55 — 87 STEP 3
\$12.75 13.37

2023* STEP 1 \$~~40.40~~ 12.37 STEP 1.5 \$12.62 STEP 2 \$~~40.30~~ 12.87 STEP 3
\$10.50 13.37

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement ~~16~~ 15 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.

GENERAL REQUIREMENTS:

- ~~1. Have CPR/AED and First Aid Certification within 30 days of employment.~~
- 2.1. Hours of work vary.
- 3.2. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
- 4.3. Have the ability to work effectively with the public and department personnel.
- 5.4. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225 125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Pool Attendant – At assigned pools, assists swim instructors, assist with activity set-ups and cleanups and handle payments at outdoor pools.

Athletic Attendant – At assigned athletic facilities, assists with score keeping and site and event prep & clean-up. Has basic knowledge of activities (i.e. basketball, volleyball, baseball, softball).

Facility Attendant - At the Recreation Center, assists with activity set-ups and cleanups, special events, concessions, parties and handing out equipment.

Fit Hub Attendant – Works at the Recreation Center, cleans, vacuums around exercise machines and exercise areas/storage areas, picks up fitness equipment and assists and assists with class set-ups. Can be assigned additional tasks on an as needed basis.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL TWO

2022* STEP 1 \$12.95 STEP 1.5 \$13.20 STEP 2 \$~~13.15~~13.45
STEP 3 \$~~13.35~~13.95

2023* STEP 1 \$~~10.65~~13.10 STEP 1.5 \$13.35 STEP 2 \$~~10.85~~13.60
STEP 3 \$~~11.05~~14.10

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 1225 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Special Events Leader - Works with the Supervisor in planning programs, activities and special events and supervises staff and participants.

Marketing Assistant – Performs task relative to the departments marketing plan and strategies. Creativity and basic computer skills required. Minimum age required 18.

Kid Quarters Attendant – Interacts (playing games, crafts, reading) with children 12-under at the Kirksey Recreation Center while parent(s) are in facility.

Park Attendant – At assigned parks, cleans park and assist park users as needed. Minimum age required 18.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL THREE

2022* STEP 1 \$13.60 STEP 1.5 \$13.85 STEP 2 \$~~13.80~~14.10
STEP 3 \$14.~~00~~60

2023* STEP 1 \$~~11.35~~13.75 STEP 1.5 \$14.00 STEP 2 \$~~11.55~~14.25
STEP 3 \$~~11.75~~14.75

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 1225 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Front Desk 1— At the Recreation Center or Senior Center answers phone calls, processes registrations & admissions, provides information about memberships, classes & activities. Basic office and computer skills required.

Camp Counselor - Ensures the safety and well-being of all program participants. Assists in planning, organizing, and implementation of youth activities. Assist in set up, tear down, and clean-up of program activities, supplies, and equipment. Attend training to gain knowledge of current safety rules and departmental policies. Minimum age required 18.

Jr. Swim Instructor - Teaches or assists in the instruction of swim lessons, attends required training classes. Minimum age required 15.

Level Three cont.

Kid Quarters Supervisor – At Recreation Center, plans programs and daily activities for participants 12 and under. Assists parents, supervises, and schedules Kid Quarters Attendants. Minimum age required 18.

Park Supervisor – At assigned parks, cleans park, and provides assistance to park users. Supervises Park Attendants. Minimum age required 18.

Athletic Supervisor - Responsible for site & event prep & clean-ups, provides assistance to the public. Supervises Athletic Attendants. Possess basic knowledge of athletic activities (i.e. archery, basketball, volleyball, baseball, pickleball, softball). Minimum age required 18.

~~**Intern**—Shadows full time staff learning various operations of the department. Will be required to organize and implement 1 to 2 programs based on length of internship. Must meet requirements of University Program.~~

Special Events Supervisor – Supervises Facility Attendants & Special Event Leaders. Assist in planning of programs, activities, and special events. Assists participants and the public and works with activity set-ups and cleanups. ~~Minimum age 18.~~

~~**Climbing Wall Belayer**—Monitors Recreation Center Climbing Wall. Qualifies and records all participants and conducts belay, safety, and gear checks. Works during rentals and special wall events. Climbing experience required.~~

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL FOUR

2022* STEP 1 \$14.30 STEP 1.5 \$14.55 STEP 2 ~~\$14.50~~14.80

STEP 3 ~~\$14.70~~15.30

2023* STEP 1 \$~~12.05~~14.45 STEP 1.5 \$14.70 STEP 2 \$~~12.25~~14.95

STEP 3 \$~~12.45~~15.45

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Lifeguard 1 -At assigned pools, assists the public, assist swim instructors and performs activity set-ups and cleanups. Minimum age required 15.

~~**Front Desk 2** -Minimum 3 years front desk experience at the Recreation Center. Answers phone calls, processes registrations & admissions, provides information about memberships, classes & activities. Basic office and computer skills required. Must have successfully completed Front Desk 1, Step 3.~~

Party Supervisor - Supervises weekend party/rental operations and Facility Attendant. Works with custodians in assuring proper and timely cleaning and turnover of rooms between parties/rentals. Also assists with booking parties/rentals. Minimum age required 18.

Level Four cont.

Choir Director – Directs the Livonia Civic Chorus, works with Piano Accompanist in preparation of two major shows December & May. Practices 2 hours per week September through November. Strong music background required. Minimum age required 18.

Piano Accompanist – The Accompanist for the Livonia Civic Chorus, works with Choral Director in preparation of two major shows December & May. Practices 2 hours per week September through November. Strong piano accompanist background required.

Sports Official - Supervises and schedules Officials. Responsible for training of officials, is familiar with rule changes and works well with coaches. Possess advanced knowledge of sport (i.e. basketball, volleyball, baseball, pickleball, softball).

~~**Camp Supervisor** – Supervises Camp Counselors. Assists Camp Director with daily operations of summer camp programming. Assists in planning, organization, and implementation of various youth activities. Maintains accurate records and reports, as necessary. Ensure safety rules, departmental policies, and regulations are followed by staff and participants. Minimum age required 18.~~

Therapeutic Recreation Counselor - Responsible for leading and supervising activities for persons with special needs. Assists in planning, organizing and conducts recreation activities for participants of assigned program. Lead and facilitate activities at assigned events and programs. Ensures the safety and well-being of program participants. Attend training in order to gain knowledge of current safety rules and departmental policies. Minimum age required 18.

Museum Collection Manager – Manages proper documentation of the museum collections, including accessioning and deaccessioning, cataloging, inventories, and other records; maintains the collections management database (Past Perfect) and object files; ensures proper care and preservation of the museum collections by managing the museum collections storage rooms, environmental conditions data and analysis, curatorial housekeeping, and conservation projects; and contributes to exhibition planning and installation, including overseeing incoming and outgoing loans. At least 3 years of professional experience managing art and artifact collections in a museum environment and thorough knowledge of collections management standards and best practices required.

~~**Intern** – Shadows full time staff learning various operations of the department. Will be required to organize and implement 1 to 2 programs based on length of internship. Must meet requirements of University Program.~~

~~**Climbing Wall Belayer** – Monitors Recreation Center Climbing Wall. Qualifies and records all participants and conducts belay, safety, and gear checks. Works during rentals and special wall events. Climbing experience required.~~

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL FIVE

2022* STEP 1 \$14.90 STEP 1.5 \$15.15 STEP 2 ~~\$15.10~~ 40
STEP 3 ~~\$15.30~~ 90

2023* STEP 1 \$~~12.65~~ 15.05 STEP 1.5 \$ 15.30 STEP 2 \$~~12.85~~ 15.55
STEP 3 \$~~13.05~~ 16.05

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Swim Instructor – Teaches swim lessons independently, prepares lesson plans, attends required training classes.

Lifeguard 2 Days - At assigned pools, assists the public, assist swim instructors and performs activity set-ups and cleanups. Available during day shift between 5:30am-5:00pm September-May. Minimum age required 18.

Lifeguard 2 Lead- At assigned pools, assists the public, assists swim instructors and performs activity set-ups and cleanups. Assists Pool Supervisor with onboarding new staff and Lifeguard Instructors with in-services. Other duties as assigned by Aquatic Supervisor. Minimum 1 year experience guarding with Livonia Parks and Recreation and in good standing.

Level Five cont.

Camp Supervisor - Supervises Camp Counselors. Assists Camp Director with daily operations of summer camp programming. Assists in planning, organization, and implementation of various youth activities. Maintains accurate records and reports, as necessary. Ensure safety rules, departmental policies, and regulations are followed by staff and participants. Minimum age required 18.

Front Desk 2 - Minimum 3 years front desk experience at the Recreation Center. Answers phone calls, processes registrations & admissions, provides information about memberships, classes & activities. Basic office and computer skills required. Must have successfully completed Front Desk 1, Step 3.

Pool Maintenance - Is responsible for cleanliness, mechanical functions, proper pool chemical ratios, filtration systems, vacuuming, general cleanliness, opening aquatic facility, supervision of morning programs and general daily maintenance. Must be able to lift 50 pounds.

Activity/Sports Instructor 1 - Plans and administers children and youth activities in a variety of different sports or instructional programming. Minimum of 1 year coaching/instructing experience required.

Athletic Coordinator - Oversees and schedules Attendants & Supervisors. Responsible for facility, equipment and working with coaches and sports officials. Possess advanced knowledge of sport (i.e. archery, basketball, volleyball, baseball, pickleball, softball). Minimum age required 18.

Park Coordinator – Oversees and schedules Attendants & Supervisors. Responsible for equipment and supplies, cleaning park and providing assistance to park users. Minimum age required 18.

Climbing Wall Instructor – Instructs classes at the Recreation Center Climbing Wall. Qualifies and records all participants and administers belay, safety, and gear checks. Works during rentals and special wall events. Climbing experience required.

Gym Supervisor - Responsible for control of gymnasium during drop-in basketball or other sports. Manage a time clock, flow of players on the court and sign in sheet. Monitor and correct behavior in accordance to house rules. Minimum age 18.

Therapeutic Recreation Supervisor -

Responsible for leading and supervising activities for persons with special needs. Supervises Therapeutic Recreation Counselors. Assists TR Coordinator in planning, organization, and implementation of events and activities as assigned. Maintains accurate records and reports as necessary. Ensure safety rules, departmental policies, and regulations are followed by staff and participants. May be used as a resource to help train other staff members as necessary. Minimum age required 18.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL SIX

2022* STEP 1 \$16.00 STEP 1.5 \$16.25 STEP 2 \$16.25 — 50
STEP 3 \$~~16.50~~17.00

2023* STEP 1 \$~~13.75~~16.15 STEP 1.5 \$16.40 STEP 2 \$~~14.00~~16.65
STEP 3 \$~~14.25~~17.15

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Lead Swim Instructor - Supervises swim lesson instructors, teaches in-services and trainings, evaluates program and instructors, organizes lessons on a day-to-day basis.

Pool Supervisor - Supervises an Aquatic (indoor/outdoor) Facility. Responsible for lifeguard staff and the cleanliness and safety of facility. Applicant will teach and/or attend skills training sessions as instructed. Applicant must have Water Safety Instructor or LGI certification and Oxygen administration. Minimum age required 18.

Climbing Wall Coordinator – Programs all Recreation Center Climbing Wall activities, maintenance, and route setting. Schedules staff and works special wall events. Has knowledge of and demonstrates safety procedures associated with climbing.

Level Six cont.

Building Supervisor 1 - Supervises Recreation Center, Greenmead, or Senior Center facility operations including front desk operations, policy and procedure enforcement, guest services, maintenance needs, classes, programs, and events in addition to supervising part-time staff. Works after-hour events/rentals. Must be at least 19 years of age.

Special Events Coordinator - Oversees and schedules ~~Attendants, Leaders & Supervisors~~ other part-time staff. Plans youth activities not limited to, leisure programs, summer day camps, archery, and special events. Oversees inventory of equipment (example: archery equipment). Assist participants and the public. -Minimum age required 18.

Fitness/Wellness Instructor - Plans and instructs specialty classes/programs at Recreation Center. Must have a strong background in exercise physiology, fitness and wellness. Must be enrolled in an accredited certification/licensing program and/or is a currently certified/licensed instructor.

CPR Instructor --Teaches CPR Classes to staff. Possess current certification through the American Heart Association or the American Red Cross as a CPR/AED Instructor. Minimum 2 years related teaching experience.

Camp Director - Plans, supervises, and coordinates summer day camps as assigned. Responsible for supervision and evaluation of Camp Supervisors and Camp Counselors. Ensures that camp activities and procedures are in compliance with state regulations. Monitors inventory and purchases program supplies and equipment as needed. Maintains accurate records and reports. Minimum age required 21~~18~~.

Greenmead Tour Coordinator: Assists in scheduling docents for the various historic buildings for Sunday tours and various special event dates. Opens and operates gift shop during Sunday Tour dates. Collects admission fees for tours. Provides general information about Greenmead to park users. Basic office and computer skills required.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL SEVEN

2022* STEP 1 \$16.80 STEP 1.5 \$17.05 STEP 2 \$17.05 — 30
STEP 3 \$17.30 — 80
2023* STEP 1 \$~~15.60~~16.95 STEP 1.5 \$17.20 STEP 2 \$~~15.85~~17.45
STEP 3 \$~~16.10~~17.95

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QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of ~~225~~125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Building Supervisor 2 – Has at least 3 years Building Supervisor experience at Recreation Center. Supervises facility operations including front desk operations, policy and procedure enforcement, guest services, maintenance needs, classes, programs, and events in addition to supervising part-time staff. Must be at least 21 years of age. Must have successfully completed Building Supervisor 1, Step 3.

Pool Maintenance Supervisor – Oversees Pool Maintenance staff. Is responsible for mechanical and general daily maintenance. Possess Certified Pool Operator, or Aquatic Facility Operator Certification and Oxygen Administration Certification. Must be able to lift 50 pounds. Minimum age required 18.

Level Seven cont.

Pool Programmer - Programs or oversees aquatic classes and staff or swim meets. Lead instruction of public offered classes. Minimum age required 18.

Activity/Sports Instructor 2 - Plans and administers children and adult activities in a variety of different sports or instructional programming. Minimum of 2 years coaching/instructing experience at high school level or above required. Archery instructors must have USA Archery Level 2 Instruction Certification at a minimum.

Lifeguard Instructor - Teaches lifeguard classes to general public. Assists in staff training. Works independently. Possess current American Red Cross Lifeguard Instructor Certification. Holds current Basic Level Lifeguarding, CPR-PR, Oxygen Administration, and PDT certifications. American Red Cross Lifeguard Instructor Trainer certifications preferred.

Therapeutic Recreation Coordinator – Responsible for leading and supervising activities for persons with special needs. Plans, supervises, and coordinates events and activities as assigned. Responsible for supervision and evaluation of TR Counselors and TR Supervisors. Ensures safety and well-being of staff and participants. Maintains accurate records and reports as necessary. Monitors inventory and purchases program supplies and equipment as needed. Responsible for interaction with participants, families, and staff members in a positive and professional manner. Minimum age required 18.

Garden Supervisor – Responsible for the supervision of participants of the Garden program at Greenmead Historical Park. Assists with opening and closing of gardens. Attend all gardener meetings. Ensure gardeners follow planting rules and maintain gardens throughout the season. Check for weed issues. Answer questions and provide assistance to gardeners. Gardening and/or horticulture experience required.

Naturalist – Plans and administers nature programming in a variety of locations. Develop, manage, and train volunteers to assist in the development of nature programs. Offers an opportunity to explore natural beauty and to learn about nature through classroom presentations, interpretative walks, and workshops. Must be able to teach to all ages and all backgrounds including young children. Create partnerships and manage contractors as needed. Minimum age required 21.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL EIGHT

2022* STEP 1 \$18.85 STEP 1.5 \$19.1 STEP 2 \$19.40 — 35
STEP 3 \$19.35 — 85
2023* STEP 1 \$~~17.70~~19.00 STEP 1.5 \$19.25 STEP 2 \$~~17.95~~19.50
STEP 3 \$~~18.20~~20.00

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.
5. Aquatic Staff must possess a current American Red Cross Lifeguard Training or Nationally recognized certification, CPR for the Professional Rescuer, First Aid Certification and pass a swim test.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Technology Assistant - Assists in the design & trouble shooting of department software, implements new updates, is aware of a technology trends and train staff. Minimum 2 years experience.

Specialty Instructor – Plans and instructs specialized classes/programs. Advance knowledge of specialty. College/professional experience. ~~Minimum age 21.~~

Programmer – Plan, organize, and implement a variety of recreation programs at multiple facilities. Coordinate with full time, seasonal and temporary staff. Assist in the preparation of marketing materials, purchasing, and facility reservations. Minimum age 21.

LIVONIA PARKS AND RECREATION

JOB DESCRIPTIONS

LEVEL NINE

2022* STEP 1 \$21.85 STEP 1.5 \$22.10 STEP 2 \$~~22.40~~22.35

STEP 3 \$~~22.35~~—85

2023* STEP 1 \$~~20.70~~22.00 STEP 1.5 \$22.25 STEP 2 \$~~21.05~~22.50

STEP 3 \$~~21.30~~23.00

~~*If the State minimum wage does not increase, our rates will also hold. Increases and holds will be made according to section 408.934 of Act 337 of 2018.~~

QUALIFICATIONS:

1. Age requirement 16 years old or as specified.
2. Must be able to work weekdays, weekends and holidays.
3. Have the ability to lift a minimum of 35 pounds.
4. Have ability to demonstrate techniques and skills associated with position.

GENERAL REQUIREMENTS:

1. Have CPR/AED and First Aid Certification within 30 days of employment.
2. Hours of work vary.
3. Follows established daily-operating procedures, assures safety of participants and performs other duties as assigned by Supervisor.
4. Have the ability to work effectively with the public and department personnel.
5. Advancement to Step 1.5 will happen at 6 months of employment. Advancement to the next Step will be considered after one year of employment, if a minimum of 225125 hours have been worked and a satisfactory employee evaluation has been obtained.

Position

Certified Fitness/Wellness Instructor - Plans and instructs specialty classes/programs.

Additional responsibilities can include special events, orientations, team meetings and seminar/workshop presentations Possess a strong background in exercise physiology, fitness and wellness. Experience preferred. A nationally recognized certification required.

Proposed rates for Parks and Recreation temporary part-time employees.

		<u>YEAR</u>	<u>Step 1</u>	<u>Step 1.5</u>	<u>Step 2</u>	<u>Step 3</u>
LEVEL 1	1710	current	\$12.37		\$12.55	\$12.75
		2022	\$12.37	\$12.62	\$12.87	\$13.37
		2023	\$12.37	\$12.62	\$12.87	\$13.37
LEVEL 2	1720	current	\$12.95		\$13.15	\$13.35
		2022	\$12.95	\$13.20	\$13.45	\$13.95
		2023	\$13.10	\$13.35	\$13.60	\$14.10
LEVEL 3	1730	current	\$13.60		\$13.80	\$14.00
		2022	\$13.60	\$13.85	\$14.10	\$14.60
		2023	\$13.75	\$14.00	\$14.25	\$14.75
LEVEL 4	1740	current	\$14.30		\$14.50	\$14.70
		2022	\$14.30	\$14.55	\$14.80	\$15.30
		2023	\$14.45	\$14.70	\$14.95	\$15.45
LEVEL 5	1750	current	\$14.90		\$15.10	\$15.30
		2022	\$14.90	\$15.15	\$15.40	\$15.90
		2023	\$15.05	\$15.30	\$15.55	\$16.05
LEVEL 6	1760	current	\$16.00		\$16.25	\$16.50
		2022	\$16.00	\$16.25	\$16.50	\$17.00
		2023	\$16.15	\$16.40	\$16.65	\$17.15
LEVEL 7	1770	current	\$16.80		\$17.05	\$17.30
		2022	\$16.80	\$17.05	\$17.30	\$17.80
		2023	\$16.95	\$17.20	\$17.45	\$17.95
LEVEL 8	1780	current	\$18.85		\$19.10	\$19.35
		2022	\$18.85	\$19.10	\$19.35	\$19.85
		2023	\$19.00	\$19.25	\$19.50	\$20.00
LEVEL 9	1790	current	\$21.85		\$22.10	\$22.35
		2022	\$21.85	\$22.10	\$22.35	\$22.85
		2023	\$22.00	\$22.25	\$22.50	\$23.00

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 18, 2022**

29

Meeting was called to order at 8:00 p.m. by President Jim Colly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, and Brandon McCullough Absent: Kathleen McIntyre.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Wilincik, City Engineer, Paul Bernier City Attorney, Jacob Rushlow, Assistant Director of Public Works, Ted Davis, Superintendent of Public Works, Jeannine Laible, Human Resources Director and LaShawn Thomas, Director of Government Affairs.

13. REQUEST FOR FEE INCREASE: Department of Parks and Recreation, re: for membership, daily pass and ten visit pass fees at the Jack E. Kirksey Recreation Center and outdoor pool daily pass and season pass fees.

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

Councilmember Scott Bahr asked where we were from a membership standpoint. Ted Davis stated they are at 11,005 total members, where the average was around 13,500. Councilmember Bahr asked if there are plans to move the equipment out of the gymnastics area and go back to where they were before. Ted Davis stated that he doesn't think they will go back but will be closing May 1st to shuffle the equipment down to four feet apart to get all of the equipment out. Scott Bahr noted that it is rare that the facilities can be used and noticed they are not competitive. Ted stated that although the membership is down, the usage is tight, they need to talk about balancing the facilities.

Councilmember Brandon McCullough noted that there hasn't been a rate increase since 2017 and asked what would happen if this request was not approved. Ted Davis replied they would have to come up with a way to balance and stated that he was always told that the General Fund will never bail out the Recreation Center. If there is a fiscal year deficit, they are the ones that have to make that up through the Unexpended Fund Balance or cut operational expenses.

Councilmember Rob Donovic asked if the average monthly payment would be \$25 per month rather than \$22 per month. Ted Davis agreed that it would be for an adult. Councilmember Donovic stated that it is on par with other gyms in the area.

Council Vice President Laura Toy offered an approving resolution on the Regular agenda.

Councilmember Scott Bahr agreed to putting the item on the Regular agenda and stated that this has enough importance to the community.

Council President Jim Colly stated that he still sees the membership rate as a good value.

DIRECTION:

APPROVING

REGULAR



LETTER TO THE LIVONIA CITY COUNCIL

13.

Parks and Recreation April 7, 2022

MEETING DATE

Study Meeting of
April 18, 2022

PREPARED BY

Ann Cox, Program Supervisor,

AGENDA ITEM

REQUEST FOR FEE INCREASE: Department of Parks and Recreation, re: for membership, daily pass and ten visit pass fees at the Jack E. Kirksey Recreation Center and outdoor pool daily pass and season pass fees.

BACKGROUND

The Parks and Recreation Commission requests your concurrence in increasing day passes, annual, summer, Electronic Funds Transfer (EFT), and outdoor pool entrance fees. The last increase for the Jack E. Kirksey Recreation Center was in 2017, per Council Resolution #149-17. In this last increase, we raised the annual fees and maintained the EFT fees.

The increase request is approximately \$3/person/month for each category, reflecting our increased expenses in operating the facility. Our last price increase focused on offering additional services and adding value to our membership while continuing to keep pace with inflation. This proposed increase is based solely on the increased costs we have incurred because of inflation and other market forces.

The department recommends only one change to our membership; that EFT memberships not carry the current year commitment. We are requesting this change based on our competitors and to reflect the reality of our current operations.

Since 2019, we have seen our part time wage expenses increase by approximately \$350,000/year along with increases in full-time wages, utilities, and supply costs. Without revenue increases to offset the increased expenses, we will soon find ourselves in a consistent deficit situation. These yearly increases in our expenses come at a time when we find ourselves having faced two fiscal years of significant budget deficits, totaling nearly one million dollars.

	Current Fees		Proposed Fees	
	Resident	Non Resident	Resident	Non Resident
Annual Passes				
Tot (3 & under)	Free	Free	Free	Free
Youth/Teen (4-17)	\$177	\$354	\$210	\$420
Adult (18-61)	\$230	\$460	\$265	\$530

Senior (62 & up)	\$195	\$390	\$230	\$460
Adult +1	\$410	\$820	\$460	\$920
Family (6 or less)	\$470	\$940	\$550	\$1,100
Per Addl. Member	\$50	\$100	\$55	\$110
Matinee	\$190	\$380	\$220	\$440
Business	N/A	\$255	N/A	\$295
Business Adult +1	N/A	\$615	N/A	\$705
Business Family	N/A	\$735	N/A	\$830
Per Addl. Member		\$100		\$110
Corporate (min. 10)	N/A	\$255	N/A	\$295

Summer Passes (5/15-Labor Day)

	Resident	Non Resident	Resident	Non Resident
Tot (3 & under)	Free	Free	Free	Free
Youth/Teen (4-17)	\$70	\$140	\$80	\$160
Adult (18-61)	\$95	\$190	\$110	\$220
Senior (62 & up)	\$80	\$160	\$90	\$180
Couple/Adult +1	\$170	\$340	\$195	\$390
Family (6 or less)	\$195	\$390	\$225	\$450
Per Addl. Member	\$20	\$40	\$ 25	\$50

Electronic Fund Transfers

	Resident	Non Resident	Resident	Non Resident
Tot (3 & under)	Free	Free	Free	Free
Youth/Teen (4-17)	\$18	\$36	\$21	\$42
Adult (18-61)	\$22	\$44	\$25	\$50
Senior (62 & up)	\$19.25	\$38.50	\$23	\$46
Adult +1	\$36.50	\$73	\$41	\$82
Family (6 or less)	\$41	\$82	\$49	\$98
Per Addl. Member	\$4.25	\$8.50	\$5	\$10
Matinee	\$19	\$28	\$22	\$44
Business	N/A	\$24	N/A	\$28
Business Couple	N/A	\$52.75	N/A	\$61
Business Family	N/A	\$62	N/A	\$72
Per Addl. Member		\$8.50		\$10

Current Fees

Proposed Fees

Daily Passes

	Resident	Non Resident	Resident	Non Resident
Tot (3 & under)	Free	Free	Free	Free

Youth (4-13)	\$5	\$10	\$6	\$12
Teen (14-17)	\$7	\$14	\$8	\$16
Adult (18-61)	\$8.50	\$17	\$9.50	\$19
Senior (62+)	\$5	\$10	\$8	\$16

Ten Visit Passes

	Resident	Non Resident	Resident	Non Resident
Youth (4-13)	\$40	\$80	\$54	\$108
Teen (14-17)	\$56	\$112	\$72	\$144
Adult (18-61)	\$68	\$136	\$85	\$170
Senior (62+)	\$40	\$80	\$72	\$144

Outdoor Pool Daily Pass

	Resident	Non Resident	Resident	Non Resident
Youth (4-17)	\$4	\$7	\$5	\$8
Adult (18-61)	\$5	\$9	\$6	\$10
Senior (62+)	\$4	\$7	\$5	\$8

Outdoor Pool Season Pass

	Resident	Non Resident	Resident	Non Resident
Individual	\$75	\$150	\$80	\$160
Additional Person	\$25	\$35	\$30	\$60

Attached for your review is a comparison of surrounding fitness/recreation facilities.

RECOMMENDATION

It is our recommendation that these increases become effective December 1, 2022, in line with the 2022-2023 budget.

FISCAL CONSIDERATION

The proposed fee increases will generate approximately \$390,000/year.

ATTACHMENTS

1. 2022 Membership fee increase

APPROVED BY



Date: April 07, 2022

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 07, 2022

Michael Slater, Finance Director



Date: April 07, 2022

Maureen Miller Brosnan, Mayor

Session	Membership Packages	Current fee	Proposed Fee	Annual Dollar Increase	Annual Total Increase
Corporate	21	\$ 255.00	\$ 295.00	\$ 40.00	\$ 840.00
Annual Adult	458	\$ 230.00	\$ 265.00	\$ 35.00	\$ 16,030.00
Annual NR Adult	56	\$ 460.00	\$ 530.00	\$ 70.00	\$ 3,920.00
Annual Adult +1	261	\$ 410.00	\$ 460.00	\$ 50.00	\$ 13,050.00
Annual NR Adult +1	9	\$ 820.00	\$ 920.00	\$ 100.00	\$ 900.00
Annual Family (6 or less)	996	\$ 470.00	\$ 550.00	\$ 80.00	\$ 79,680.00
Annual NR Family (6 or less)	73	\$ 940.00	\$ 1,100.00	\$ 160.00	\$ 11,680.00
Annual Family Additional Member	20	\$ 50.00	\$ 55.00	\$ 5.00	\$ 100.00
Annual NR Family Additional Member	1	\$ 100.00	\$ 110.00	\$ 10.00	\$ 10.00
Annual Matinee	9	\$ 190.00	\$ 220.00	\$ 30.00	\$ 270.00
Annual NR Matinee	4	\$ 380.00	\$ 440.00	\$ 60.00	\$ 240.00
Annual Senior	733	\$ 195.00	\$ 230.00	\$ 35.00	\$ 25,655.00
Annual NR Senior	59	\$ 390.00	\$ 460.00	\$ 70.00	\$ 4,130.00
Annual Youth/Teen	78	\$ 177.00	\$ 210.00	\$ 33.00	\$ 2,574.00
Annual NR Youth/Teen	14	\$ 354.00	\$ 420.00	\$ 66.00	\$ 924.00
Business Adult	82	\$ 255.00	\$ 295.00	\$ 40.00	\$ 3,280.00
Business Adult +1	9	\$ 615.00	\$ 705.00	\$ 90.00	\$ 810.00
Business Family	26	\$ 735.00	\$ 830.00	\$ 95.00	\$ 2,470.00
Business Family Additional Member	1	\$ 100.00	\$ 115.00	\$ 15.00	\$ 15.00
EFT Adult	200	\$ 22.00	\$ 25.00	\$ 36.00	\$ 7,200.00
EFT NR Adult	86	\$ 44.00	\$ 50.00	\$ 72.00	\$ 6,192.00
EFT Adult+1	172	\$ 36.50	\$ 41.00	\$ 54.00	\$ 9,288.00
EFT NR Adult+1	36	\$ 73.00	\$ 82.00	\$ 9.00	\$ 324.00
EFT Business Adult	25	\$ 24.00	\$ 28.00	\$ 48.00	\$ 1,200.00
EFT Business Adult +1	7	\$ 52.75	\$ 61.00	\$ 99.00	\$ 693.00
EFT Business Family	46	\$ 62.00	\$ 72.00	\$ 120.00	\$ 5,520.00
EFT Business Family Additional Member	3	\$ 8.50	\$ 10.00	\$ 18.00	\$ 54.00
EFT Family	1172	\$ 41.00	\$ 49.00	\$ 96.00	\$ 112,512.00
EFT NR Family	171	\$ 82.00	\$ 98.00	\$ 192.00	\$ 32,832.00
EFT Family Additional Member	36	\$ 4.25	\$ 5.00	\$ 9.00	\$ 324.00
EFT NR Family Additional Member	5	\$ 8.50	\$ 10.00	\$ 18.00	\$ 90.00
EFT Matinee	2	\$ 19.00	\$ 22.00	\$ 36.00	\$ 72.00
EFT NR Matinee	4	\$ 38.00	\$ 44.00	\$ 72.00	\$ 288.00
EFT Senior	53	\$ 19.25	\$ 23.00	\$ 45.00	\$ 2,385.00
EFT NR Senior	19	\$ 38.50	\$ 46.00	\$ 90.00	\$ 1,710.00
EFT Youth/Teen	26	\$ 18.00	\$ 21.00	\$ 36.00	\$ 936.00
EFT NR Youth/Teen	26	\$ 36.00	\$ 42.00	\$ 72.00	\$ 1,872.00
Total	4999				\$ 350,070.00
Summer Adult	33	\$ 95.00	\$ 110.00	\$ 15.00	\$ 495.00
Summer NR Adult	11	\$ 190.00	\$ 220.00	\$ 30.00	\$ 330.00
Summer Adult +1	4	\$ 170.00	\$ 195.00	\$ 25.00	\$ 100.00
Summer NR Adult +1	2	\$ 340.00	\$ 390.00	\$ 50.00	\$ 100.00
Summer Family	63	\$ 195.00	\$ 225.00	\$ 30.00	\$ 1,890.00
Summer NR Family	24	\$ 390.00	\$ 450.00	\$ 60.00	\$ 1,440.00
Summer add'l fam member	0	\$ 20.00	\$ 25.00	\$ 5.00	\$ -
Summer NR add'l fam member	0	\$ 40.00	\$ 50.00	\$ 10.00	\$ -
Summer Senior	14	\$ 80.00	\$ 90.00	\$ 10.00	\$ 140.00
Summer NR Senior	3	\$ 160.00	\$ 180.00	\$ 20.00	\$ 60.00
Summer Youth/Teen	30	\$ 70.00	\$ 80.00	\$ 10.00	\$ 300.00
Summer NR Youth/Teen	11	\$ 140.00	\$ 160.00	\$ 20.00	\$ 220.00
Total	195				\$ 5,075.00
Outdoor Pool Pass	28	\$ 75.00	\$ 80.00	\$ 5.00	\$ 140.00
Outdoor Pool Pass Add'l Family Member	52	\$ 25.00	\$ 30.00	\$ 5.00	\$ 260.00
Outdoor Pool Pass NR	16	\$ 150.00	\$ 160.00	\$ 10.00	\$ 160.00
Outdoor Pool Pass NR Add'l Family Member	26	\$ 35.00	\$ 60.00	\$ 25.00	\$ 650.00
Total	122				\$ 1,210.00
Ten Visit Adult	69	\$ 68.00	\$ 85.00	\$ 17.00	\$ 1,173.00

Ten Visit Adult NR	32	\$	136.00	\$	170.00	\$	34.00	\$	1,088.00
Ten Visit Senior	69	\$	40.00	\$	72.00	\$	32.00	\$	2,208.00
Ten Visit Senior NR	25	\$	80.00	\$	144.00	\$	64.00	\$	1,600.00
Ten Visit Teen	8	\$	56.00	\$	72.00	\$	16.00	\$	128.00
Ten Visit Teen NR	3	\$	112.00	\$	144.00	\$	32.00	\$	96.00
Ten Visit Youth	26	\$	40.00	\$	54.00	\$	14.00	\$	364.00
Ten Visit Youth NR	6	\$	80.00	\$	108.00	\$	28.00	\$	168.00
Total	238						\$		6,825.00
Day Pass Adult	1609	\$	8.50	\$	9.50	\$	1.00	\$	1,609.00
Day Pass Adult NR	4096	\$	17.00	\$	19.00	\$	2.00	\$	8,192.00
Day Pass Senior	298	\$	5.00	\$	8.00	\$	3.00	\$	894.00
Day Pass Senior NR	184	\$	10.00	\$	16.00	\$	6.00	\$	1,104.00
Day Pass Teen	906	\$	7.00	\$	8.00	\$	1.00	\$	906.00
Day Pass Teen NR	2102	\$	14.00	\$	16.00	\$	2.00	\$	4,204.00
Day Pass Youth	1658	\$	5.00	\$	6.00	\$	1.00	\$	1,658.00
Day Pass Youth NR	2179	\$	10.00	\$	12.00	\$	2.00	\$	4,358.00
Total	13032						\$		22,925.00
Pool Day Pass									
Adult	1287	\$	5.00	\$	6.00	\$	1.00	\$	1,287.00
Adult NR	1252	\$	9.00	\$	10.00	\$	1.00	\$	1,252.00
Senior	198	\$	4.00	\$	5.00	\$	1.00	\$	198.00
Senior NR	117	\$	7.00	\$	8.00	\$	1.00	\$	117.00
Teen	0	NA							
Teen NR	0	NA							
Youth	1864	\$	4.00	\$	5.00	\$	1.00	\$	1,864.00
Youth NR	1308	\$	7.00	\$	8.00	\$	1.00	\$	1,308.00
Total	6026						\$		6,026.00
Total revenue increase							\$		392,131.00

Membership Rates & Amenities Comparison 2021

Local Competitors:

Planet Fitness

37685 5 Mile Rd., Livonia, MI 48154

29475 7 Mile Rd., Livonia, MI 48152

27330 Plymouth Rd., Redford Charter Township, MI 48239

Hours: 24/7

No children under 13, 14+ must be with Adult

52 free fitness classes/wk.

Base Membership: \$10/month + \$39/yearly maintenance fee

t-shirt

Unlimited access to home club

Unlimited personal training

Black Card: \$22.99/month + \$39/yearly maintenance fee

T-shirt

Unlimited access to home club

Unlimited personal training

Reciprocal use of all PF franchise locations

Use of Tanning

Unlimited use of Massage Chairs

Unlimited Hydromassage

LA Fitness

30273 Plymouth Rd., Livonia, MI 48150

29659 7 Mile Rd., Livonia, MI 48152

Hours: M-Th 5am-11pm

F 5am-10pm

S & S 8am-8pm

Membership Adult : \$33.99/month + \$0 Joining fee + \$49/year Annual Fee
Two guests/visit: +\$20.00/month

Pool

Gymnasium

Racquet Ball

Fitness Center

29 free fitness classes/week

Reciprocal use of most LA Fitness locations

Child Care - \$5/visit or \$15/month

Water Slides
 Indoor Track
 Cardio & Weight training equipment
 Rock Wall
 Class option \$17/month/member \$12/month/sr. member \$32-\$37/month/non-member
 50+ aerobics classes/week
 One month memberships available \$45-75

Summit on the Park

46000 Summit Parkway, Canton, MI 48188

Hours: M-F 5:30am-10pm

Saturday 6am-8pm

Sunday 7am – 8pm

Membership:	Resident	Non-Resident
Individual	\$33/month	\$66/month
Couple	\$57/month	\$118/month
Family	\$65/month	\$129/month

Aquatic Center
 Gym
 Racquetball court
 Fitness Center
 Steam & sauna rooms
 Indoor track
 60+ Fitness Classes/week
 Discount on other programs
 Three and six month membership available

Romulus Athletic Center

35765 Northline Rd., Romulus, MI 48174

Hours: M-Sat. 5am-10pm

Sunday 7am-10pm

Membership:	Resident	Non-Resident
Individual	\$30.42/month	\$40.83/month
Couple	\$48.50/month	\$69.50/month
Family (6)	\$51.17/month	\$72/month
Senior	\$24.56/month	\$32.38/month
Senior Couple	\$38.25/month	\$53.88/month
Senior Family	\$40.13/month	\$55.75/month

Lap Pool
 Family Pool
 Gyms
 Rock Wall
 Free Weights

Cardio Equipment

Plus Membership:	Resident	Non-Resident
Individual	\$42.92/month	\$53.33/month
Couple	\$61.17/month	\$82/month
Family (6)	\$63.67/month	\$84.50/month
Senior	\$33.94/month	\$41.75/month
Senior Couple	\$47.63/month	\$63.25/month
Senior Family	\$49.50/month	\$65.13/month

Lap Pool
Family Pool
Gyms
Rock Wall
Free Weights
Cardio Equipment
Free daycare for children on the membership
10 free guest passes/year
25% off all facility programs
Priority registration

Macomb Township Recreation Center

20699 Macomb St., Macomb, MI 48042

Hours: M-F 6am-10pm

Saturday 8am-8pm

Sunday 10am-6pm

Membership:	Resident	Non-Resident
Adult (21+)	\$30/month	\$60/month
Children	\$20/month	\$40/month
Seniors (55+)	\$20/month	\$40/month

Fitness Center
Gym
Indoor Playground
Feature Pool
Activity Pool
Lazy River
Water Slide
Hot Tub
Discount on classes
Child Care - \$2/child/hr.

Troy Community Center

3179 Livernois Rd., Troy, MI 48083

Hours: M-Th 5am-10:30pm

Friday 5am-10pm
 Saturday 7am-8pm
 Sunday 8am-6pm

Membership:	Resident	NR-Employee	Non-resident
Adult	\$24/month	\$28/month	\$34/month
Youth (3-17)	\$13.50/month	\$15.50/month	\$18.50/month
Senior (60+)	\$22/month	\$28/month	\$34/month
Matinee	\$19.75/month	\$22.50/month	\$27/month

Aquatic Area (Therapy Pool, slides and water toys)
 Fitness Room with strength, cardio and weight equipment
 Gyms
 Circuit Training Room

Fitness Passport:	Resident	NR-Employee	Non-resident
Adult	\$31/month	\$35/month	\$41/month
Senior (60+)	\$29/month	\$35/month	\$41/month
Matinee	\$23.75/month	\$26.50/month	\$31/month

Aquatic Area (Therapy Pool, slides and water toys)
 Fitness Room with strength, cardio and weight equipment
 Gyms
 Circuit Training Room
 80+ classes/week includes various youth and fitness classes

Unlimited Kids Korner Childcare Services \$11/month/child \$13/month/child \$16/month/child

Jack E. Kirksey Recreation Center

15100 Hubbard Rd., Livonia, MI 48154
 Hours: M-F 5am-11pm
 Saturday 6am-8pm
 Sunday 7am-5pm

Membership:	Resident	Non-Resident	Business
Youth (4-17)	\$18/month	\$36/month	
Adult (18-61)	\$22/month	\$44/month	\$24/month
Senior (62+)	\$19.25/month	\$38.50/month	
Adult +1	\$36.50/month	\$73/month	\$52.75/month
Family (6)	\$41/month	\$82/month	\$62/month
Additional Mem.	\$4.25/month	\$8.50/month	
Matinee	\$19/month	\$28/month	

Leisure Pool w/Lazy River, Hot Tub and Slide
 Competition Pool
 Tree Fort
 Indoor Track

Fit Hub
Towel Service
Gyms
Indoor in-line rink
Discount on Rec Center offerings and priority registration
Rock Wall
Kids Quarters
3 Outdoor Pools

Membership Rates & Amenities Comparison 2019

Local Competitors:

Planet Fitness

37685 5 Mile Rd., Livonia, MI 48154

29475 7 Mile Rd., Livonia, MI 48152

27330 Plymouth Rd., Redford Charter Township, MI 48239

Hours: 24/7

No children under 13, 14+ must be with Adult

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Base Membership: \$10/month + \$39/yearly maintenance fee

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T-shirt

Unlimited access to home club

Unlimited personal training

Reciprocal use of all PF franchise locations

Use of Tanning

Unlimited use of Massage Chairs

Unlimited Hydromassage

Livonia YMCA

14255 Stark, Livonia, MI 48154

Hours: M-Th 5:30am – 10pm

 F 5:30am – 9pm

 S & S 7am-6pm

Membership Options: Youth: \$29/month, Teen/Young Adult: \$39/month, Adult: \$59/month, Sr: \$46/month, Adult +1: \$80/month, Sr. +1: \$85/month, Family: \$97/month, Family +1: \$107/month

Fitness center

Gymnasium

Racquet Ball

Lap Pool

Child Care

Game Room

Indoor & Outdoor Tennis Courts discounted rate

Unlimited Free classes 48 offered/week

Discount on classes

Free programs similar to Kids Night Out

LA Fitness

30273 Plymouth Rd., Livonia, MI 48150

29659 7 Mile Rd., Livonia, MI 48152

Hours: M-Th 5am-11pm

F 5am-10pm

S & S 8am-8pm

Membership Adult : \$29.99/month + \$99 Joining fee + \$49/year Annual Fee
 Couple: \$49.98/month + \$198 Joining fee + \$98/year Annual Fee
 Adult w/Guest: \$45/month + 99 Joining fee + \$49/year Annual Fee

Pool

Gymnasium

Racquet Ball

Fitness Center

29 free fitness classes/week

Reciprocal use of most LA Fitness locations

Child Care - \$5/visit or \$15/month

Lifetime Fitness

1700 Haggerty Rd. North, Canton, MI 48187

Hours: 24/7 Pool: 4am-2am

Membership – Primary member: \$75/month + \$129 joining fee
 Additional members 14+: \$50/\$30/\$20/\$0
 Additional members 13U: \$15/month

Lap Pool

Family Pool

Child Care Center

Outdoor Pools

Basketball courts

Rock Wall

Racquetball Courts

Squash Courts

Non-member hours limited

100+ classes free/week

Free Weights

Cardio Equipment

Free member events

Children under 13 receive 4 free group swim lessons

Similar community-based facilities:

Ford Community & Performing Arts Center

15801 Michigan Ave, Dearborn, MI 48126

Hours: M-F 5:30am-10pm

Saturday 8am-8pm

Sunday 9am-6pm

Membership:	Resident	Corporate
Youth 4-12	\$21/month	
Youth 13-17	\$21/month	
Individual	\$32/month	\$45/month
Senior 60+	\$25/month	
Senior Couple	\$35/month	
Couple	\$41/month	\$54/month
Family (up to 6)	\$51/month	\$64/month
Additional child	\$10/month	\$10/month

Open Gym

Lap Pool

Zero-depth pool

Lazy River

Water Slides

Indoor Track

Cardio & Weight training equipment

Rock Wall

Class option \$17/month/member \$12/month/sr. member \$32-\$37/month/non-member

50+ aerobics classes/week

Summit on the Park

46000 Summit Parkway, Canton, MI 48188

Hours: M-F 5:30am-10pm

Saturday 6am-8pm

Sunday 7am – 8pm

Membership:	Resident	Non-Resident
Individual	\$33/month	\$66/month
Couple	\$57/month	\$118/month
Family	\$65/month	\$129/month

Aquatic Center

Gym

Racquetball court

Fitness Center

Steam & sauna rooms

Indoor track

60+ Fitness Classes/week

Discount on other programs

Romulus Athletic Center

35765 Northline Rd., Romulus, MI 48174

Hours: M-Sat. 5am-10pm

Sunday 7am-10pm

Membership:	Resident	Non-Resident
Individual	\$30.42/month	\$40.83/month
Couple	\$48.50/month	\$69.50/month
Family (6)	\$51.17/month	\$72/month
Senior	\$24.56/month	\$32.38/month
Senior Couple	\$38.25/month	\$53.88/month
Senior Family	\$40.13/month	\$55.75/month

Lap Pool

Family Pool

Gyms

Rock Wall

Free Weights

Cardio Equipment

Plus Membership:	Resident	Non-Resident
Individual	\$42.92/month	\$53.33/month
Couple	\$61.17/month	\$82/month
Family (6)	\$63.67/month	\$84.50/month
Senior	\$33.94/month	\$41.75/month
Senior Couple	\$47.63/month	\$63.25/month
Senior Family	\$49.50/month	\$65.13/month

Lap Pool

Family Pool

Gyms

Rock Wall

Free Weights

Cardio Equipment

Free daycare for children on the membership

10 free guest passes/year

25% off all facility programs

Priority registration

Macomb Township Recreation Center

20699 Macomb St., Macomb, MI 48042

Hours: M-F 6am-10pm

Saturday 8am-8pm

Sunday 10am-6pm

Membership:	Resident	Non-Resident
Adult (21+)	\$25/month	\$50/month
Children	\$15/month	\$30/month
Seniors (55+)	\$15/month	\$30/month

Fitness Center
 Gym
 Indoor Playground
 Feature Pool
 Activity Pool
 Lazy River
 Water Slide
 Hot Tub
 Discount on classes
 Child Care - \$2/child/hr.

Troy Community Center

3179 Livernois Rd., Troy, MI 48083

Hours: M-Th 5am-10:30pm

Friday 5am-10pm

Saturday 7am-8pm

Sunday 8am-6pm

Membership:	Resident	NR-Employee	Non-resident
Adult	\$24/month	\$28/month	\$34/month
Youth (3-17)	\$13.50/month	\$15.50/month	\$18.50/month
Senior (60+)	\$22/month	\$28/month	\$34/month
Matinee	\$19.75/month	\$22.50/month	\$27/month

Aquatic Area (Therapy Pool, slides and water toys)
 Fitness Room with strength, cardio and weight equipment
 Gyms
 Circuit Training Room

Fitness Passport:	Resident	NR-Employee	Non-resident
Adult	\$31/month	\$35/month	\$41/month
Senior (60+)	\$29/month	\$35/month	\$41/month
Matinee	\$23.75/month	\$26.50/month	\$31/month

Aquatic Area (Therapy Pool, slides and water toys)
 Fitness Room with strength, cardio and weight equipment
 Gyms
 Circuit Training Room
 80+ classes/week includes various youth and fitness classes

Unlimited Kids Korner Childcare Services \$11/month/child \$13/month/child \$16/month/child

Jack E. Kirksey Recreation Center

15100 Hubbard Rd., Livonia, MI 48154

Hours: M-F 5am-11pm

Saturday 6am-8pm

Sunday 7am-5pm

Membership:	Resident	Non-Resident	Business
Youth (4-17)	\$18/month	\$36/month	
Adult (18-61)	\$22/month	\$44/month	\$24/month
Senior (62+)	\$19.25/month	\$38.50/month	
Adult +1	\$36.50/month	\$73/month	\$52.75/month
Family (6)	\$41/month	\$82/month	\$62/month
Additional Mem.	\$4.25/month	\$8.50/month	
Matinee	\$19/month	\$28/month	

Leisure Pool w/Lazy River, Hot Tub and Slide

Competition Pool

Tree Fort

Indoor Track

Fit Hub

Towel Service

Gyms

Indoor in-line rink

Discount on Rec Center offerings and priority registration

Rock Wall

Kids Quarters

3 Outdoor Pools

Annual Membership	2003 Rate	Current Rate	CPI Adjusted	Proposed	% Change from 2003
Youth/Teen	\$150.00	\$ 177.00	\$ 226.95	\$ 210.00	40.00%
Adult	\$195.00	\$ 230.00	\$ 295.03	\$ 265.00	35.90%
Senior	\$165.00	\$ 195.00	\$ 249.64	\$ 230.00	39.39%
Adult +1	\$350.00	\$ 410.00	\$ 529.54	\$ 460.00	31.43%
Family (6 or less)	\$395.00	\$ 470.00	\$ 597.62	\$ 550.00	39.24%
Matinee	\$165.00	\$ 190.00	\$ 249.64	\$ 220.00	33.33%
Bus. Adult		\$ 255.00	\$ 326.31	\$ 295.00	
Bus. Adult +1		\$ 615.00	\$ 677.63	\$ 705.00	
Bus. Family		\$ 735.00	\$ 805.04	\$ 830.00	
2007 Rate					
EFT Youth/Teen	\$17.00	\$ 18.00	\$ 23.05	\$ 21.00	23.53%
EFT Adult	\$20.75	\$ 22.00	\$ 28.70	\$ 25.00	20.48%
EFT Senior	\$18.25	\$ 19.25	\$ 24.75	\$ 23.00	26.03%
EFT Adult+1	\$34.00	\$ 36.50	\$ 46.11	\$ 41.00	20.59%
EFT Family	\$38.25	\$ 41.00	\$ 51.87	\$ 49.00	28.10%
EFT Matinee	\$17.75	\$ 19.00	\$ 24.07	\$ 22.00	23.94%
EFT Business Adult	\$22.50	\$ 24.00	\$ 30.51	\$ 28.00	24.44%
EFT Business Adult +1		\$ 52.75	\$ 59.72	\$ 61.00	
EFT Business Family		\$ 62.00	\$ 70.19	\$ 72.00	
2005 Rate					
Youth/Teen	\$50.00	\$ 70.00	\$ 75.65	\$ 80.00	60.00%
Adult	\$55.00	\$ 95.00	\$ 98.34	\$ 110.00	100.00%
Senior	\$65.00	\$ 80.00	\$ 83.21	\$ 90.00	38.46%
Couple	\$115.00	\$ 170.00	\$ 173.99	\$ 195.00	69.57%
Family	\$130.00	\$ 195.00	\$ 196.69	\$ 225.00	73.08%
Matinee	\$55.00	\$ 60.00			
2003 Rate					
Youth (4-12)	\$3.50	\$ 5.00	\$ 5.30	\$ 6.00	71.43%
Teen (13-18)	\$5.00	\$ 7.00	\$ 7.56	\$ 8.00	60.00%
Adult (24-61)	\$6.50	\$ 8.50	\$ 9.83	\$ 9.50	46.15%
Senior (62 and older)	\$3.50	\$ 5.00	\$ 5.30	\$ 8.00	128.57%
Day Passes					

Average Change since 2003	Average Inflation since 2003
2.11%	2.19%
1.89%	2.19%
2.07%	2.19%
1.65%	2.19%
2.07%	2.19%
1.75%	2.19%
	2.19%
	2.19%

Average Change since 2007	Average Inflation since 2007
1.24%	2.00%
1.08%	2.00%
1.37%	2.00%
1.08%	2.00%
1.48%	2.00%
1.26%	2.00%
1.29%	2.00%

Average Change since 2005	Average Inflation since 2005
3.16%	2.15%
5.26%	2.15%
2.02%	2.15%
3.66%	2.15%
3.85%	2.15%

Average Change since 2003	Average Inflation since 2003
3.76%	2.19%
3.16%	2.19%
2.43%	2.19%
6.77%	2.19%

Big Mac		2003	2022	% Change
	\$	2.80	\$ 5.81	107.5%

Housing Prices		2003	2022	% Change
	\$	195,000.00	\$ 347,000.00	77.9%

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Monday, April 11, 2022

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on **Monday, April 11, 2022**.

MEMBERS PRESENT: Jim Jolly, President
 Scott Bahr
 Rob Donovic
 Brandon McCullough
 Kathleen McIntyre
 Scott Morgan

MEMBERS ABSENT: Laura Toy, Vice President

OTHERS PRESENT: Paul Bernier, Assistant City Attorney
 Scott Miller, Planner
 Sara Kasprovicz, Recording Secretary

The Public Hearing was called to order at 7:00 p.m. with President Jim Jolly presiding. This item is regarding **Petition 2003-08-SN-08** submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

This item will move to the Regular Meeting of **May 2, 2022**.

The Public Hearing is now open. There were 3 persons in the audience.

Jolly: We will start with Mr. Miller. Would you like to give us a brief presentation about what this is in regards to?

Miller: Yes, back in 2003, in 2002, they came in to rebuild the gas station at the northwest corner Schoolcraft, and part of the conditions of approval for the gas station was that signage comes back before the Planning Commission and City Council. Signage came back in 2003. They got approved for signage, but one of the conditions was that no LED light band or exposed neon should be permitted on the site, including limited to building pump island canopy or the windows. That's what they're trying to appeal today. Back in February of this year, the Planning Commission denied this request based on a couple of conditions. One of them was that it is not supported by the new zoning ordinance that prohibits outlining tubing signs and there's been a long policy by the city to not allow these types of signs.

Jolly: Thank you, Mr. Miller. Petitioner would you like to give us your perspective quickly.

Grysko: Hello, Council, Brandon Grysko, from the law firm, Fausone Bohn, 417006 Mile Road Northville Township. I'm here representing the owner of the gas station, Mr. Salem, and Aver Sign is here as well, represented by Jennifer. I like to start out by thanking the Council of course, if there's any questions I can answer before I go into a brief recitation on some things, and I'd be happy to answer the questions that the Council has on this.

Jolly: Please go into the recitation.

Grysko: Sure. So, first of all, did the Council all receive the email that I sent? I see that it's not in. Okay. So, without going through every single point that I already made in the email, we are going to hit on some of the highlights there. I would like to correct on a couple of things real quick. In my email, I attach a PDF document that showed a variety of gas stations from around town and how those canopies are illuminated. I think I indicated that the first two pages of that PDF document were Mr. Salem's gas station, and also the sort of proposal that we're going to model off of, in terms of what our illumination would look like. Actually, it was supposed to be the last few pages. So, if you were looking at that document, and that was confusing, I apologize. The proposal site was the second to last page, which was the Schoolcraft and Inkster BP gas station. Then the last page is a picture of the Farmington and Schoolcraft recently developed BP gas station. As you can see there, what we think is a pretty clean-cut look to it. So, as Mr. Miller indicated in 2003, the Planning Commission, as a condition of approval, said that Mr. Salem was unable to use any LED lighting. I certainly think that, perhaps at the time, that condition was implemented, it may have made sense. I think that based on the packet of information that we submitted and based on the look of similar projects around town, I think that condition does not necessarily make sense any longer. I think the LED lighting that exists today, as far as the technology that existed at the time, that the condition was initially implemented. I think that the intent was really to prohibit the kind of gaudy look of some of the say, liquor store windows, for example, where you see that all four sides of the window are outlined in lighting, or where there's actual neon tube lighting being used, which of course in this case, we don't really have tube lighting, so to speak, so much as it is an LED strip of lights. I just want to touch on a couple of things from the ordinance as well. So, Section 2.02 of the zoning ordinance defines outlined tubing signs as an arrangement of tubes or bands of light that outline and call attention to a window or other building feature or certain features of an advertising device. So, the lighting that's being proposed here, as the Council can see from the packet that was submitted, that it could certainly be such an accent the canopy and it certainly illuminates the canopy. I think the Council will consider that it's not really outline in the way that you would typically think of where see an outline, right? Go back, for example, if you will, to a liquor store, for example, where they may be trying to draw your attention to the display window. So, they have all four sides of

the window being outlined in light. What we have here, as you can see from the packet that we submitted, is that it doesn't outline the four sides of the canopy, but rather appears in the middle of the canopy, more as a state of the branding, that is true outline of the canopy. Council President, did you want to ask me something In addition to that, 11.05 of the zoning ordinance does indicate the following tubing signs are prohibited. However, such tubing is permitted when it's protected from weather and breakage. So of course, in this case, we are proposing lighting that will be protected from the weather from breakage. I think I already discussed how, again, that's not really a true outline in the sense of some of these lights were used in the past.

Jolly: Are you all set

Grysko: Not quite yet. So, in addition to the other locations that we've identified, to our knowledge, we haven't seen or heard of any citizen complaints surrounding these other locations. So, we don't want to sort of feel that the citizens would be upset by this. We don't necessarily think that it's harmful or hazardous to public health, safety or welfare. We also believe that it's aesthetically pleasing. Frankly, just take the Farmington and Schoolcraft location, for example, that has quite a nice look to it. It's a relatively new location. So, Mr. Salem, he's looking to invest upwards of \$50,000 into his small business, a single location, a business owner, true small business owner, good corporate citizen. He's looking to make a pretty significant investment, to make the look of his business, to bring him into the 21st century, and to make it look nice for Livonia. So, if the Council has any questions, I'm happy to answer those.

Jolly: Thank you, sir. Council.

Donovic: Mr. President

Jolly: Mr. Donovic.

Donovic: Thank you, Mr. President. I thank Mr. Grysko for being here and to your client for being here as well and wanting to invest in this business. I do enjoy that we used the word recitation three times this evening, which would make four, so I enjoy that. Thank you for sending the package. Initially, I was a little worried when I want to hear the tube lighting, but the neon lighting that was what I had originally envisioned, was some sort of that, gaudy kind of tube laying around your windows, that strip lighting, and this isn't that. I drove by the locations you sent me. Really thorough work, sending multiple locations and the Council multiple locations throughout the city. So, I have no issue with it. I think it is aesthetically pleasing. It's an accent, as opposed to that gaudy kind of LED neon bulb that you see at, kind of around the perimeter of buildings and whatnot in the communities, and I don't like that look. I think the city has done a good job avoiding that sort of look, and I don't think that's this. So, my only question is, looking at the different BP-specific gas stations, the BP-specific gas stations, one at Middlebelt Road 17151 and the Schoolcraft

and Farmington Road one, is your client proposing the same kind of LED lighting around his canopy?

Grysko: The location that was specifically identified as what we will be kind of modeling after was the Farmington and Schoolcraft Rd. location.

Donovic: Okay, so that's what you're asking for. I see your client nodding his head. If that's the case, I have no problem offering and approving, because I think it looks good. And it's not that kind of neon bulb lighting that we've seen. To your point, in your package, about every gas station in town has that kind of accent lighting on the canopies, but if your lighting is what I see at the Schoolcraft location, with that nice lighting feature. I'm okay with that and offer and approving. Thank you.

Jolly: Anybody else from Council Mr. Bahr.

Bahr: Is either Paul or Scott, do you know, is this stipulation in the zoning ordinance for this application Is this new to the ision 21 ordinance or was this in place before that

Miller: It was in placed before.

Bahr: So before, okay, so every one of these other gas stations that we're seeing examples of here are going to have come in, since it was in that ordinance, and we have not really been enforcing that.

Miller: Like I said, he could be a good neighbor, and we could send out enforcement to these people. We could enforce it.

Grysko: I don't think that's our preference.

Bahr: What Scott, do you know, and I was just now seeing the Planning Commission minutes and I can go into more detail later, if necessary, but what was the primary reason for the Planning Commission denial, just what the ordinance says? Are you familiar with what the drive of their decision was?

Miller: I think it was just past practice. I think it was that they didn't want the lights on there.

Bahr: Okay, I have a lot of respect for our Planning Commission, but I, I struggle with referring to past practice, when we have so many examples of this, including some that without research in history, some of these examples we have are very recent. Six and Haggerty, for example, is very recent. So, I would agree with Councilman Donovic, I don't see an issue with this. Thanks.

Jolly: Anybody else in the Council Mr. Grysko, all I was going to say earlier, did not intend to throw you off, but I think if you took the plane of the canopy and

turned it vertically, it would be very much like a window outlining the same features, correct? I don't really care. I'm in support of this.

Grysko: I appreciate your support and so I'm tempted to agree with you because of that but...

Jolly: One is a box like this, and the other is a box that is like this.

Grysko: Again, to me, when I read that, Council President, the first thing I thought of was that an outline should cover not necessarily the entire surface area, but all the edges. That's what I think of, perhaps, and I think the perspective of somebody looking at a gas station canopy tends to be looking at it straight on.

Jolly: Mr. Donovic flies over the Livonia in a helicopter. Anyway, you have an approving. Thank you very much. You did a good job presenting, but your most impressive trick was using the word recitation that got Mr. Donovic there.

Donovic: So that's five, for the record.

Jolly: There's nobody else here who want to speak about this or no? So, you're all set. You have approving. This will be on the agenda Monday, May 2nd, the Regular meeting at 7PM.

Grysko: Thank you, Council.

As there were no further questions or comments, the Public Hearing was declared closed at 7:12 p.m.



LETTER TO THE LIVONIA CITY COUNCIL

30.

Planning
April 12, 2022

MEETING DATE

Regular Meeting of
May 2, 2022

PREPARED BY

Sara Kasprovicz, Council Office Manager

AGENDA ITEM

SIGN PETITION: Planning Commission, re: Petition 2003-08-SN-08, submitted by Aver Sign Company, requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.
Public Hearing held on Monday, April 11, 2022.

BAC □ GROUND

See background information in the recommendation to Council.

RECOMMENDATION

At the 1,183rd Public Hearing and Regular Meeting held by the City Planning Commission on February 8, 2022, the following resolution was adopted:

#02-10-2022 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24, be denied for the following reasons:

1. That the proposed modification is not supported by the Livonia Vision 21 Zoning Ordinance which prohibits outline tubing signs.
2. That it has been a long-standing policy by the City not to allow this type of illumination around pump island canopies.
3. That the applicant has not justified the need to illuminate the pump island canopy at this location.
4. That the petitioner has failed to affirmatively show that the proposed modification would be aesthetically in the City's best interest.
5. That approving this type of illumination would set an undesirable precedent for businesses of

this type.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. 2003-08-SN-08_Amend CR_E-COUNCIL Pkt
2. Petition 2003-08-SN-08 Notice
3. Petition 2003-08-SN-08 Renotice - Aver Sign
4. PH041122 2003-08-SN-08 DIRECTION

APPROVED BY



LETTER TO THE LIVONIA CITY COUNCIL

1.

Planning
March 22, 2022

MEETING DATE

Public Hearing of March
21, 2022 rescheduled for
April 11, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

BACKGROUND

RECOMMENDATION

At the 1,183rd Public Hearing and Regular Meeting held by the City Planning Commission on February 8, 2022, the following resolution was adopted:

#02-10-2022 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24, be denied for the following reasons:

1. That the proposed modification is not supported by the Livonia Vision 21 Zoning Ordinance which prohibits outline tubing signs.
2. That it has been a long-standing policy by the City not to allow this type of illumination around pump island canopies.
3. That the applicant has not justified the need to illuminate the pump island canopy at this location.
4. That the petitioner has failed to affirmatively show that the proposed modification would be aesthetically in the City's best interest.
5. That approving this type of illumination would set an undesirable precedent for businesses of this type.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. 2003-08-SN-08_Amend CR_E-COUNCIL Pkt
2. Petition 2003-08-SN-08 Notice
3. Petition 2003-08-SN-08 Renotice - Aver Sign

APPROVED BY



Mark Taormina, Planning and Economic Development
Director

Date: February 23, 2022



Maureen Miller Brosnan, Mayor

Date: March 04, 2022

CITY OF LIVONIA

RENOTICE OF PUBLIC HEARING

A Public Hearing will take place before the Council of the City of Livonia on **MONDAY, APRIL 11, 2022 at 7:00 P.M.**, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the following item:

Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

SUSAN M. NASH, CITY CLERK

PUBLISH: Sunday, April 3, 2022

**PUBLIC HEARING
DIRECTION**

MONDAY, APRIL 12, 2022

PETITION 2003-08-SN-08 submitted by Aver Sign Company, requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

DIRECTION: 1) APPROVING

PETITION 2021-11-08-06 Appeal of the denial of the Planning Commission regarding Petition 2021-11-08-06 submitted by Jeffrey Scott Architects, requesting waiver use approval to remodel the exterior façade and modify the approved landscape plan of the commercial shopping center (Concord Plaza) at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrene Avenue in the Northwest ¼ of Section 13.

DIRECTION: 1) APPROVING

**THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF MAY 2, 2022**

CITY OF LIVONIA

NOTICE OF PUBLIC HEARING

In accordance with the provisions set forth in Section 4 of Act 207 of the Public Acts of Michigan of 1921, as amended, the City Zoning Act (MSA 5.2934; MCLA 125.584) as well as Article XXIII of Ordinance No. 543, as amended, the Zoning Ordinance of the City of Livonia, the Council has determined that a Public Hearing will take place before the Council of the City of Livonia on **MONDAY, MARCH 21, 2022 at 7:00 P.M.**, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the following item:

Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast $\frac{1}{4}$ of Section 24.

SUSAN M. NASH, CITY CLERK

Petition 2003-08-SN-08 submitted by Aver Sign Company
requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.



December 17, 2021

City of Livonia

33000 Civic Center Dr.

Livonia, MI 48154

Re: 27428 Schoolcraft Livonia, MI

To Whom it May Concern-

This letter is a request to amend condition #4 of Council Resolution #549-03 to permit the illumination of the tubing around the pump island canopy.

Sincerely,

Jennifer Glover

Permit Agent

Aver Sign Company



February 17, 2022

Via Hand Delivery

Ms. Susan M. Nash
City Clerk
City of Livonia
33000 Civic Center Drive
Livonia, Michigan 48154

Re: Petition 2003-08-SN-08 – Aver Sign Resolution Amendment

Dear Ms. Nash,

Please consider this letter as our formal appeal of the Planning Commission's decision with respect to the above-referenced matter at the Planning Commission hearing held on February 8, 2022, based on grounds which include, without limitation, the following:

- The subject property is a commercial property located along the service drive of I-96 Highway, and the proposed tubing illumination around the pump island canopy of the BP gas station will be facing the highway and will not have any negative impact on any residential property in the immediate area;
- The proposed illumination will help with the visibility of the BP Station from the I-96 highway for customers needing to make a stop for gas or other highway services;
- The proposed tubing illumination is widely prevalent in gas stations throughout the City of Livonia and thus, there is significant precedent for allowing such illumination;
- The proposed tubing illumination is part of the BP proprietary colors and logo, and will allow the BP station operator to comply with the BP franchise requirements.

Please advise the undersigned of the City Council Hearing date and time. Thank you for your consideration. Should you have any questions, please feel free to contact the undersigned.

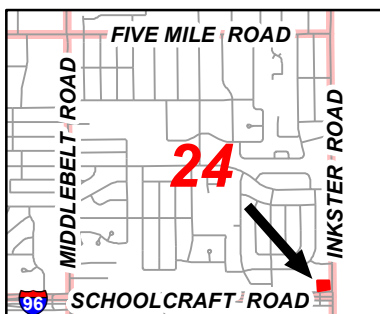
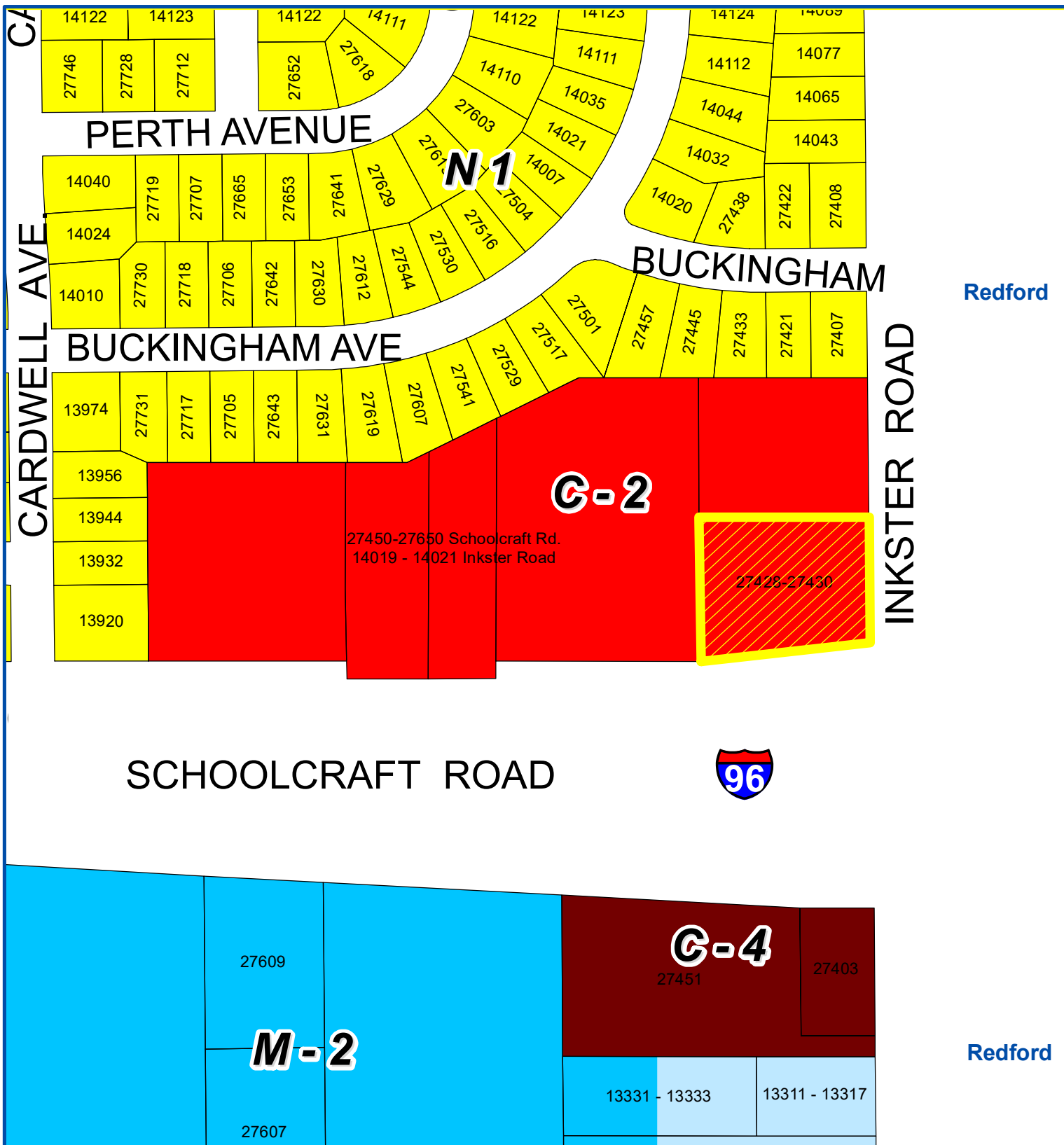
Sincerely,

Jennifer Glover

Document prepared by:

Burt S. Kassab, Esq.
Kullen and Kassab, P.C.
31000 Northwestern Hwy
Suite 100
Farmington Hills, Michigan 48334
Telephone (248) 538-2200
Facsimile (248) 538-2201
e-mail bkassab@k2lawyers.com

Permit Agent
Aver Sign Company
248-542-0678
jennifer@aversign.com
On behalf of Ray Salem Station owner for 27428 Schoolcraft Rd.



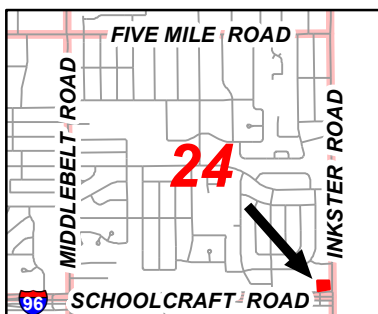
Address & Zoning Map

Petition 2003-08-SN-08
BP Gas Station
27428 Schoolcraft Road
to amend Council Resolution #549-03



Not to Scale

City of Livonia
Planning Department



Aerial Map

Petition 2003-08-SN-08
BP Gas Station
27428 Schoolcraft Road
to amend Council Resolution #549-03



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 2

Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

February 1, 2022: Study Meeting:

This request involves amending a waiver use condition that was imposed in connection with the approval of a BP gas station located at the northwest corner of Schoolcraft and Inkster Roads. The subject site is part of the Buckingham Plaza Shopping Center. On November 20, 2002, a waiver use was granted for the construction of the gas station and carry-out restaurant (CR #600-02). As part of the approval, it was conditioned that all signs undergo a separate review by the Planning Commission and City Council.

Permitted wall and window signs for a gas station, including those attached to the building and/or the canopy fascia, are limited to two (2) square feet of sign area for each one (1) lineal foot of building frontage, subject to a maximum total area of 100 square feet. Gas stations are also allowed one (1) ground sign no greater than forty (40) square feet in area and twelve feet (12') in height, and subject further to a minimum setback of five feet (5') from any public right-of-way line.

On October 22, 2003, City Council approved a sign package for the gas station (see attached CR #549-03). Allowed is 100 square feet of wall and window signage and a ground sign measuring no larger than fifty-two (52) square feet. As part of the approval, it was conditioned:

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

The petitioner is requesting to amend this condition to allow LED tube lighting around the perimeter of the pump island canopy fascia. The tubing was shown on the original plans with a note that it would not be illuminated. The Petitioner notes that there are other gas stations located around the city with various forms of canopy fascia illumination. While this is true, the restriction imposed on this project is consistent with the action taken on most commercial developments, including gas stations, and is supported by the following prohibition as set forth in Section 11.05(7) of the Livonia Vision 21 Zoning Ordinance, which provides:

7 □ **Outline tubing signs**, except that the use of outline tubing may be permitted when

- A) such tubing is encased with tinted glass or plastic so as to protect it from weather and breakage and to render such tubing invisible when not illuminated, and
- B) the tubing does not outline windows, roofs, or other building features.

The only other wall signage on this BP gas station building is a thirty (30) square foot sign identifying the Tim Hortons restaurant. There are no wall signs on the building identifying the station. Additionally, three (3) sides of the pump island canopy fascia have circular BP logo signs. The exact size of these logo signs is unknown.

February 8, 2022: Regular Meeting:

The area of the tubing around the pump island canopy is measured according to its width times its entire length. The tubing is one inch (1") in width and the total length of the three sides of the canopy measures 221 feet (68" + 68" + 85"). The area of the tubing, not including the BP logo signs, measures approximately eighteen (18) square feet. The three (3) circular BP logo signs on the canopy each measure eleven (11) square feet. Added together, the signage on the building (30 sq.ft.) plus the canopy (51 sq.ft.), totals 81 square feet, which is nineteen (19) square feet less than the 100 square feet allowed under the zoning ordinance.

Approving Resolution: That the request to amend Council Resolution #549-03, to allow the illumination of a LED lightband around the pump island canopy of the BP gas station located at 27428 Schoolcraft Road is hereby approved, subject to City Council approval and the following conditions:

1. That the request to amend condition #4 of Council Resolution #549-03 as outlined in the letter dated December 17, 2021, from Aver Sign Company is hereby approved, and shall be adhered to.
2. With the exception of the circular BP logo signs, only the tubing around the fascia of the pump island canopy shall be illuminated.
3. At no time shall the permitted wall and window signs, including those attached to the building and/or the canopy fascia, of this gas station exceed the maximum total area of 100 square feet, and
4. That all other conditions imposed by Council Resolution #549-03, which granted approval for signage for this gas station, shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

Denying Resolution: That the request to amend Council Resolution #549-03, to allow the illumination of a LED lightband around the pump island canopy of the BP gas station located at 27428 Schoolcraft Road is denied for the following reasons:

1. That the proposed modification is not supported by the Livonia Vision 21 Zoning Ordinance which prohibits outline tubing signs.
2. That it has been a long-standing policy by the City not to allow this type of illumination around pump island canopies.
3. That the applicant has not justified the need to illuminate the pump island canopy at this location.
4. That the petitioner has failed to affirmatively show that the proposed modification would be aesthetically in the City's best interest.
5. That approving this type of illumination would set an undesirable precedent for businesses of this type.

INKSTER RD.

EAST LINE OF SECTION 24, T 1 S, R 1 E

124.15

PROPOSED BY MID SIGN
10' 0" SETBACK BOTH
DIRECTIONS

PROPOSED CANOPY
(SEE SHEET A-6 FOR DETAILS)

SCHOOLCRAFT KD

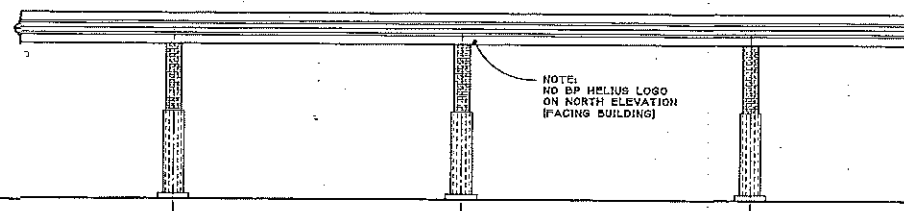
PROPOSED
STATION &
EXHIBITION STORE

RECEIVED
SEP 09 2003
CITY OF LIVONIA
PLANNING COMMISSION

NOTE:
ALL DIMENSIONS TO
BE VERIFIED IN THE
FIELD [V.L.F.]

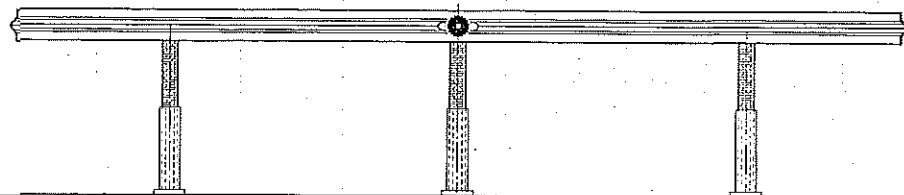


SCALE: 1" = 50'-0"



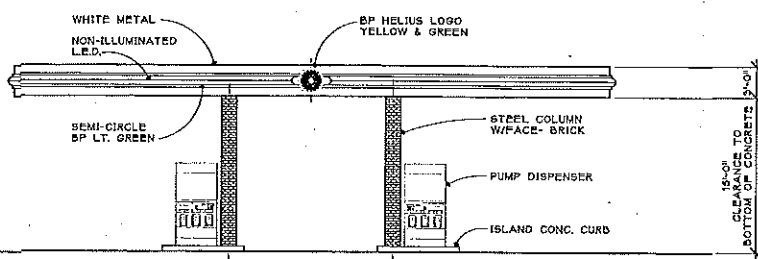
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



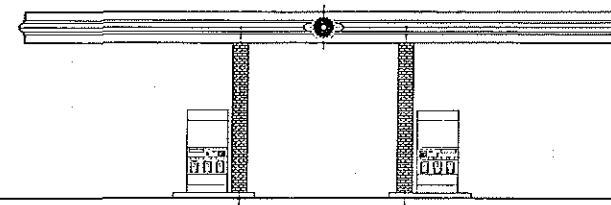
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



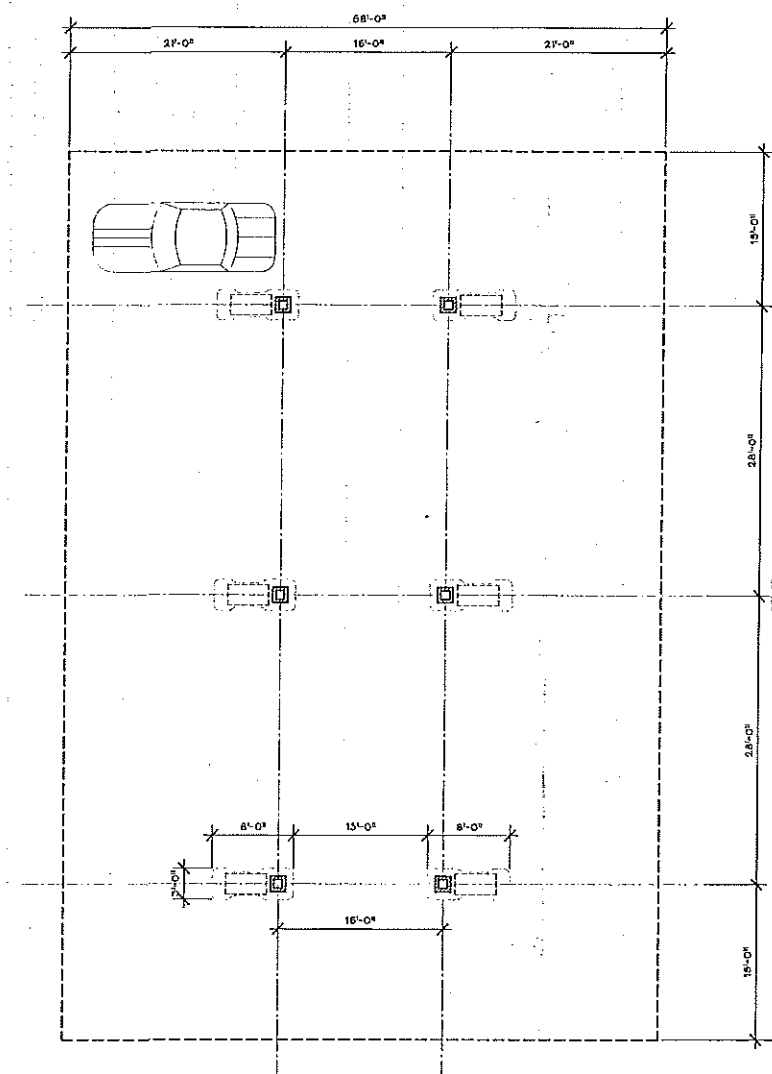
EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"



CANOPY
LAYOUT PLAN

SCALE: 1/8" = 1'-0"

NSI
National Specialties Installation Inc.
20801 Glendale St.
Detroit, MI 48223-3305
ph: (313) 387.7791 - fax: (313) 338-4353
"NATIONWIDE INSTALLATION"
This document is proprietary to NSI and shall not be reproduced, altered, or used without expressed consent of National Specialties Installation Inc.

PROJECT TITLE:
Gas Station & Restaurant
Schoolcraft Rd. (I-96) @ Inkster Rd.
Livonia, Michigan

DATE:
03/17/03
07/02/03 - REV.

SHEET TITLE:
**GAS STATION
CANOPY**

PROJECT NO.
105
SHEET NO.

A6





Google





Google

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

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

Date: February 1, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2003-08-SN-08 – 27428 Schoolcraft Road

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

This Department has no objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSAN
MAYOR

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

January 26, 2022

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

Petition 2003-08-SN-08 - 27428 Schoolcraft Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

Unpaid water and sewer charges: (currently due on 2/10/22)	\$ 90.23
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Total Due City of Livonia	\$ 90.23
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Please contact me if you have any further questions.

Very truly yours,


Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

January 13, 2022

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

Re: Petition 2003-08-SN-08

27428 Schoolcraft Road
Aver Sign Company

Dear Mr. Miller,

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

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**

**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR
MEETING OF OCTOBER 22, 2003**

On a motion by Taylor, seconded by Brosnan, and unanimously adopted, it was:

CR 549-03 RESOLVED, that having considered a communication from the City Planning Commission, dated September 18, 2003, which transmits its resolution 09-127-2003, adopted on September 16, 2003, with regard to **Petition 2003-08-SN-08**, submitted by National Specialties, on behalf of **British Petroleum**, requesting approval for **signage** for the gas station located at 27428 Schoolcraft Road, on the northwest corner of Schoolcraft and Inkster Roads in the Southeast 1/4 of Section 24, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2003-08-SN-08 is hereby **approved** and granted, subject to the following conditions:

1. That the Sign Plan marked Sheet A7 dated 9/4/03, as revised, prepared by National Specialties Installation, Inc., is hereby approved and shall be adhered to, insomuch as:
 - The wall signage and the window signage, including those attached to the buildings or to the canopy fascia, shall not exceed 100 square feet in sign area;
 - The ground sign shall not exceed 52 square feet in sign area, 12 feet in height, and shall be set back 10 feet from any right-of-way line;
2. That the base of the ground sign shall be manufactured out of the same brick used in the construction of the gas station/convenience store;
3. That the Sign Plan marked Sheet A6 dated July 2, 2003, as revised, prepared by National Specialties Installation, is hereby approved and shall be adhered to;
4. That no LED lightband or exposed neon shall be permitted on this site, including but not limited to, the building, pump island canopies or around the windows;
5. That all signage shall not be illuminated beyond one (1) hour after this business closes;

6. That any additional signage shall come back before the Planning Commission and City Council for their review and approval;
7. That this approval is subject to the petitioner being granted a variance from the Zoning Board of Appeals for excess signage and any conditions related thereto; and
8. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the sign permits are applied for.

**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR
MEETING OF NOVEMBER 6, 2002**

On a motion by Dolan, seconded by Knapp, and unanimously adopted, it

was:

CR 600-02 RESOLVED, that having considered a communication from the City Planning Commission, dated October 10, 2002, which transmits its resolution 10-128-2002, adopted on October 8, 2002, with regard to **Petition 2002-07-02-14**, submitted by Mohamad El Fassih requesting waiver use approval to construct a gas station and carry-out restaurant with drive-up window service on property located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast 1/4 of Section 24, which property is zoned C-2, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2002-07-02-14 is hereby **approved** and granted, subject to the following conditions:

1. That the Site Plan marked Sheet C-1 prepared by Elite Design & Development, Inc., dated September 26, 2002, is hereby approved and shall be adhered to;
2. That the Landscape Plan marked Sheet C-2 prepared by Elite Design & Development, Inc., dated September 8, 2002, is hereby approved and shall be adhered to, except that the Autumn Purple Ash trees specified on said landscape plan shall be changed to a different variety of tree as approved by the Planning Director;
3. That all plant materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
4. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
5. That all sodded and landscaped areas shall be fully irrigated by underground sprinkler systems;
6. That the Building Elevations marked Sheets A-1 and A-3 prepared by Elite Design & Development, Inc., dated July 16, 2002 and September 8, 2002, respectively, are hereby approved and shall be adhered to;

7. That the brick used in the construction of the buildings shall be full face four (4) inch brick, no exceptions;
8. That the three walls of the trash dumpster area shall be constructed out of the same brick used in the construction of the building or in the event a poured wall is substituted, the wall's design, texture and color shall match that of the building and the enclosure gates shall be maintained and when not in use closed at all times;
9. That all rooftop mounted mechanical equipment shall be completely screened from view;
10. That the turning radius of the drive-up window lane shall be at least 15 feet as required;
11. That the maximum number of customer seats in the carryout restaurant shall not exceed 12;
12. That all pole mounted lights shall be shielded so as to be deflected away from any neighboring property and shall not exceed 20 feet in height;
13. That the lights of the pump island canopy shall be recessed in such a way that the intensity of the illumination is decreased;
14. That no outdoor storage, placement or display of merchandise shall be permitted at any time on this site, however the foregoing prohibition shall not apply to the display, on the pump islands only, of oil or oil based products as permitted under Section 11.03(a) of the Zoning Ordinance;
15. That the pump island canopy shall not exceed 18 feet in height and its support columns shall be covered with the same brick used in the construction of the gas station/convenience store building;
16. That no neon shall be permitted on this site, including but not limited to, the pump island canopy, buildings or around the windows;
17. That this approval shall incorporate the following recommendations of the Traffic Bureau as listed in the correspondence dated August 2, 2002;

- a) That the required handicapped parking spaces be properly sized and individually signed as required;
 - b) That a handicapped ramp for access to the building be provided;
 - c) That a sign indicating the height of the pump island canopy be installed in several conspicuous locations;
 - d) That stop signs for each exit of the property along with a Right Turn Only sign for the Schoolcraft exit be installed;
18. That all parking spaces within the total site area be double striped;
19. That the existing protective wall along the north property line of the subject site shall be repaired to the satisfaction of the Inspection Department and shall be extended to the east to the Inkster Road right-of-way line using the same materials and having uniformity in height and appearance, except that the nearest 10 feet of wall to the right-of-way shall be limited to a height of three (3) feet;
20. That no signs, either freestanding or wall mounted, are approved with this petition. All such signage shall be separately submitted for review and approval by the Planning Commission and City Council;
21. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
22. That this approval is conditional upon the petitioner submitting additional information relative to the final determination of exterior building material colors and the review and approval of the colors by the Planning Commission and City Council by means of color renderings or other means of accurately portraying and designating colors, such as actual samples. See CR below deleted this condition.

**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR
MEETING OF NOVEMBER 20, 2002**

On a motion by Taylor, seconded by Dolan, and unanimously adopted, it

was:

CR 614-02 RESOLVED, that **Council Resolution 600-02** is hereby amended by deleting paragraph 22 therefrom.

UNAPPROVED MINUTES

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MINUTES OF THE 1,183rd PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, February 8, 2022, the City Planning Commission of the City of Livonia held its 1,183rd Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

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

Members absent: Betsy McCue Sam Caramagno

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

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

ITEM #2 PETITION 2003-08-SN-08 Aver Sign (BP Gas Station)

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

Mr. Taormina: This is a request to amend a Council Resolution, in this case CR #549-03, to allow the illumination of a pump island canopy. The site is the BP gas station at the northwest corner of Schoolcraft and Inkster roads. It was in 2003 when City Council approved the sign package for the gas station which limited the area of all wall signs to 100 square feet and the total area of the monument sign on the property to 52 square feet. As part of that approval, City Council included a condition in that “no LED light band or exposed neon shall be permitted on this site, including but not limited to the building, the pump island canopy’s or around the windows”. The petitioner is now requesting to amend this condition in order to allow for an LED light strip that would be installed around three sides of the pump island canopy fascia. I will just note that the restriction that was imposed by City Council in 2003 is consistent with the action that they have taken on most commercial developments over the past 20 years, including gas stations. I know the petitioner, at the study meeting last week, provided some information regarding the details of this. I don’t really have those plans available for you to view. I just have photographs of the existing gas station. As you can see, this is the condition as it exists today. It is the typical BP canopy fascia. As you can see, the light band extends across the center of the fascia. In this case, the new light strip would be installed on three sides. The west side of the canopy, the south side of the canopy facing Schoolcraft Road, and then the east side facing Inkster Road. It is our understanding that the north side facing the building would not be illuminated. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Certainly.

Mr. Taormina: The first letter is from the Inspection Department, dated February 1, 2022, which reads as follows: *“Pursuant to your request, the above-referenced petition has been reviewed. This Department has no objections to this petition.”* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated January 26, 2022, which reads as follows: *“ I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia Unpaid water and sewer charges: (currently due on 2/10/22) \$ 90.23 Total Due City of Livonia \$ 90.23.”* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer’s Department, dated January 13, 2022, which reads as follows: *“In accordance with your request, the Treasurer’s Office has reviewed the name and addresses*

UNAPPROVED MINUTES

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connected with the above noted petition. At this time no taxes are due, therefore I have no objections to the proposal.” The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? I see no questions. Our petitioner is here in our audience. You are free to come up to our podium. Good evening. We will need your name and address for the record please.

Jennifer Glover, Aver Sign, 359 Livernois, Ferndale, MI. I had some correspondence with Scott Miller last week regarding that light bar and the square footage that we calculated for the light bar on the three sides of the canopy. The light bar would be 15.5 square feet and there will also be three helios, which is the BP logo. Those are 10.56 square feet each. We are looking at approximately 40 square feet of signage on the canopy in its entirety. I will uniformly match the rest of the stations in Livonia with the lighting on the canopy, as well as all the BP stations that are currently there.

Mr. Wilshaw: Thank you, Ms. Glover. Is there any questions for our petitioner in regard to this item?

Mr. Ventura: I don't have a question for you, but I have to tell you that, and I know you don't watch television, you don't watch this on television, but we sit here every week or every other week and have these public hearings and we make motions with regard to site plans and virtually every one of them light bands are prohibited, and we are specific about it. It is just the status of the...the standard of the city and it is the ordinance of the city and that is what is reflected in the Council resolution. I have to tell you that I can't support going against what we sit here and do every single week with every other petitioner that comes before us. It is not the standard of the city. It is not the charge that we have been given to enforce and I am sorry, but I can't. Whatever the other circumstances you have that motivate you to bring this before us. I just can't, having said no to so many other petitioners, say yes to you tonight. Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. Any question or comments?

Ms. McCue: Mr. Taormina, can you tell me what the allowed square footage in total for signage?

Mr. Taormina: I'm sorry?

UNAPPROVED MINUTES

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- Ms. McCue: The total square footage allowed for this signage when we are taking into consideration the band, the logos, and all of that.
- Mr. Taormina: 100 square feet total for all wall signage. So, that would include anything on the gas station building, as well as on the fascia of the canopy. Wall signage is limited to that amount. 100 square feet in total. I believe the report indicates that the sign on the building currently is 30 square feet.
- Ms. McCue: Okay. Thank you.
- Mr. Taormina: As was noted, I think what they are adding computes to about 50 square feet.
- Mr. Wilshaw: The petitioner indicated that she talked to Scott, and I guess they recomputed it to the 40 square feet, so in any case it is below the 100 square foot minimum.
- Mr. Taormina: Below the 100 square feet, yes. If you include the light band, the logos, and whatever is on the building currently.
- Ms. McCue: Thank you.
- Mr. Wilshaw: Excellent. Any other questions? Mr. Bongero?
- Mr. Bongero: Question for the petitioner. I think last week at the study meeting you said that this is a requirement from BP.
- Ms. Glover: Yes. I wanted to add that. This is a brand requirement. Each individual brand of fuel has their own specific signage that they require at each site. This is a very big issue for them.
- Mr. Bongero: Thank you.
- Mr. Wilshaw: Thank you, Mr. Bongero. Ms. Smiley?
- Ms. Smiley: This is for the petitioner. You said that there is another BP in Livonia that has this?
- Ms. Glover: Yes, ma'am. There are three other BP gas stations in the City of Livonia. Each one, from what I can tell, has a light band around the gas canopy. If it is illuminated at nighttime, I don't know. I don't live over here to see it, but they all have them, yes.

UNAPPROVED MINUTES

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Ms. Smiley: I guess I am confused on how we passed those three, but not hers. Do you know, Mark?

Mr. Taormina: I can speak to only one of those three. I did not check the other two. The most recent of the three would be at the corner of Schoolcraft and Farmington Road. We included a similar condition in the approving resolution and apparently that canopy is being illuminated at night. That is in violation. The Inspection Department is aware of that violation, to my understanding.

Ms. Smiley: So, they are in violation. I guess she is asking for permission, and they are asking for forgiveness. Is that where we are at?

Mr. Taormina: They haven't asked for anything yet.

Ms. Smiley: So, what happens to them when they are in violation. Will they make them...

Mr. Taormina: They will be told to either remove it or stop illuminating it. I suppose if the light band remains, and they don't want to take it down...what is in violation is the fact that it is turned on in the evening. Whether or not they can...how they are going to correct that, I have no idea.

Ms. Smiley: You don't happen to know the hours of that one on...that BP gas station that is illuminated. Is it 24 hours?

Ms. Glover: I don't suspect that it is illuminated 24 hours. I think it comes on for nighttime illumination. I don't know their hours. I apologize.

Ms. Smiley: Do you know the hours of this gas station?

Ms. Glover: Ray's gas station...go ahead.

Ray Salem, 27428 Schoolcraft, Livonia, MI 4:30 p.m. to 11:00 p.m. as of right now.

Ms. Smiley: Then the light would go off at 11?

Mr. Salem: Yeah, I would be fine with that. I mean that is...you know. As I explained at the last week, I would just do according to what the other stations and like I said, I am off the highway. There is probably about four of the five stations that are on the highway that are all illuminated, so you know I was just trying to kind of, you would say, fit in with that.

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Ms. Smiley: This is going to sound bad, but I am inclined to deny it and let you go to Council and let them hear your story behind it. The fact that the BP is doing that. That the BP wants you to do that, or that is their brand and that is how they do it. I guess I am kind of supporting you, but I am probably going to deny you. Thank you.

Mr. Wilshaw: Thank you. Is there any other questions for our petitioner?

Mr. Long: Can I get Ms. Glover to take me through the math again on the signage? You said that the light bar was 50 square feet or 15?

Ms. Glover: 15.5

Mr. Long: 15. Okay. Now that is where my math is going off. Okay. Thank you.

Mr. Wilshaw: Thank you, Mr. Long. Any other questions for anybody?

Mr. Caramagno: If you do not get the LED light band, what does BP do? Are they going to pull your BP station?

Brian Tucker, Corrigan Oil, 775 North 2nd Street, Brighton, MI. We are the supplier to Mr. Salem's station. There are alternatives. To that those alternatives are based on the circumstances. The first plan is to always fully meet image requirements. It happens when situations like this occur, where decisions are made where it is not allowed. I think from the brands perspective, and I can't speak for the brand because I only represent as a distributor, they are not here to speak on their behalf. The first request is to always to fully illuminate the canopy.

Mr. Caramagno: So, when you can't do that, you talked about alternatives? What are the alternatives?

Mr. Tucker: The alternatives are for non-illuminated canopies.

Mr. Caramagno: So, BP is not going to walk away from Ray over an LED light band here?

Mr. Tucker: No. To support Mr. Salem in the spirit of fairness and what he is competing with, that is the reason for the request.

Mr. Caramagno: So, you speak on behalf of Corrigan delivering fuel for BP?

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Mr. Tucker: Yes. What I can also say is that of the other BP stations that are in the city, Corrigan is not a supplier

Mr. Caramagno: Is not a supplier. Okay. I have got to say that I am probably not a fan of the LED light band. The only thing that I...if there were an exception here it would be because this doesn't face any residential properties. It faces the freeway. So, if there is an exception for me that would be it. I have to think about it. Thank you.

Mr. Wilshaw: Thank you. Any other questions or comments from anyone? Good discussion from everyone. I don't think there is anyone else in our audience wishing to speak to this item, but I will throw that out there in case someone is hiding and I can't see. I don't see anybody jumping up. Anything else, Ms. Glover, that you would like to add before we make our decision?

Ms. Glover: I did a lot of thinking after the study session that we had and one of the things I would say is that as a female, finding a gas station at night that is illuminated makes a world of difference of where I am going to go buy my gas. I am not going to go to some station that might be kind of dark. There is a lot of dark corners. I personally will look specifically for an illuminated station so that I know that I feel, at least I feel, that I have some safety there. That is all I needed to add.

Mr. Wilshaw: That is great comment. We appreciate that.

Ms. Glover: Thank you.

Mr. Ventura: Excuse me, are you saying that there are no lights under this canopy at night?

Ms. Glover: They have the normal...

Mr. Ventura: So, what is illuminated? So, you can see what you are doing.

Ms. Glover: On the expressway, when you are driving you can see that there is a station up there if you see that glow.

Mr. Ventura: Your comments led me to believe that there were no lights there.

Ms. Glover: No.

Mr. Ventura: So, it is well illuminated. Thank you.

Mr. Wilshaw: Yes, I think this would just be an enhancement to that illumination. A colorful one. Any other questions or comments? If not,...Mr. Bongero?

Mr. Bongero: Quick question. Kind of like what Commissioner Caramagno said, I don't have a problem with it. I think it is not intrusive. I think it is subtle. I think it adds a little bit of an effect. Slightly. I don't think it is going to be beaming into people's eyes and it is in commercial only, not around residential. I don't really have a problem with it.

Mr. Wilshaw: Fair comment. Anybody else with anything? If not, a motion would be in order.

On a motion by Ventura, seconded by Smiley, and adopted, it was

#02-10-2022 **RESOLVED**, That the City Planning Commission does hereby recommend to City Council that Petition 2003-08-SN-08 submitted by Aver Sign Company requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24, be denied for the following reasons:

1. That the proposed modification is not supported by the Livonia Vision 21 Zoning Ordinance which prohibits outline tubing signs.
2. That it has been a long-standing policy by the City not to allow this type of illumination around pump island canopies.
3. That the applicant has not justified the need to illuminate the pump island canopy at this location.
4. That the petitioner has failed to affirmatively show that the proposed modification would be aesthetically in the City's best interest.
5. That approving this type of illumination would set an undesirable precedent for businesses of this type.

Mr. Wilshaw: Is there any discussion?

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A roll call vote on the foregoing resolution resulted in the following:

AYES:	Ventura, Smiley, Caramagno, Wilshaw
NAYS:	McCue, Bongero, Long
ABSENT:	None
ABSTAIN:	None

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted.

Mr. Wilshaw: To the petitioner, you will have ten days in which to appeal the decision in writing to City Council and if you choose to do that, they will take up the request and you can have them make the decision.

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Monday, April 11, 2022

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on **Monday, April 11, 2022.**

MEMBERS PRESENT: Jim Jolly, President
 Scott Bahr
 Rob Donovic
 Brandon McCullough
 Kathleen McIntyre
 Scott Morgan

MEMBERS ABSENT: Laura Toy, Vice President

OTHERS PRESENT: Paul Bernier, Assistant City Attorney
 Scott Miller, Planner
 Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:00 p.m. with President Jim Jolly presiding. This item is regarding **Petition 2021-11-08-06** submitted by Jeffery Scott Architects requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13. This item will move to the Regular Meeting of **May 2, 2022.**

The Public Hearing is now open. There were 3 persons in the audience.

Jolly: Mr. Miller, can you introduce us to this item please?

Miller: Sure. Concord Plaza was approved back in 1986 and part of the approval and an approval of the landscape plan. The landscape plan at that time showed up 44 trees along the Middlebelt Road and Terrance and the trees included a variety of deciduous trees such as maple, ash, crab, and evergreen trees. Within the parking lot they also had maples and honey locust, about 14 trees in the parking lot. Last August of last year the Inspection Department noticed that several of these trees had been removed. Based on the original plan, it was estimated about 42 trees were missing or cut down. The owner was notified of a violation. We informed them that any deviation from that existing landscape or that landscape plan should conform with the new landscaping standards of the Livonia 21, Vision 21. The new ordinance, which states we have standards in there. Just real quick, it's based on low frontages and you can have like one tree or one hard tree every one hundred

linear feet. An ornamental tree every one hundred feet and then eight shrubs every 40 feet, so that's pretty clean cut with what is required. That's basically where we're at right now.

Jolly: Okay, do you ever, I apologize I don't have a computer with me. Do you have a proposed look here?

Miller: Here is the proposed plan if you can see it, I can't really zoom in. Basically, he doesn't show any trees along Middlebelt Road. He's got two existing trees along Terrance that which were existing. Yeah, those are the remains. So, there's two trees along Terrance and no trees along Middlebelt Road and then there are no trees into the parking lot.

Jolly: Okay. Thank you Mr. Miller For the Petitioner Sure.

McIntyre: Thank you. Scott. My reading of this, and I've read it several times, the city cannot establish which how many trees were removed before Belmont purchased the property, correct?

Miller: True. I mean, other than, no, I guess not. I mean, we've looked at Google Maps. Back in 2020, the trees were still there. So, I don't know when they bought it.

McIntyre: In the summer of 2021. So, okay.

Jolly: Good evening. Tell me your name and address for the record, please.

Friedlaender: Good evening. My name is Susan Friedlaender. I'm the attorney for Belmont property address at 1700 West Big Beaver Road in Troy, Michigan, though I haven't been there in two years. I also have Jason with me who is with Belmont. Jason Curis. I think there's some confusion here. First, I'm not sure what plans are up there, but they're not the plans that we've resubmitted, and I do have copies here of what was submitted to you like an eight by 11. If you want them, I could distribute them.

Jolly: Please hand them to whoever you want to over there.

Friedlaender: Jason can address first, if you'd like to hear first about what was the situation when we bought the property. How many trees were spared, how many were removed, because I think that maybe we should clear that up first, because it's my understanding that there were about eight trees removed after he purchased the property and that was because they were in pretty bad shape, but do you want to...

Jolly: Yeah, if you want to just give us a brief history, in regard to the property.

Curis: Sure. Thank you, Council. I am Jason Curis on behalf of Belmont Properties. I was fortunate enough to be here a few months ago in front of the Planning

Commission, explaining what we are trying to do. We were hoping that we can accomplish this evening through some modifications. When the property was purchased in summer of 2020. There were eight remaining trees left on Middlebelt. I, myself, was curious on Google. So, I did go back and Google and saw what it originally looked like, what it looked like prior to our ownership throughout the years because they can time track Google now and what it looks like today. The road was being worked on at the time, there was some construction going on Middlebelt in the summer, they were on our right-of-way. It was torn up. The trees themselves were beyond repair, dead, dying, had dead tree disease. So, what we did, was remove them before they caused any more damage to anything else in the area. It was August and it was basically bark out there. There were very limited leaves so we knew the trees were dead. After doing that, probably one day after Scott's department had reached out to us before submitting for an updated facade improvement. The center itself, as Scott indicated, was built in '86, it looked like it was from '86, still looks like it's from 1986 and I love the 80's but we wanted to freshen it up, soften it up and revive it. We purchased it from some owners and operators who were a little absentee, which is the complete opposite of us. So, as we started renovating, cleaning things up, even the weeds in the parking lot redoing parking lots, redoing all sorts of different things that were just really, general maintenance. We submitted a plan to the Planning Department for the facade improvements. In that, was a landscape plan. Now, the original landscape plan, which I believe, is what you have up there. Now, that is not the current landscape plan. That's the original one from the 80's. The one that was up there as our proposal, I think was the outdated one. That was the one that was submitted initially to the Planning Commission review, where they indicated, look, you need to add some more trees, let's get some more stuff on the Middlebelt, so what's being handed out was supplied via email, and was hand delivered February 17, for this Council meeting appeal of the Planning Commission's decision.

Friedlaender: I think maybe part of the confusion, I wasn't at the Planning Commission hearings, but from my reviewing of minutes and different things, I think that the Planning Commission was a little peaked because when, first there was a meeting, I think, on February the first with what ason is referring to as Belmond's original landscape plan. When they got the feedback, they realized, that they should provide a revised plan, which they did. The next meeting was a week later, and it does not seem that their new revised plan got before the Planning Commission and the Planning Commission seemed to be upset about that. It seems to me that their whole decision was based on ason's original plan, which is very different than his updated plan. We've supplied you with the updated plan. I've gone over this. I don't know if you had the chance to read the memo that I provided for you.

Jolly: I think you have six sets of fresh ears up here. I wouldn't worry about the Planning Commission, anything that may have happened at that point. Can you walk us through what the proposal is now?

Friedlaender: Yes, what the proposal is now, and is consistent with your new ordinance, as Mr. Miller advised, there's like X amount of deciduous trees per, is that one per 40 feet and you also have to subtract from your frontage your, your drives. So, when you subtract that amount, I think your ordinance requires 18 deciduous trees, and we are proposing 16. That's full frontages. I'm being a little unclear there. I'm giving you a total like for both frontages. There's a total of 16. They get divided. I guess maybe in a different way, depending on the linear feet. Then for the ornamental trees, I think we're, we have we're proposing one fewer tree than is required under the ordinance standard. Then for shrubs, there are I think, 140 are required for the front edges. I think we have 98, but then we have 86 shrubs that are in the parking lot and also there's a tree that's being preserved also in the parking lot, though the Planning Commission did not really seem to review anything that was going on in the parking lot. This is just the frontage requirements. So, what you have, what we're presenting, and what we presented to the Planning Commission, the second time was very different than our first plan and we're very close to meeting the letter of your ordinance. So, we're asking for a very modest modification. The ironic thing is, you know, your standard is that you can modify this within the intent of the ordinance, as far as I can tell, there's not a specific statement that I guess it's logical and obvious. I'm trying to find a way to fit recitation in here, and I just can't think of anything. It's aesthetics, it's to beautify the site and the whole ironic thing is, that Belmond came in when they purchased the property, and what they were doing is they're trying to beautify the site. They're trying to upgrade it. While they weren't doing like, a ton of things that would trigger a whole new review, really, but they were doing enough to make it nicer. He's already getting new tenants. You know, Mr. Curis can tell you himself, but his whole concern, and he's very much very experienced in, redevelopment and development of these kinds of shopping centers, is that you need visibility. You need, you know, for another obvious thing, you have to have visibility. So, he's, he's put together a landscaping plan that that is going to really improve the aesthetics of the site and provide while providing the kind of visibility that these kinds of centers require to not only attract customers, but to attract tenants too, so tenants can feel this is a place where we can make it. This is a place where we can stay in business and so he's here to improve too, to have a successful business.

Jolly: Are we also talking about the building updates today as well, the facade updates? Is that part of this as well? Is there anything you'd like to say about that real quick, and then we'll go to Ms. McIntyre. You might give us a brief outline of what your plans are there, just so we do it all at once.

Curis: Sure, I apologize that our architect who put this together could not make it. She had COVID and she is out for a few days. The requests that we would be looking for the full meeting on May the second, would be a full site plan approval, which is including but not limited to the new facade, so everybody's, for the most part familiar with the shopping center. We wanted to do something that wasn't a total knock down and rebuild. The bones are strong here, but it's just a little harsh. So, we want to come out and we want to soften

it up with some nice EFIS, modernize it with some awnings. We have done some minor things to, as far as cleaning up the grounds. The landscape was a big item of Planning Commission, which we've modernized the landscaping and lighting for school for landscaping. I've worked hand in hand with the landscape architect, to give it a more modern look, that falls into the guidelines of the exact type of trees and shrubs, and how your ordinance defines what they should be in here. So, while they may not be the firecracker ones from the 80s, that, you know, you can go under and it looks like an umbrella and they're open, they meet the guidelines. They fulfill everything and we jammed as many as we could on there, in our opinion. I guess a little bit of experience from the time of the Planning Commission, really from the time that the trees themselves have been down, just wanted to make note that our office has signed five new businesses, new to Livonia, never been here before, because they never noticed the shopping center before. So, from August of 2020, until today, we've seen five new businesses that have moved in, from an event space, to a pet groomer, to a hair salon, to a kiddie spot, to an antique resale shop, all who are super excited to be a part of Livonia and the Livonia business community. In addition to that, we had a couple of leases coming due, where the business owners were struggling a little bit in COVID. What came up was, they were thankful and appreciative that they could now be seen and viewed by the street. We renewed the lady's gym that's been in Livonia 20 years. There's a dental office that's in the rear of the shopping center. Both were looking at relocating out of there, because they had just said that people had forgotten about them. The center was rundown. You couldn't see the businesses. Again, when we came even probably previous ownership and what I heard from Council appeared before was, many of those trees were taken down long before we purchased the building. So, there was obviously some concern, at some point, with trees coming down. From a visibility standpoint, if you were to Google this thing and look at 2008, you could not see this building. It looked like a heavily forested office complex, but yet this is a retail shopping center.

Jolly: Let me stop you right there. We're going to go to Council real quick for some questions. Ms. McIntyre.

McIntyre: So, I'm delighted that you're interested in improving this and that you have new tenants coming, but you are asking for deficiency in the landscaping requirement, do I understand correctly, two deciduous trees in one decorative tree? Is that the deficiency you're asking for?

Friedlaender: Yes. I'm a little confused about your ordinance on the lower bushes, on the shrubs.

McIntyre: I'm not concerned about the shrubs. So, I guess my question is, and again, I've read through this packet, why are you not able to just comply with the requirements, the landscaping requirements under the new zoning ordinance?

Curis: So, based upon the deficiencies that we were looking for in the groupings that our landscape architect put together, there's only so many groupings of the trees that can be put together before they're kind of on top of each other and subsequently would starve each other. The idea was to get as close to fulfillment, because our original plan was substantially deficient. And when we came back, we wanted to quit as many as we could, try not to be deficient, even though we were slightly deficient on that and come up with groupings that look aesthetically pleasing, but got as close to what the ordinance was. While I always hate to come in front Council for a minor variance, if you will, we just didn't want to overload it and have the trees die after the first year or two. So, we thought that these would be the best survival rate. And it would be as close to the ordinance, the 2021 ordinance that has been written.

Jolly: Thank you. Thank you, Mr. McCullough.

McCullough: Mr. Chair, to the Chair to the petitioner, I guess, just looking over at the overall site plan, you know, the landscape plan seems very sparse still, to my, in my opinion, especially on Terrence Drive, and especially asking for this deficiency to be approved as is. This doesn't seem like a few more trees to meet our ordinance. Listen, what you're doing at the site, I applaud it. I congratulate you. I'm very happy for the businesses that are coming in, but we have ordinances in place for a reason. You're so close them as it is. I know, I just look at it a few, I mean, we're talking two trees and if I'm looking here, you have a ton of weight on Terrence Avenue, closer to what would be the west side closest to Middlebelt, that you're removing a few trees. It shows remove existing Norway maples. There's a ton of land in there to pop some trees, and personally for me, I'd like to see us hit that ordinance and move forward with this. I think you're very close.

Curis: Can we get confirmation, Scott, because I thought we were a little bit farther away than three trees and I'm trying to go through my notes on this. I just want to make sure we're we are talking the same deficiency.

Miller: Can I answer?

Jolly: Yes, of course.

Miller: Okay. I haven't seen the new plan, but basically, along Middlebelt Road, you're supposed to have nine full-size trees, or nine full-size trees, four ornamental trees and shrubs are seventy-two. Along Terrence, you have eleven full-size trees and five ornamentals. So, I'm not sure what you have.

Curis: Yeah, so, we have ten on Terrence, we have nine, I'm sorry. We have eight on Middlebelt on the larger trees, so we would be two short on Middlebelt, one short Terrence.

McCullough: For me, we're so close. It looks on Terrence, to get one more tree in there, does not seem to be an issue, especially in some of those voids. Your

landscape architect should have no issues popping in a couple. I don't want to overload the site, but I don't see it being that big of a deal to add these and hit our ordinance.

Friedlaender: Well, I did want to just mention one thing, I'm not trying not to be petty, but just the terminology of full tree, that's not in your ordinance. In your ordinance, it's two feet diameter. Just so that we're talking about the same thing, I just want to make sure that we're talking about the same thing.

McCullough: Just as you said, for the groupings, your landscaper, per any kind of contractual documents, should be warranting that your industry standard for two years on each of these trees, whether they're two inch or not. That's general construction practice. That's why I'm saying, I have no issue. I think this is great. I think the plan looks good. I just would like to see a hit three more trees and we can call it a wrap on this.

Curis: If we could get, I don't have a problem achieving that for you. What I like though, is to keep what we have on the frontage of streets, if we need to plant some more, maybe in the rear. I'm really trying to preserve the fact that the building itself is the opposite direction of the traffic. So, as you mentioned, that Terrence is a little bit light, that was purposely designed so that the frontage of it was really the priority on Middlebelt. When folks are driving 45 down the Middlebelt right there, as they're heading south, at least they've got some ability to see into the shopping center and because of the date of when this was built, you got a big parking field. Most other centers are closer to the road. As previous Council said, you know, we're trying to be a good neighbor with the rest of the folks on that street, that have limited to no shrubs, and we're competing with them ultimately, to have tenants say, well hey, why is it the guy across the streets got nothing, they have sod.

McCullough: No, no, absolutely. If this is allowed, I'd be happy to offer an approving, if you could add the deficiency along Terrence Avenue. I mean, you've got more than enough room to add three trees.

Friedlaender: Meaning not on Middlebelt, put them all on, Terrance?

McCullough: I'm okay with that, if Council's okay with that resolution on there.

Donovic: Mr. President?

Colly: Mr. Donovic?

Donovic: Thanks for being here tonight. How many trees do you have on Terrance again?

Curis: We're talking about the large trees because there's the smaller ones and the shrubs. Terrence has ten. I'm sorry, Terrance has eleven.

Donovic: So, my point of view on this is, I've actually been at the building before you guys took occupancy, and I remember it was a rundown building. It is pushed back, far to the east. It's hard to see if you're driving down the Middlebelt Road, especially if you're going north, you're going towards the back of the building. What I'm seeing is, I understand my colleagues' concerns, Councilman McCullough, I see what he's getting at. I think you guys have gone above and beyond to bring this building back to life and fix the landscaping issue. This isn't an office building. This is a retail center that needs a lot of eyes, especially going up and down Middlebelt Road, 45 miles an hour. Unfortunately, people are busy with all sorts of things, and you have an entire retail center is blocked by trees all the time along those major frontage roads. I think that that's an issue. So, I'm going to offer an improving at its current state. I think you guys have met the spirit of the ordinance and trying to plant as many trees as possible. It looks great, small trees and large trees. The building, I think, is going to look great as well. It's updated, an updated facade of the building and attracting new tenants to Livonia. Thank you.

Jolly: Mr. Bahr.

Bahr: I know you've said this, how many total trees again, the number you need □ I know what you have, but what do you need □

Friedlaender: Mr. Miller, I'm not sure when you gave your original amounts, were you going from your original computations □ That's where I think there was a disconnect, because I think their original computations didn't subtract for the street openings, for the curb cuts □

Miller: We take the curb cuts.

Friedlaender: You did take the curb cuts □ Okay, all right.

Miller: Basically, he needs twenty deciduous trees. They have it and nine ornamental trees. That's on both streets.

Bahr: So, twenty deciduous trees and nine ornamental trees, in addition to the deciduous trees?

Miller: No, no, that's the count. He needs nine on Middlebelt Road that are deciduous trees and eleven on Terrence.

Bahr: That's what he needs That's what I'm counting here. First of all, I agree with Mr. McCullough. I totally appreciate what Mr. Donovic is coming from, I echo everything he said, and this might seem like semantics, like I want you guys to be successful with this thing, okay. So, we're on the same page on that. I'm with Mr. McCollough, since we're so close, just knock it out and let's be done with this thing, but having said all that, I'm looking at this, I count on the

one you've just handed out to us. I just circled one. I'm counting eleven along Terrance and I'm counting nine along Middlebelt, I see four LSS.

Curis: You are correct. I'm sorry. Maybe I need to get reading glasses. You're right, I counted eleven. You have eleven on Middlebelt. I'm sorry, you have nine on Middlebelt, which is what the ordinance requires, and you do have eleven on Terrence.

Bahr: So, do we have an issue? If that meets what we're looking for, I think this is easy.

Jolly: We're close enough.

Bahr: You said we needed twenty, right? I'm going to say I'm supportive of approving with plans he handed us.

Jolly: Right. So, we have two approving's. We have one from Donovic, one from McCullough. Do you want to clear this up and go forward with one approving or no? So, we call get on the same page?

Bahr: Mr. President, I see Mr. McCullough quickly trying to look at the plans over here. What I'm counting is on Terrence is a GVF. There's six LTF two AGR, two LC and two ALC that's eleven.

McCullough: Are the ALCs over on Middlebelt?

Bahr: Well, that meets with what Mr. Miller said, so anyway, we have time before the voting meeting to be able to look at this more closely.

McCullough: I will withdraw mine, just make sure that there are enough trees.

Bahr: I'm in agreement with you. I just hit it. I think we're there.

McCullough: It's before the next Council meeting, just make sure we get the trees.

Bahr: Thanks for everything you're doing.

McCullough: Sorry to be tedious. When we look at this, we have many developers that come in and if we got to do it for one, we got to do it for all. I mean, you're so close. So, if everything looks good here and meets, then I am and I'm good with approving this.

Jolly: I don't see anybody else from Council. Ma'am, would you like to speak about this at all, or no?

Friedlaender: She's with us.

Jolly: I know. I'm just kidding. We have nobody else here from the public, for the record. We have an approving. Thank you for your time and wish you the best of luck. I'll close the public hearing. Thank you.
As there were no further questions or comments, the Public Hearing was declared closed at 7:41 p.m.



LETTER TO THE LIVONIA CITY COUNCIL

31.

Planning
April 12, 2022

MEETING DATE

Regular Meeting of May
2, 2022

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2021-11-08-06 submitted by Jeffery Scott Architects, requesting to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13. Public Hearing held on Monday, April 11, 2022.

BACKGROUND

See background information in the recommendation to Council.

RECOMMENDATION

At the 1,183rd Public Hearing and Regular Meeting held by the City Planning Commission on February 8, 2022, the following resolution was unanimously adopted:

#02-09-2022 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2021-11-08-06 submitted by Jeffery Scott Architects requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13, be denied for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 1.02, 10.03 and 13.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the lack of trees shown on the proposed landscape plan would have a negative effect upon the neighboring properties, as well as the City as a whole.
3. Allowing this would be detrimental to the aesthetic quality and appeal of the overall site, and negatively alter the character of the property.
4. That the plantings shown on the previously approved landscape plan shall be reinstalled to the satisfaction of the Inspection Department.
5. That any remodeling of the exterior of the shopping center shall be reconsidered once the

required landscaping is completed, and

6. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. 2021-11-08-06_Concord Plaza_E-COUNCIL Pkt
2. PH NOTICE - Appeal of Denial - Jeffery Scott Architects
3. PH041122 2021-11-08-06 DIRECTION
4. LTC PH041122 2021-11-08-06

APPROVED BY



LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
February 22, 2022

MEETING DATE

Public Hearing of April
11, 2022

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2021-11-08-06 submitted by Jeffery Scott Architects requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest $\frac{1}{4}$ of Section 13.

BACKGROUND

RECOMMENDATION

At the 1,183rd Public Hearing and Regular Meeting held by the City Planning Commission on February 8, 2022, the following resolution was unanimously adopted:

#02-09-2022 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2021-11-08-06 submitted by Jeffery Scott Architects requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest $\frac{1}{4}$ of Section 13, be denied for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 1.02, 10.03 and 13.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the lack of trees shown on the proposed landscape plan would have a negative effect upon the neighboring properties, as well as the City as a whole.
3. Allowing this would be detrimental to the aesthetic quality and appeal of the overall site, and negatively alter the character of the property.
4. That the plantings shown on the previously approved landscape plan shall be reinstalled to the satisfaction of the Inspection Department.
5. That any remodeling of the exterior of the shopping center shall be reconsidered once the required landscaping is completed, and

6. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-11-08-06_Concord Plaza_E-COUNCIL Pkt
2. PH NOTICE - Appeal of Denial - Jeffery Scott Architects

APPROVED BY



Mark Taormina, Planning and Economic Development
Director

Date: February 23, 2022



Maureen Miller Brosnan, Mayor

Date: March 04, 2022

**PUBLIC HEARING
DIRECTION**

MONDAY, APRIL 12, 2022

PETITION 2003-08-SN-08 submitted by Aver Sign Company, requesting to amend Council Resolution #549-03, adopted by the Livonia City Council on October 22, 2003, to allow the illumination of tubing around the pump island canopy of the BP gas station at 27428 Schoolcraft Road, located on the northwest corner of Schoolcraft and Inkster Roads in the southeast ¼ of Section 24.

DIRECTION: 1) APPROVING

PETITION 2021-11-08-06 Appeal of the denial of the Planning Commission regarding Petition 2021-11-08-06 submitted by Jeffrey Scott Architects, requesting waiver use approval to remodel the exterior façade and modify the approved landscape plan of the commercial shopping center (Concord Plaza) at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrene Avenue in the Northwest ¼ of Section 13.

DIRECTION: 1) APPROVING

**THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF MAY 2, 2022**

CITY OF LIVONIA

NOTICE OF PUBLIC HEARING

A Public Hearing will take place before the Council of the City of Livonia on **MONDAY, APRIL 11, 2022 at 7:00 P.M.**, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the following item:

Appeal of the denial of the Planning Commission regarding Petition 2021-11-08-06 submitted by Jeffery Scott Architects, requesting waiver use approval to remodel the exterior facade and modify the approved landscape plan of the commercial shopping center (Concord Plaza) at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13.

SUSAN M. NASH, CITY CLERK

PUBLISH: Sunday, April 3, 2022

Petition 2021-11-08-06 submitted by Jeffery Scott Architects

requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13.



Susan K. Friedlaender

Direct: (248) 406-6088
sfriedlaender@fnrplc.com

February 17, 2022

City of Livonia Clerk
33000 Civic Center Drive
Livonia, Michigan 48154-3097

VIA HAND DELIVERY

Re: Petition 2021-11-08-06- Concord Plaza Appeal to City Council

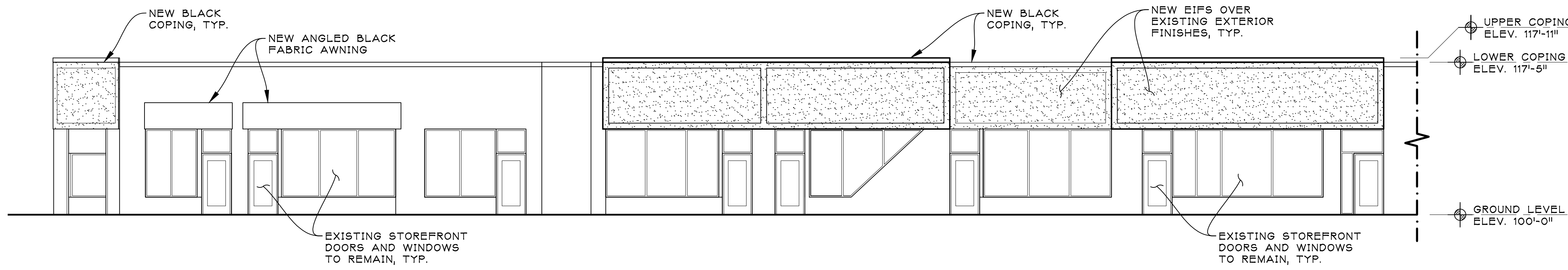
To the Honorable Clerk and City Council:

This is an appeal of the City of Livonia Planning Commission's decision made at the public hearing and regular meeting held on February 8, 2022 and memorialized in Resolution #02-09-2022 recommending denial of Petition 2021-11-08-06 which contained a proposal for the remodeling of the exterior façade and modification of the approved landscape plan for the commercial strip center at 16112 thru 16184 Middlebelt Road located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue.

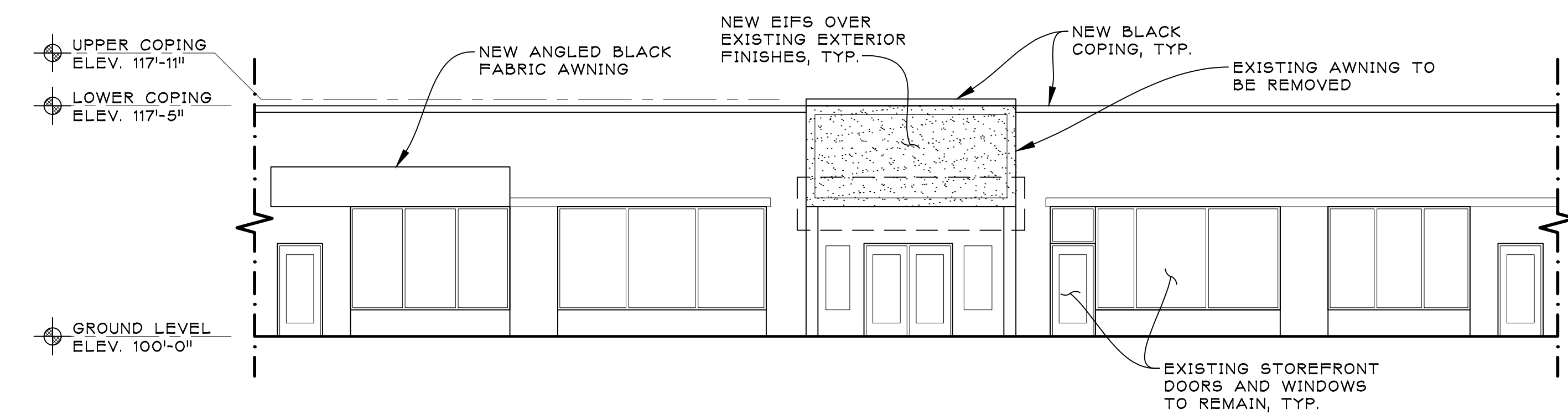
FACTUAL BACKGROUND

The current owner of the commercial strip center, Belmond Properties, LLC, purchased the former Concord Plaza property in the summer of 2021. The center was built in 1986. The original landscaping plan contained approximately 44 trees. Most of the trees either died or were removed by the prior owner over the last 36 years. Belmond intended to make improvements to the façade of the aging buildings that were in disrepair. Belmond also removed several dying trees and planned to re-landscape the site. On September 17, 2021, Belmond submitted plans to the Planning Department to get feedback for the new façade and proposed landscaping. Belmond asked for a meeting that was rejected. Next, the Building Inspection Department stopped issuing permits for repairs. In a letter dated October 26, 2021, the director of the Building Inspection Department served Belmond with a show cause letter why Belmond should not replace the trees and shrubs according to the originally approved landscape plan. The letter advised that the department had recently inspected the property and found that the site did not conform with the landscaping plan. The department also put a hold on approving any permits for the site.

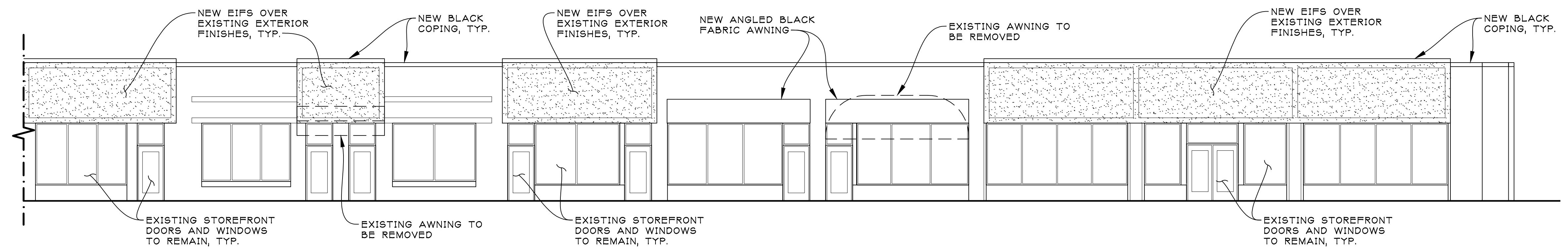
The Petitioner formally submitted its remodeling and landscape plans to the Planning Commission on November 19, 2021. The Planning Commission first reviewed Petition #2021-11-08-06 requesting approval to remodel the exterior façade of the center and modify the approved landscape plan at a February 1, 2022, Study Meeting. The Planning Department prepared notes for the meeting that were submitted to the Planning Commission. The Department noted that the city did not know how many trees were removed from the property over the last 36 years. Apparently, there had been no prior investigation of the landscaping until after Belmond purchased the property.



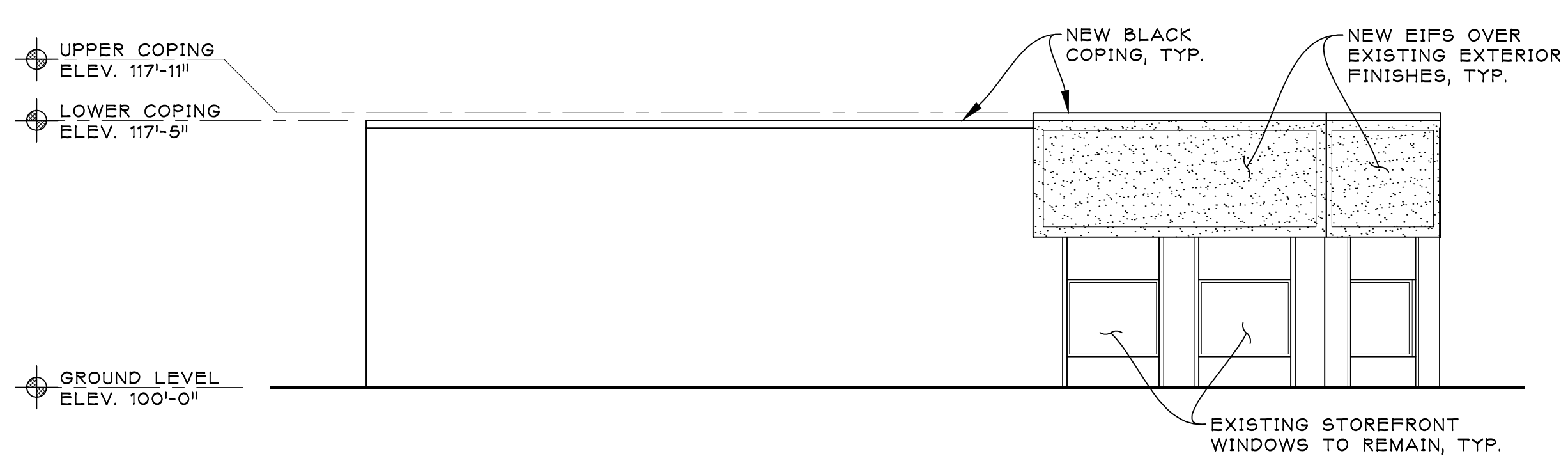
5 WEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



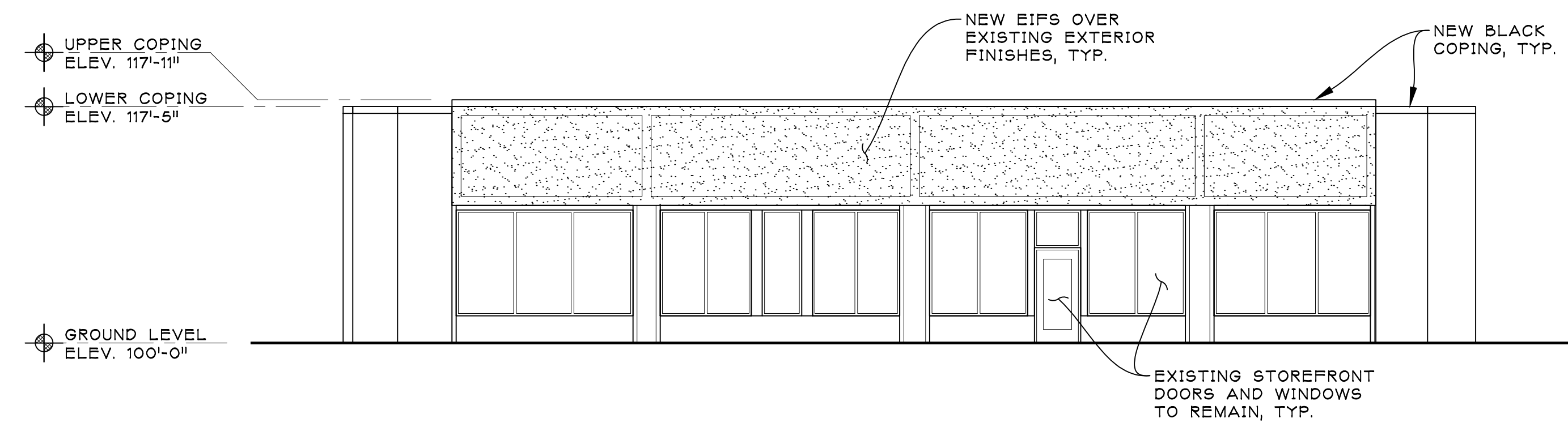
4 NORTHWEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



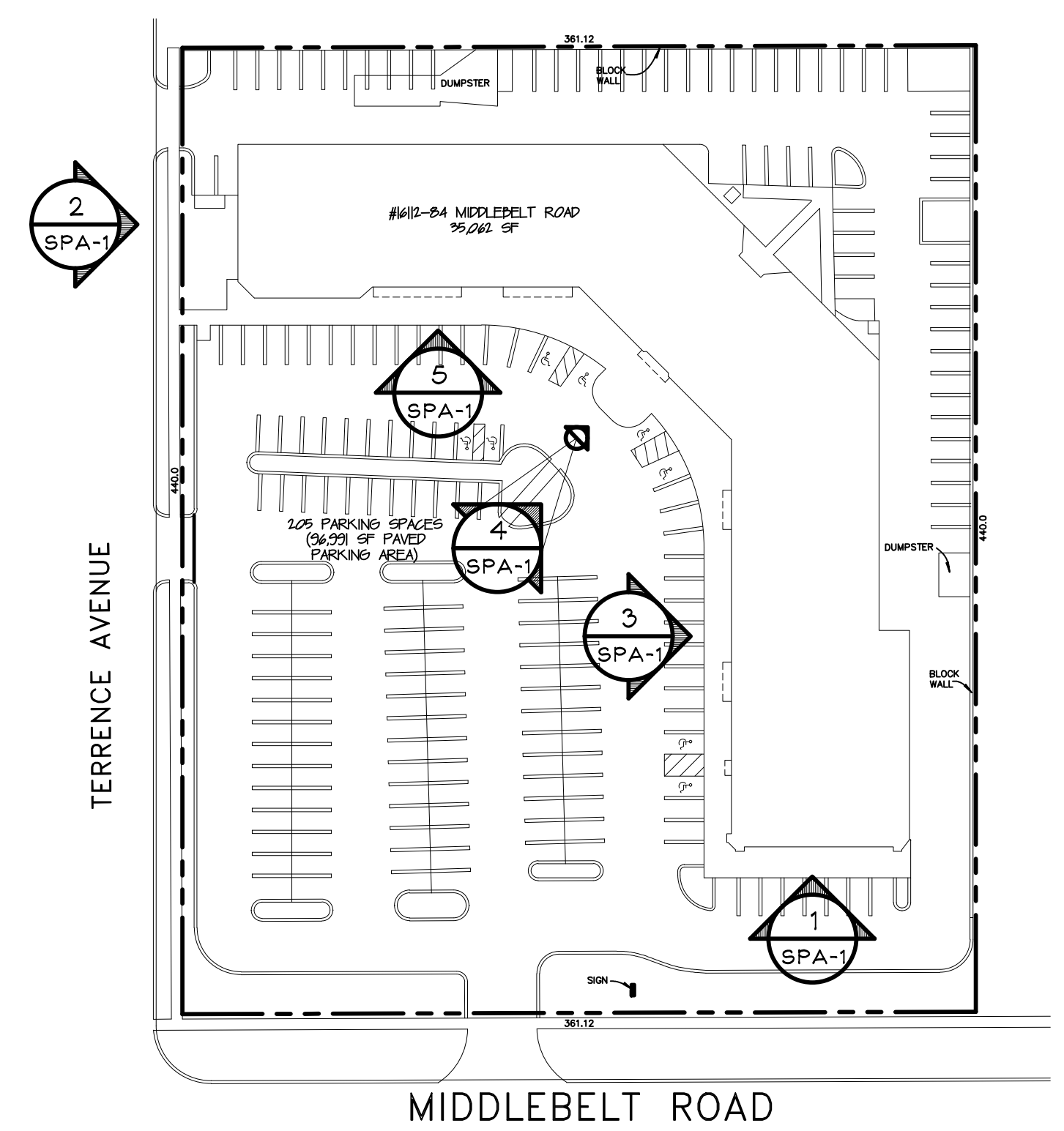
3 NORTH ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



1 WEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



SITE KEY PLAN
SCALE: 1/64" = 1'-0"

ARCHITECT:
jeffery a. scott architects p.c.
32316 grand river ave.
suite 200
farmington, mi 48336
248-476-8800
JSCOTTARCHITECTS.COM
copyright © 2021

SHEET TITLE:

EXTERIOR
ELEVATIONS

PROJECT:

SHOPS AT
MIDDLEBELT POINTE
16112 MIDDLEBELT ROAD
LIVONIA, MI 48154

ISSUED FOR:
SITE PLAN APP. 09/17/2021

DO NOT SCALE PRINTS
USE FIGURED DIMENSIONS ONLY
JOB NO.

21095
SHEET NO.

SPA-1
PLOT SIZE: 36"x24"



3
SPA-2

WEST ELEVATION RENDER
SCALE: NO SCALE



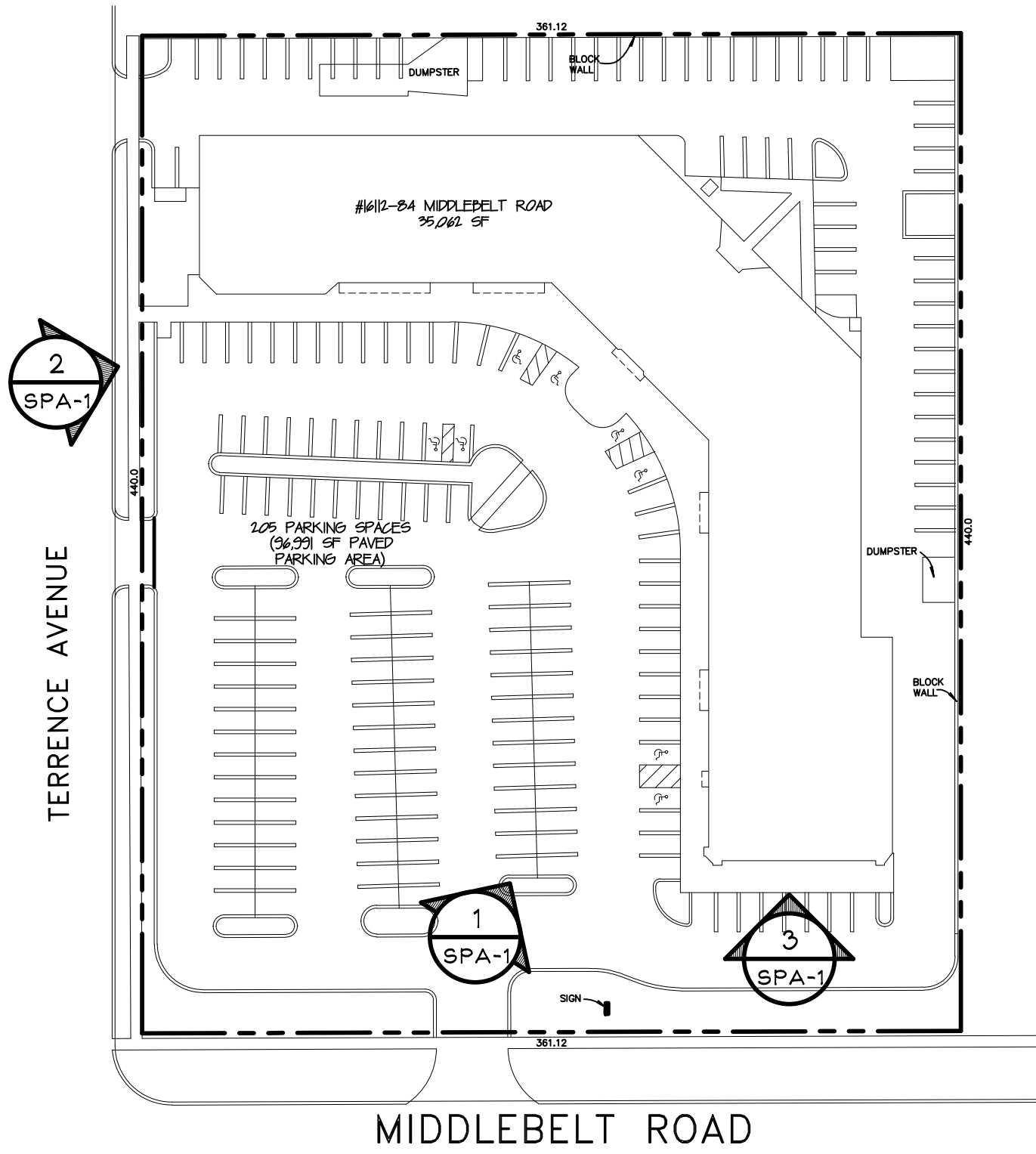
2
SPA-2

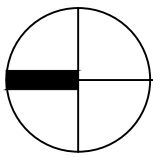
WEST ELEVATION RENDER
SCALE: NO SCALE



1
SPA-2

NORTH ELEVATION RENDER
SCALE: NO SCALE



 **SITE KEY PLAN**
SCALE: 1/64" = 1'-0"

ARCHITECT:



**jeffery a. scott
architects p.c.**

32316 grand river ave.
suite 200
farmington, mi 48336
248-476-8800
JSCOTTARCHITECTS.COM

copyright © 2021

SHEET TITLE:

**EXTERIOR
RENDERINGS**

PROJECT:

**SHOPS AT
MIDDLEBELT POINTE**

16112 MIDDLEBELT ROAD
LIVONIA, MI 48154

ISSUED FOR:
SITE PLAN APP. 09/17/2021

DO NOT SCALE PRINTS
USE FIGURED DIMENSIONS ONLY
JOB NO.

21095

SHEET NO.

SPA-2

PLOT SIZE: 36"X24"



LANDSCAPE PLANTINGS

16112-84 MIDDLEBELT ROAD LIVONIA, MI



LTF – Fastigate Tuliptree



PSF – Fastigate Eastern white Pine



CAH – Hummingbird Summersweet



PAB – Burgundy Bunny Fountain Grass



GBF
Fastigate
Maidenhair



LSS Slender Silhouette American Sweetgum



AGR Robin Hill Apple Serviceberry



PAL Little Bunny Fountain Grass



PFA Abbotswood Shrub Cinquefoil

LANDSCAPE PLANTINGS

16112-84 MIDDLEBELT ROAD LIVONIA, MI

The Planning Commission however required Belmond to replace all the trees and shrubs from the original plan after the city had taken no action against the original owner while the trees were being removed over the years.

The Department further noted that the Petitioner's application for the revised landscaping and remodel of the exterior of the shopping center did not show any additional trees but proposed mostly shrubs and other ground cover, ornamental grasses and spreading junipers, grouped, and installed along the street frontage of Middlebelt Road and within the center's parking lot islands. No new plant materials were planned for Terrance Avenue.

The company that manages the center, JMC Management, LLC ("JMC"), has rehabbed many aging shopping centers like the former Concord Plaza. JMC has found that landscaping which obscures the visibility of a shopping center from the motoring public hurts the viability of the center. Shopping centers generally are located on highly traveled roads because the success of such centers depend on the road exposure to attract customers that might not otherwise know what services and goods the center offers. Visibility on a highly trafficked road also attracts tenants which of course is essential to the center's viability. There are ways to use landscaping to beautify a site without sacrificing visibility and the ultimate viability of the property. Despite its strong belief in its original landscaping proposal, Belmond revised its proposed landscaping plan to substantially comply with the city's new zoning ordinance standards. The Planning Commission, nevertheless, recommended denial of the plan for the reasons stated in its resolution to which Belmond objects as fully provided under its grounds for appeal below.

STANDARD OF REVIEW FOR THE APPEAL

Under Section 10.06 of the Vision 21 Zoning Ordinance the City Council may modify or adjust landscaping requirements when "any such adjustment is keeping with the intent of [the] Ordinance and more specifically, with the intent of this Article." Article 10, however, does not contain any intent statement but presumably the intent of the Article is related to aesthetics which is largely subjective as beauty is in the eye of the beholder. The proposed landscape plan however substantially furthers and promotes aesthetic goals related to landscaping.

GROUNDINGS FOR THE APPEAL

The Planning Commission denied the petition based upon the following conclusory and unreasonable findings:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 1.02, 10.03 and 13.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the lack of trees shown on the proposed landscape plan would have a negative effect upon the neighboring properties, as well as the City as a whole.
3. Allowing this would be detrimental to the aesthetic quality and appeal of the overall site, and negatively alter the character of the property.

4. That the plantings shown on the previously approved landscape plan shall be reinstalled to the satisfaction of the Inspection Department.
5. That any remodeling of the exterior of the shopping center shall be reconsidered once the required landscaping is completed, and
6. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FINDING #1: The Petitioner objects to the first finding because it only states a conclusion with no supporting facts. The Petitioner however recognizes that only the City Council may modify the landscaping requirements.

First, the City Council should recognize that the Planning Department provided an erroneous analysis of the plantings required for the site under the new zoning ordinance standards. The Department wrongly estimated that “the frontage along Middlebelt Road requires no fewer than nine (9) full size trees, four (4) ornamental trees and seventy-two (72) shrubs, and the frontage along Terrance (sic) requires eleven (11) full size trees, five (5) ornamental trees and eight-eight (88) shrubs.” The Department erred by failing to adjust for the driveway openings and thus overestimated the number of required trees and shrubs. (See Section 10.03 (1)).

The center has 361.12 lineal feet of frontage on Middlebelt less 31.50 feet for the driveway. This leaves 329.62 lineal feet. The site contains 440 lineal feet on Terrence minus two curb cuts that measure 38.50 feet and 26.70 feet for a net lineal frontage of 374.80. The total net frontage of the right of ways is 704.42 feet. The ordinance requires 1 deciduous or evergreen tree per 40 feet of lineal frontage and 1 ornamental tree per 100 feet of frontage. The ordinance therefore requires a total of 17.6 or 18 deciduous or evergreen trees along the two right of ways and 7 ornamental trees. The ordinance requires 8 shrubs per 40 lineal feet of frontage minus driveways which would equal 140.8 shrubs as applied to the site. The Department also stated that the ordinance required “full size trees.” This was inaccurate because the ordinance requires deciduous trees with a minimum 2 feet caliper and ornamental trees with a minimum 3 feet caliper. The ordinance does not require “full size trees,” whatever that means. It is unknown what the Department meant by “full size trees” because that is not a zoning ordinance requirement.

Second, following the February 1, 2022, study session, and despite the Petitioner’s strong belief that its originally submitted landscape design would be very aesthetically pleasing, it prepared a revised landscaping plan which it presented at the February 8, 2022, public hearing, and meeting to address the Planning Commission’s and Department’s concerns. The revised plan followed the Article 10, Section 10.03 requirements as faithfully as possible and proposed a total of 16 deciduous or evergreen frontage trees and 6 ornamental trees for the frontages along Middlebelt and Terrance. The plan contained 98 shrubs for the road frontage. It also however proposed 2 trees for the parking lot (one tree exists) and 86 more shrubs in the parking lot, which included 20 existing shrubs. The proposed deciduous and ornamental trees meet the minimum caliper requirements as provided in the zoning ordinance.

The revised landscaping plan therefore only requires a modification to eliminate two required deciduous or evergreen tree, one ornamental tree and 43 shrubs for the frontage. There was no comment on the parking lot landscaping.

FINDING #2. The Petitioner objects to the second finding because it is unreasonable and conclusory. The Planning Commission does not explain how one fewer tree than what is required would have a negative effect on neighboring property. Moreover, the shopping center immediately south of the site has no frontage trees and the shopping center directly across Middlebelt with Advanced Family Dental has no trees along Middlebelt. There are many commercial buildings along Middlebelt with no tree plantings along the right of way. In one case, strip commercial property near St. Martins and Middlebelt has low bushes and no trees along its frontage. Another center at the intersection has no bushes or trees along Middlebelt. The Petitioner also presented the Planning Commission with a power point that showed comparable shopping centers within approximately one mile of the site that also lack road frontage tree plantings.

FINDING #3. The Petitioner objects to the third finding because it is unreasonable and merely conclusory. The property could only be characterized as run down and obsolete when purchased in 2021. Most of the original landscaping was long gone. The Petitioner's revised landscaping plan therefore cannot reasonably or logically be described as negatively altering the character of the site. The Petitioner has been taking steps to improve the aesthetics and character of the site but has been stymied in those efforts. The Petitioner is proposing to add substantially more landscaping to the site than currently exists. The Petitioner has proposed a plan that will increase substantially the aesthetics and utility of the site. There is no rational basis to find otherwise.

FINDING #4. The Petitioner objects to the requirement that it reinstall the original plantings from the 1986 plan when most of that landscaping no longer exists and the city itself does not know when the original landscaping plan was altered. It would be unfair to impose this requirement on the Petitioner especially when as stated there are numerous sites in the city that obviously do not comply with the past or present landscaping ordinances and quite likely site plans for those developments. There is no reason to penalize a new owner who is trying to turn around what had been a dying commercial center by imposing unreasonable requirements that do not serve the property owner or the City.

FINDING #5. The Petitioner objects to delaying the improvement of the façade of the building. It does not benefit the city or the Petitioner to delay improving the aesthetics of the site.

FINDING #6. The Petitioner objects to the finding because again it is unreasonable and conclusory. The Planning Commission has not provided any facts to support the conclusion that the Petitioner's revised plan could possibly affect the safety or welfare of Livonia citizens. The purpose of landscaping is unrelated to the promotion of public safety. In fact, landscaping if not properly situated on a commercial site could be detrimental to the safety of motorists and persons accessing and leaving the site. The proposed plan serves the welfare of the community by improving the aesthetics and viability of this once failing commercial center. The success of the center will add to the city's tax base and provide additional goods and services that will serve the welfare of the community. Preventing the Petitioner from improving the site by withholding permits and imposing unfair and unreasonable requirements will not serve the welfare of the city or its inhabitants.

CONCLUSION

Based on the reasons set forth above and other reasons that may be presented at the hearing on the appeal, the Petitioner respectfully requests that the City Council approves the Petitioner's attached landscape and remodeling proposal and plan.

Respectfully submitted,

Susan K. Friedlaender

Susan K. Friedlaender

On behalf of Belmond Properties, LLC.

EXHIBIT 1

Belmond Properties, LLC

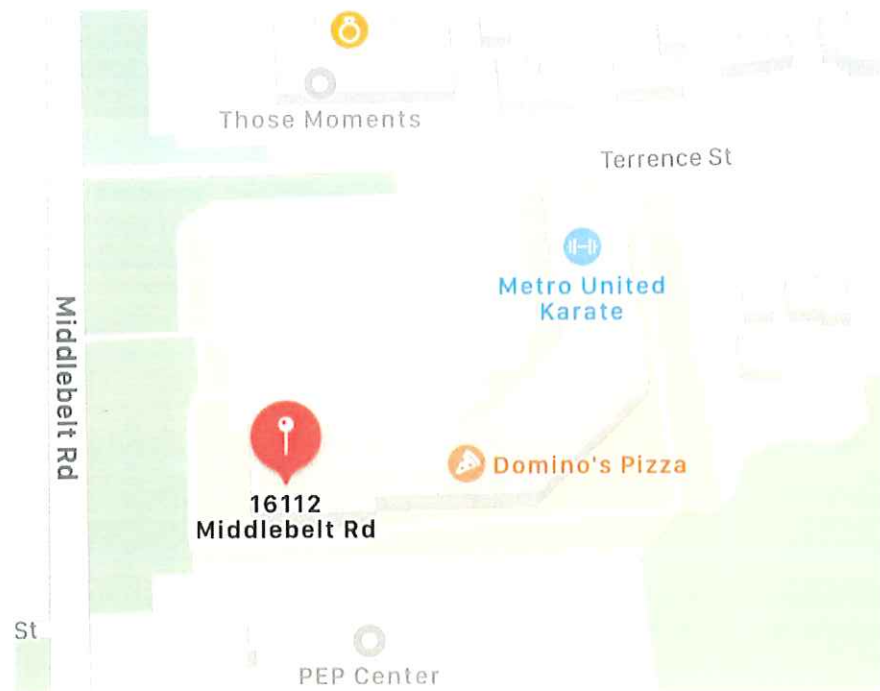
Properties within Radius of Belmond Properties, LLC

Belmond Properties, LLC

16100-16184 Middlebelt

Livonia, MI 48154

42.405735, -83.334245





16235-16347 Middlebelt Rd
Livonia, MI 48154

300 Feet from Belmond Properties,
LLC





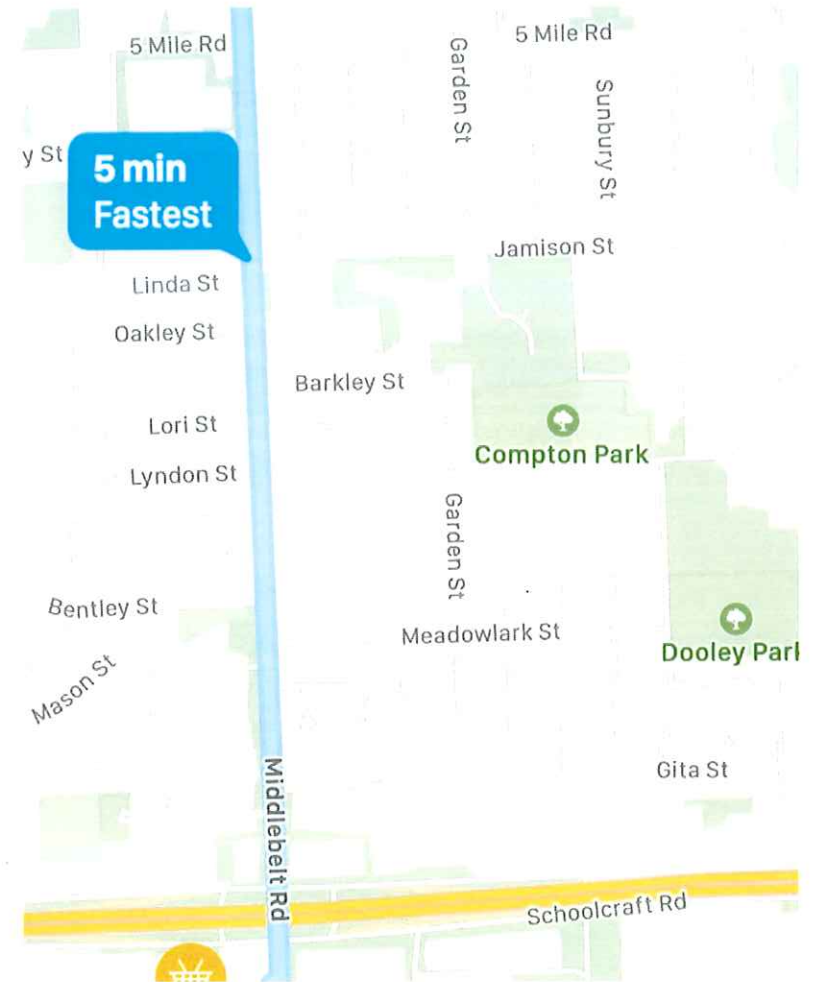
Livonia Commons

13447 Middlebelt Rd.

Livonia MI

1.7 Miles from Belmond Properties, LLC

(Slide 1 of 2)





**Livonia
Commons
(continued)**

13447 Middlebelt Rd.

Livonia MI

1.7 Miles from Belmond
Properties, LLC

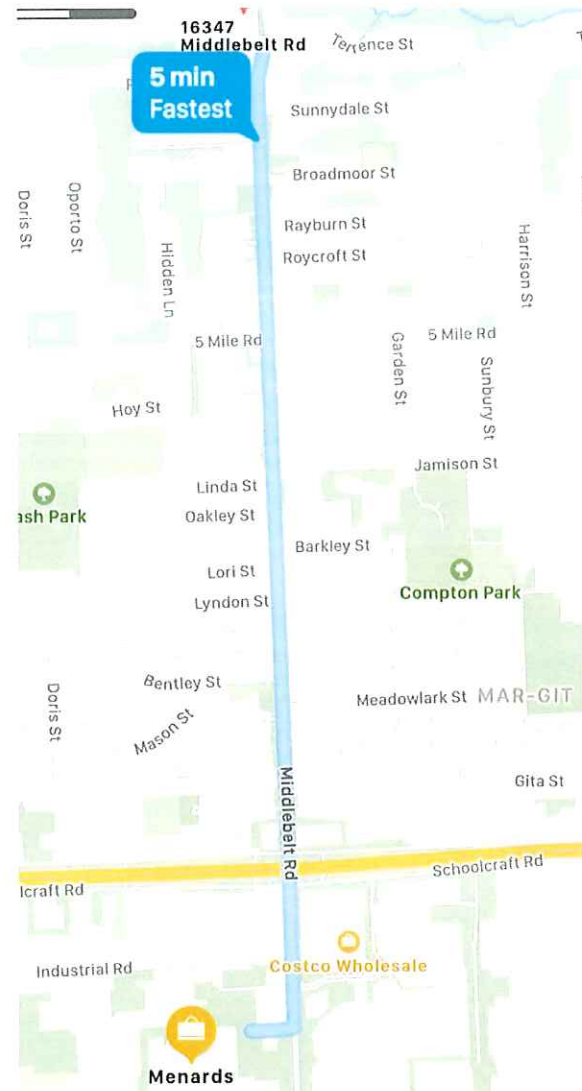


Menards Plaza- Livonia

12701 Middlebelt Rd.

Livonia, MI

1.9 Miles from Belmond Properties, LLC



Menards Plaza- Livonia

12701 Middlebelt Rd.

Livonia, MI

1.9 Miles from Belmond Properties, LLC





20215-20295 Middlebelt
Livonia, MI

Distance from Belmond Properties, LLC
2.2 Miles

Mid8 Crossing

20307-20337 Middlebelt

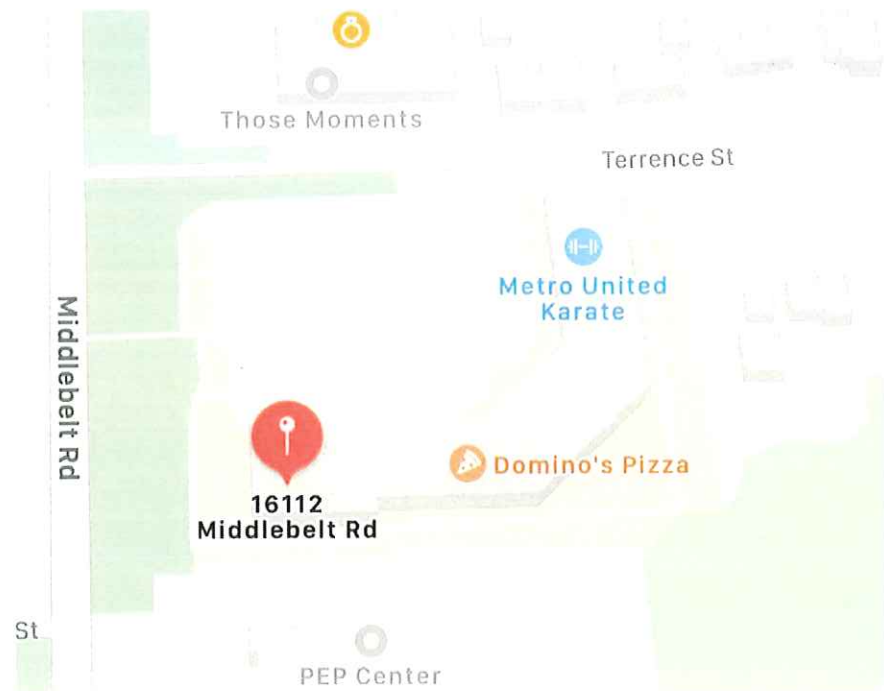
Livonia, MI

2.3 Miles from Belmond Properties, LLC



Belmond Properties, LLC

Properties listed in this presentation
are at an average of 1.63 Miles of
Belmond Properties, LLC.



aw

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

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

Date Filed: _____ Petition 2021-11-08-06

Site Address: 16112-84 MIDDLEBELT Sidwell _____

Requesting Approval to UPDATE EXTERIOR FACADE

Applicant: JEFFERY SCOTT ARCHITECTS Business/Company: _____

Applicant's Address: 32316 GRAND RIVER City: FARMINGTON State: MI Zip Code: 48336

Applicant's Phone # 248-476-8800 Applicant's Email mhorning@jsscottarchitects.com

Contact Person: Marsha Horning Business/Company: JEFFERY SCOTT ARCHITECTS

Contact's Address: 32316 GRAND RIVER City: FARMINGTON State: MI Zip Code: 48336

Contact's Phone # 248-476-8800 Contact's Email mhorning@jsscottarchitects.com

Please provide the following information:

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



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

FEE COMPUTATION

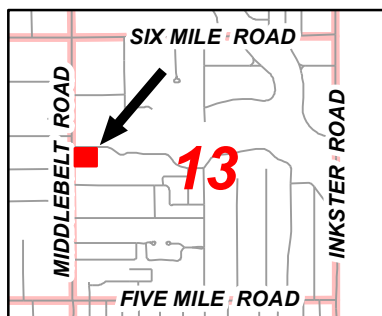
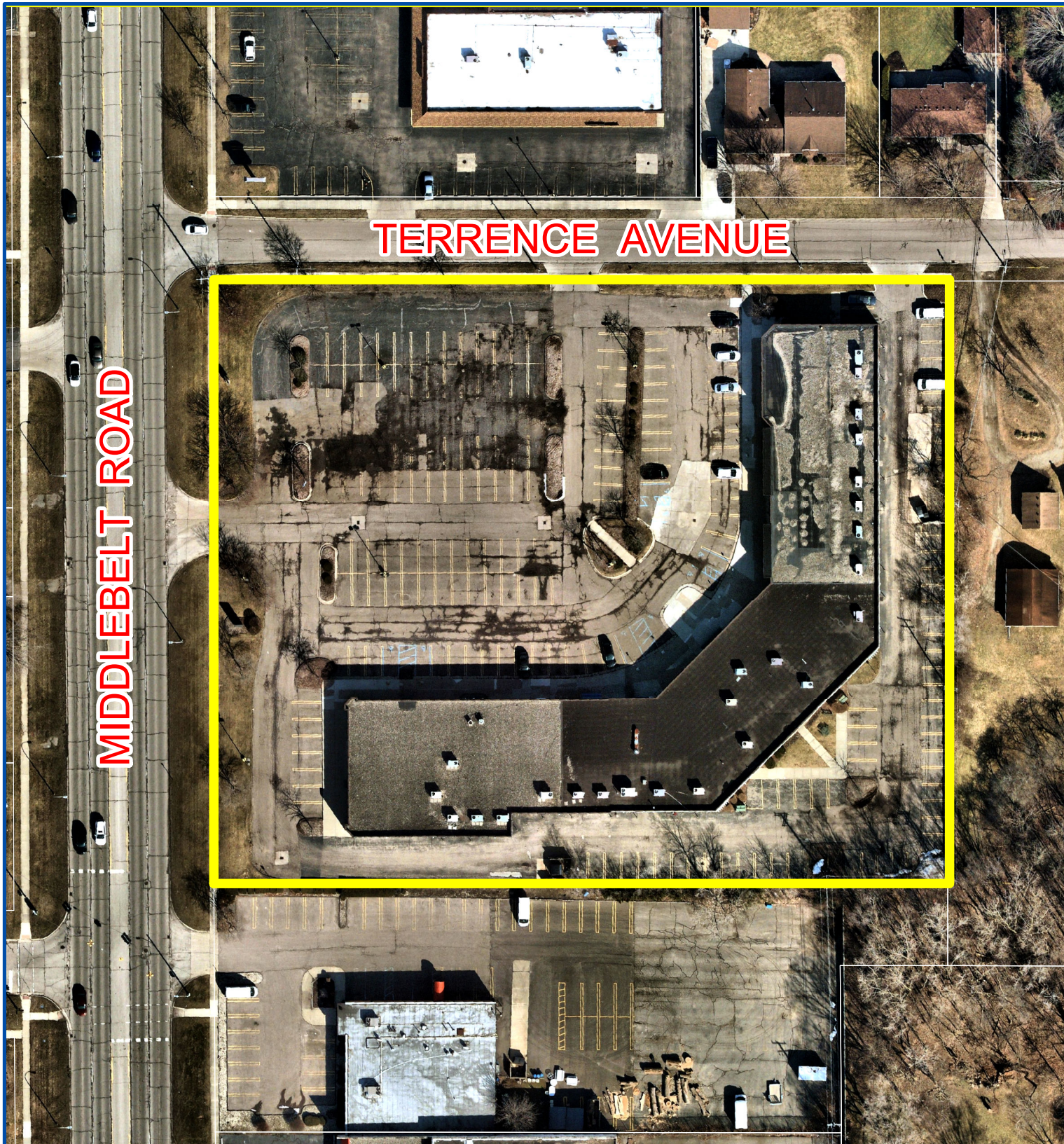
_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft. \$600.00
(NOTE: Round off to nearest 1,000) ÷ _____
Total Amount Due \$ _____

Owner of Property: Belmond Properties, LLC

Owner's Address: 24500 NINESTERN City: Southfield State: MI Zip Code: 48075

Owner's Phone # 586-427-9410 Owner's Email trena.edmondson@jmc

Signature of Owner: [Signature] Print Name: Trena Edmondson, LLC management.com
authorized representative



Aerial Map

Petition 2021-11-08-06
Jeffery Scott Architects
16112 thru 16184 Middlebelt Road
to remodel the exterior facade and modify
the approved landscape plan



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 1

Petition 2021-11-08-06 submitted by Jeffery Scott Architects requesting approval of all plans required by Section 13.13 of the Livonia Vision 21 Zoning Ordinance, in connection with a proposal to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, located on the east side of Middlebelt Road between Five Mile Road and Terrence Avenue in the Northwest ¼ of Section 13.

February 1, 2022: Study Meeting:

This petition involves modifications to an existing commercial shopping center including the landscaping and building elevations. Concord Plaza is on a single parcel that measures approximately 3.65 acres in area with 361 feet of frontage on Middlebelt Road and 440 feet along Terrence Avenue. The property is split-zoned with the north 205 feet zoned C-1, Local Business, and the south 156 feet zoned C-2, General Business. Concord Plaza is a single-story, multi-tenant retail center that contains 34,800 square feet of gross floor area.

Concord Plaza was originally approved in 1986 on an appeal to City Council after first being rejected by the City Planning Commission. The landscape plan that was submitted with the 1986 petition showed a total of approximately forty-four (44) trees along Middlebelt Road and Terrance Avenue. The plan included a variety of both full and medium-sized deciduous trees (maples, ash, and crab) as well as full-size evergreen trees (pine and spruce). Within the parking lot and around the building, the plan showed another fourteen (14) trees consisting mostly of maples and honey locusts.

This past August, the City's Inspection Department conducted an annual inspection of the site and observed that several trees along Middlebelt Road and Terrance Avenue had been removed. Based on the original landscape plan, it is estimated that a total forty-two (42) trees are missing. It is uncertain how many of the trees were removed last summer by the current owner of the shopping center, Belmond Properties, versus the number of trees that may have died or been removed in prior years by previous owners. According to city tax records, Belmond Properties LLC acquired the property in July 2021. Upon discovery, Belmond was notified of the violation and instructed to replace the trees in accordance with the approved landscape plan. The owner was also informed that any deviations from the approved plan should be consistent with the recently adopted landscape design standards as set forth in Article 10 of the Livonia Vision 21 Zoning Ordinance.

Section 10.03 of Article 10 specifies that where a site abuts a public right-of-way, the following plantings are required: one (1) deciduous or evergreen tree for every forty (40) linear feet of road frontage (or fraction thereof) one (1) ornamental tree for every 100 linear feet of road frontage (or fraction thereof) and eight (8) shrubs for every forty (40) linear feet of road frontage (or fraction thereof). Additionally, all off-street parking areas of forty (40) parking spaces or more must have internal landscaping with each interior landscape area, such as parking lot islands, containing at least one (1) tree. Based on

these standards, the frontage along Middlebelt Road requires no fewer than nine (9) full size trees, four (4) ornamental trees and seventy-two (72) shrubs, and the frontage along Terrance requires eleven (11) full size trees, five (5) ornamental trees and eight-eight (88) shrubs.

On November 19, 2021, an application was submitted requesting approval to remodel the exterior of the shopping center as well as modify the landscaping. Contrary to both the approved landscape plan and Section 10.03 of the Livonia Vision 21 Zoning Ordinance, the submitted landscape plan shows no additional trees. In other words, none of the trees that were removed from the site would be replaced. Instead, the plan proposes mostly shrubs and other ground cover, including yews, ornamental grasses and spreading junipers, grouped and installed along the street frontage of Middlebelt Road and within the center's parking lot islands. No new plant materials are shown along Terrance Avenue.

With respect to the planned building renovations, the existing facade includes brick, large storefront windows and fabric awnings. The changes include installing EIFS panels above several of the storefronts and adding new metal coping along the roofline. Additionally, new fabric awnings are shown over some of the windows and doors.

No other site changes or improvements are proposed as part of this petition.

February 8, 2022: Regular Meeting:

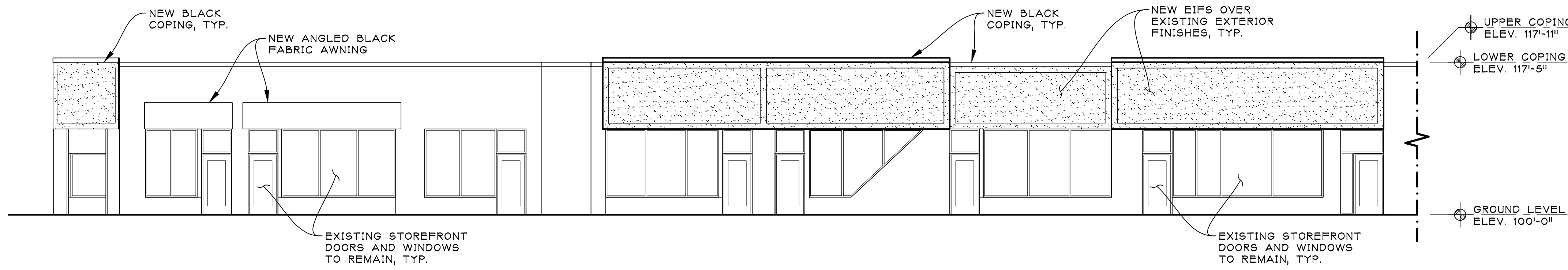
Denying Reasons: That the request to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road is hereby denied for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 1.02, 10.03 and 13.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the lack of tree shown on the proposed landscape plan would have a negative effect upon the neighboring properties, as well as the City as a whole.
3. Allowing this would be detrimental to the aesthetic quality and appeal of the overall site, and negatively alter the character of the property.
4. That the plantings shown on the previously approved landscape plan shall be reinstalled to the satisfaction of the Inspection Department.
5. That any remodeling of the exterior of the shopping center shall be reconsidered once the required landscaping is completed, and

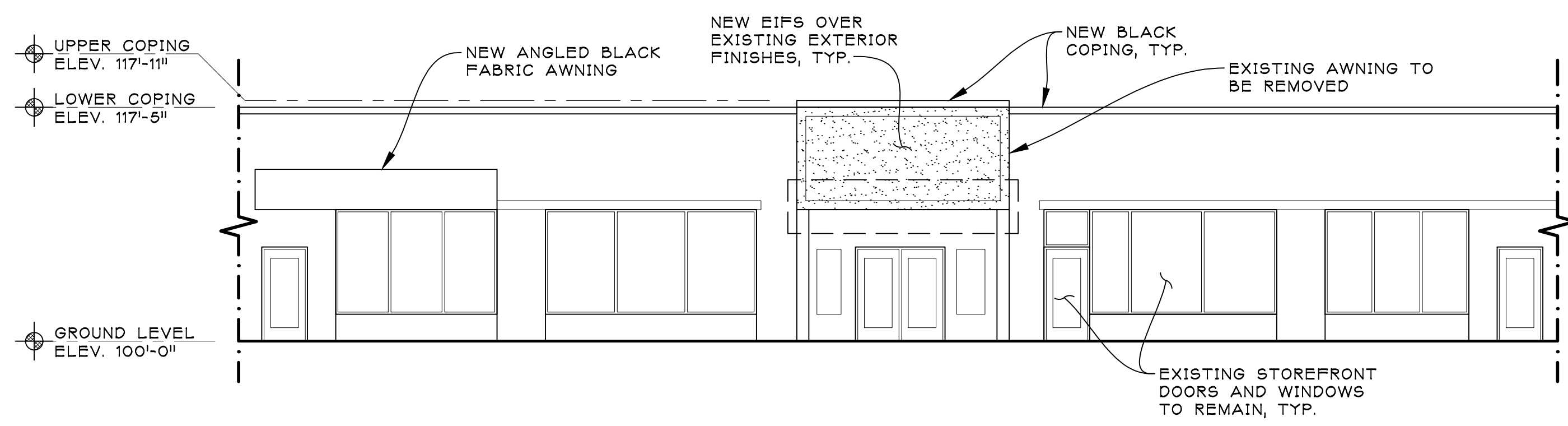
6. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

Approving Resolution: That the request to remodel the exterior facade and modify the approved landscape plan of the commercial strip center at 16112 thru 16184 Middlebelt Road, is hereby approved, subject to City Council approval and the following conditions:

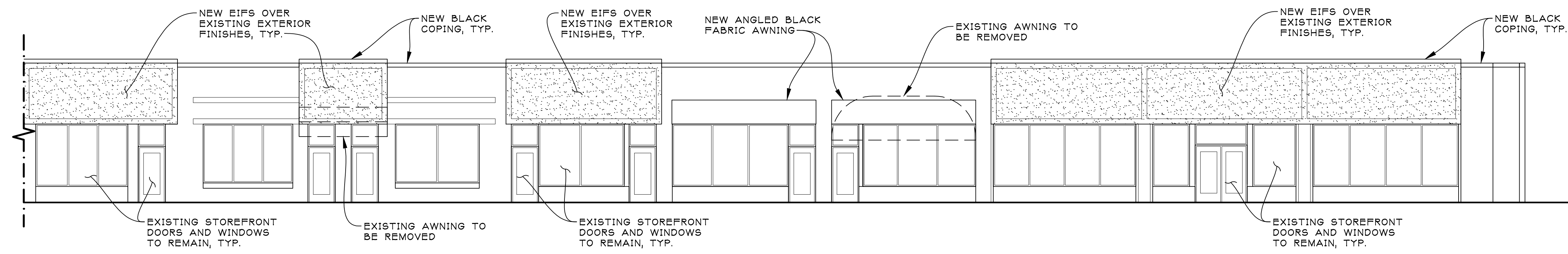
1. That the Exterior Elevations Plan identified as Sheet No. SPA-1, dated September 17, 2021, prepared by Jeffery A. Scott Architects, is hereby approved and shall be adhered to.
2. That this approval is subject to compliance with the Landscape Planting Plan identified as LP-1, dated September 16, 2021, prepared by Nagy Devlin Land Design, and in addition, the final landscaping shall comply with the requirements of Section 10.03 of Article □, including the following:
 - a) Twenty (20) full size trees along Middlebelt Road and Terrance Avenue base on a requirement of one (1) deciduous or evergreen tree for every forty (40) linear feet of road frontage (or fraction thereof).
 - b) Nine (9) ornamental trees along Middlebelt Road and Terrance Avenue based on a requirement of one (1) ornamental tree for every 100 linear feet of road frontage (or fraction thereof)□and
 - c) One (1) full size or ornamental tree planted in each of the parking lot landscape islands.
3. That permits for the exterior work on the building shall not be issued by the Inspection Department until such time as the landscaping, as required in item #2 above, is either completed or fully bonded.
4. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the □oning Board of Appeals.
5. 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.
6. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for□and
7. Pursuant to Section 13.13 of the Livonia □ision 21 □oning 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.



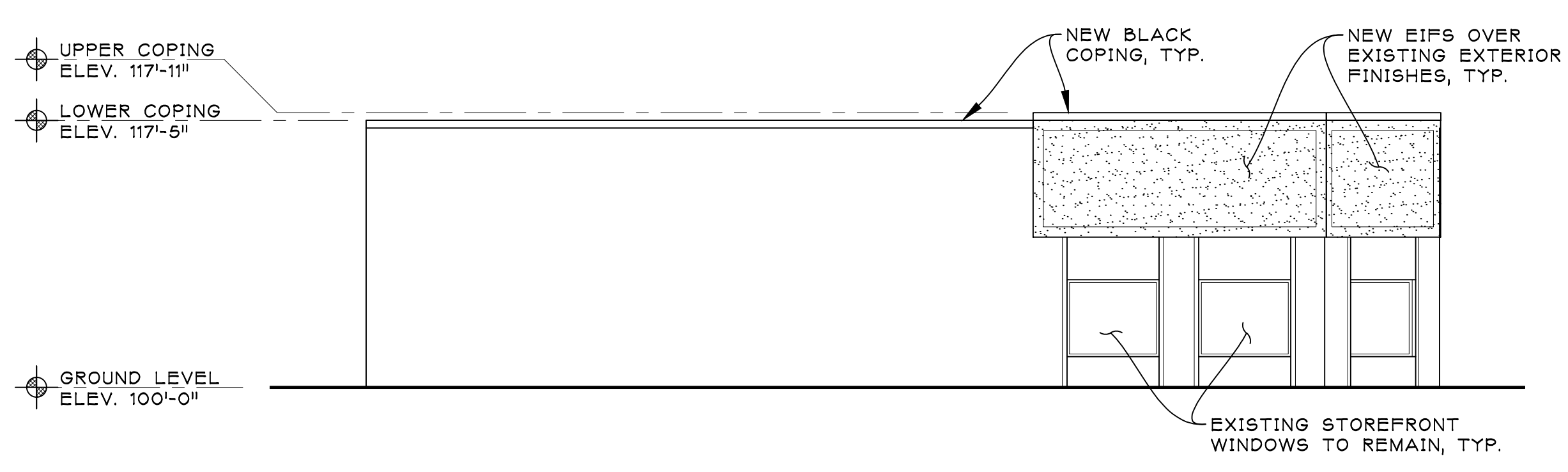
5 WEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



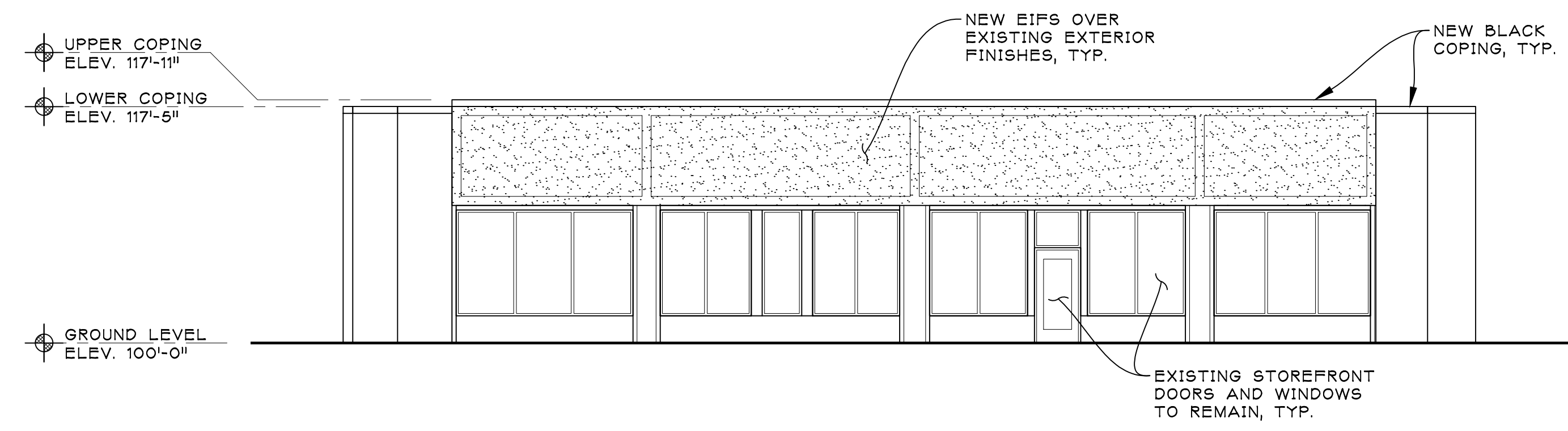
4 NORTHWEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



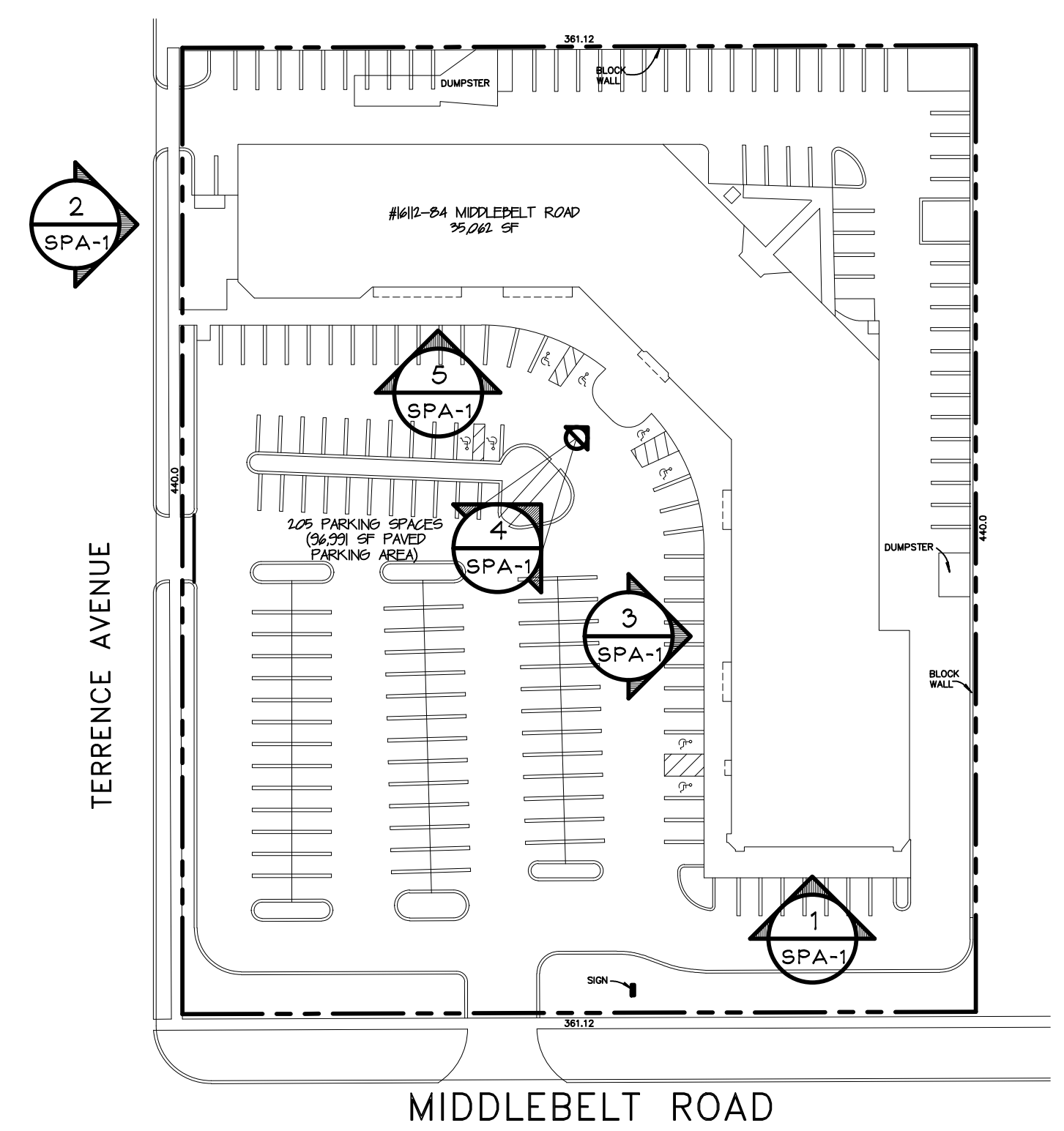
3 NORTH ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



1 WEST ELEVATION
SPA-1 SCALE: 1/8" = 1'-0"



SITE KEY PLAN
SCALE: 1/64" = 1'-0"

ARCHITECT:
jeffery a. scott architects p.c.
32316 grand river ave.
suite 200
farmington, mi 48336
248-476-8800
JSCOTTARCHITECTS.COM
copyright © 2021

SHEET TITLE:

EXTERIOR
ELEVATIONS

PROJECT:

SHOPS AT
MIDDLEBELT POINTE
16112 MIDDLEBELT ROAD
LIVONIA, MI 48154

ISSUED FOR:
SITE PLAN APP. 09/17/2021

STATE OF MICHIGAN
JEFFERY ARMSTRONG SCOTT
ARCHITECT
No. 1301030645
DO NOT SCALE PRINTS
USE FIGURED DIMENSIONS ONLY
JOB NO.

21095
SHEET NO.
SPA-1
PLOT SIZE: 36"X24"



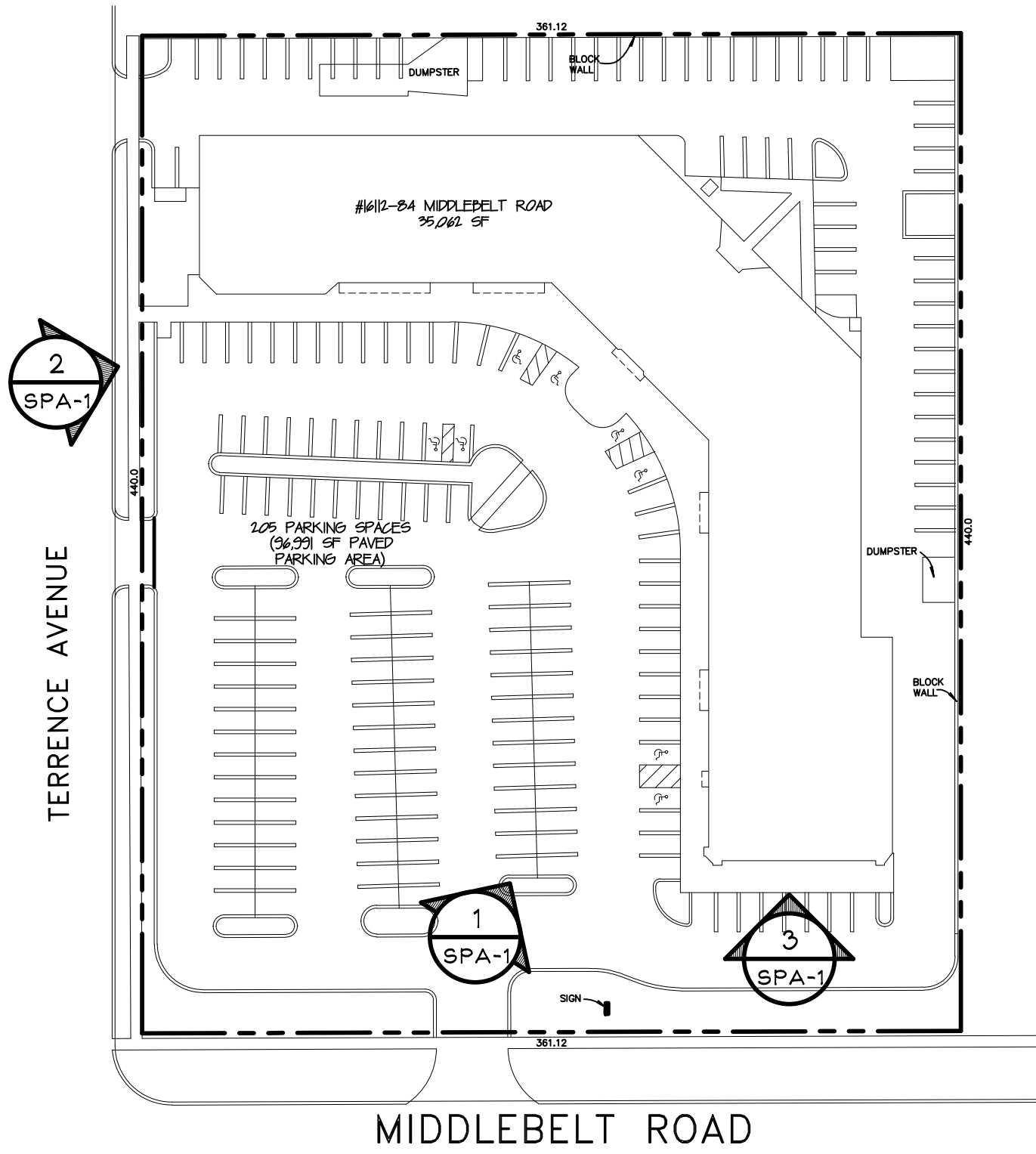
3 WEST ELEVATION RENDER
SPA-2 SCALE: NO SCALE



2 WEST ELEVATION RENDER
SPA-2 SCALE: NO SCALE



1 NORTH ELEVATION RENDER
SPA-2 SCALE: NO SCALE



SITE KEY PLAN
SCALE: 1/64" = 1'-0"

ARCHITECT:



jeffery a. scott
architects p.c.

32316 grand river ave.
suite 200
farmington, mi 48336
248-478-8800
JSCOTTARCHITECTS.COM

copyright © 2021

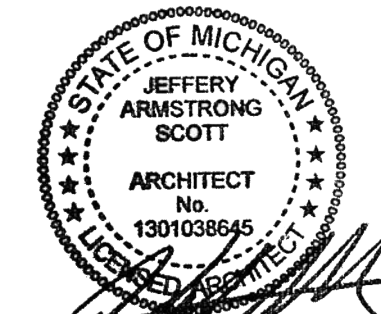
SHEET TITLE:

EXTERIOR
RENDERINGS

PROJECT:

SHOPS AT
MIDDLEBELT POINTE
16112 MIDDLEBELT ROAD
LIVONIA, MI 48154

ISSUED FOR:
SITE PLAN APP. 09/17/2021



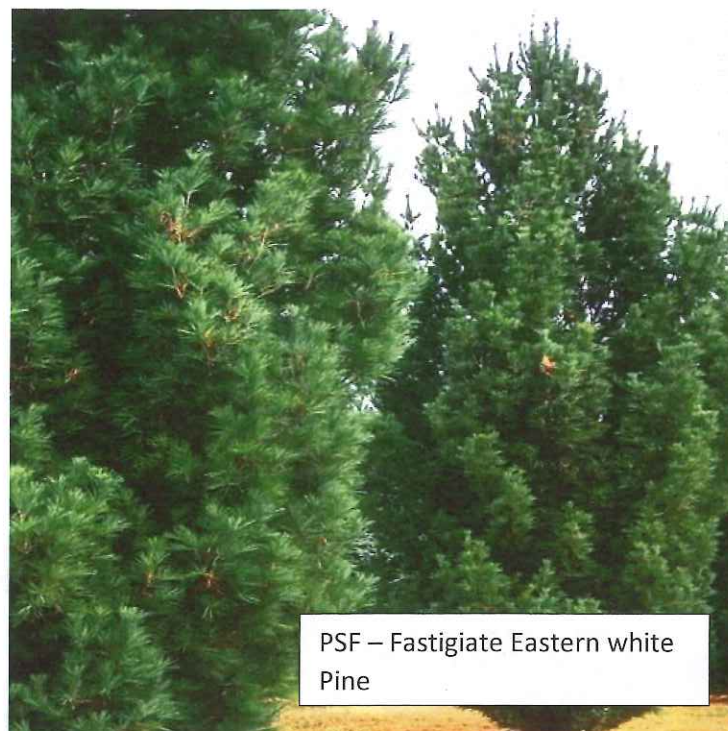
DO NOT SCALE PRINTS
USE FIGURED DIMENSIONS ONLY
JOB NO.

21095

SHEET NO.

SPA-2

PLOT SIZE: 36"X24"



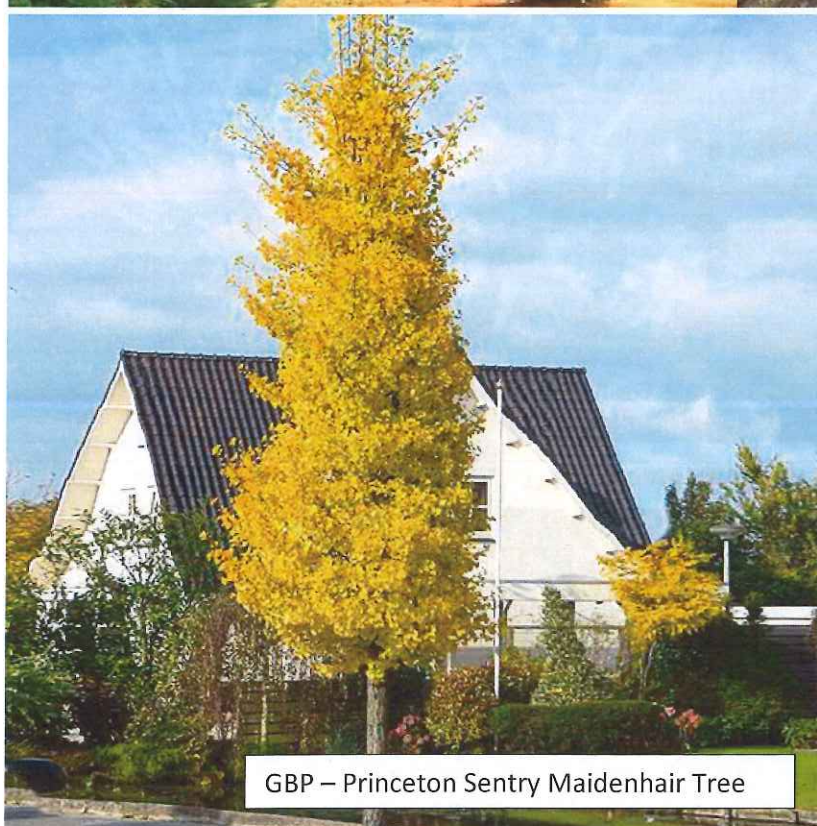
PSF – Fastigate Eastern white Pine



CAH – Hummingbird Summersweet



PAB – Burgundy Bunny Fountain Grass



GBP – Princeton Sentry Maidenhair Tree



LTF – Fastigate Tuliptree



AAB – Red



TMD – Densiformis Yew



SSB – Brilliant Sedum



JPN – Spreading Juniper



RAG – Fragrant Sumac



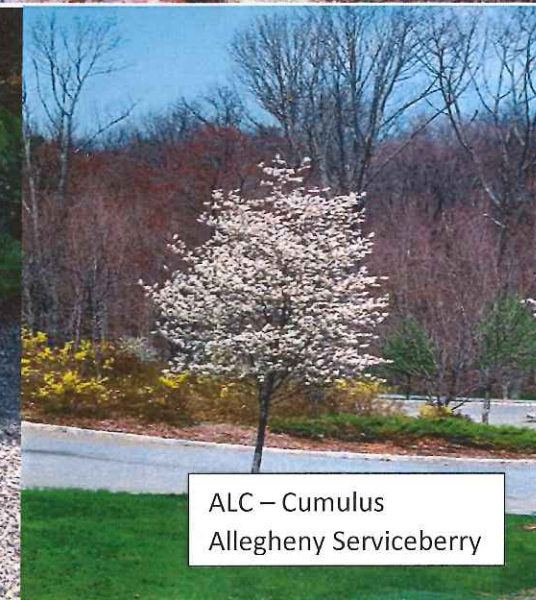
IVS- Little Henry Virginia Sweetspire



HHR – Happy Returns Daylily



PAH – Hameln Dwarf Fountain Grass



ALC – Cumulus
Allegheny Serviceberry



11/10/2021 10:51



11/10/2021 10:51



11/10/2021 10:51

CONCORD PLAZA
GREAT LAKES
FARM EQUIPMENT
781-331-1000
MyHome
Dumino's
SuperMarket
ACCOUNTING

11/10/2021 10:52



11/10/2021 10:52



11/10/2021 10:53



11/10/2021 10:53



DENTAL-GROUP

DreamMaker
Bath & Kitchen

Domino's

11/10/2021 10:53



11/10/2021 10:53



Google



Google



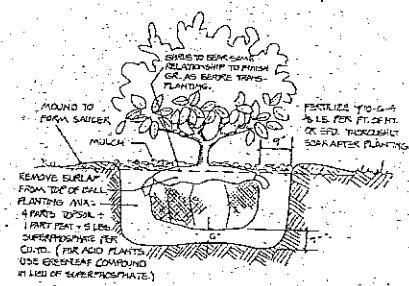
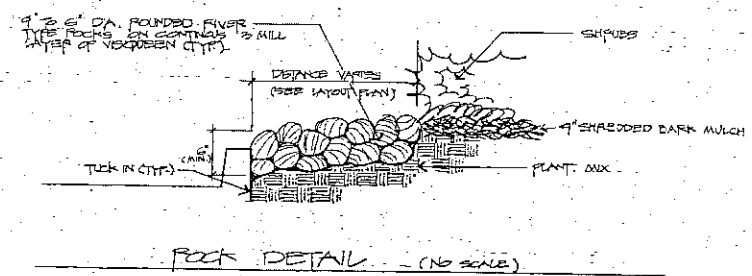
Google



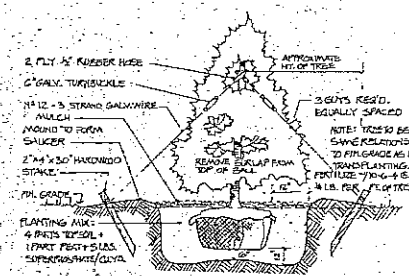


PLANT LIST					
PLANT	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
AP	10	ACER PLATANOIDES	NORWAY SPRUCE	5'-6" CAL	D+B
AR	10	ACER PLATANOIDES	RED MAPLE	5'-6" CAL	D+B
BT	10	BEETULA PULCHRA	BIRCH	5'-6" CAL	D+B
ST	10	STYFAGIA TH. NANA	SHADBLOW	5'-6" CAL	D+B
MA	10	MAHONIA AURIFOLIA	MAHONIA	5'-6" CAL	D+B
LA	10	LARIX LARicina	LARIX	5'-6" CAL	D+B
CO	10	CORYLUS CORNUTA	CORNUCOPIA	5'-6" CAL	D+B
CA	10	CORYLUS ALATA	CORNUCOPIA	5'-6" CAL	D+B
SA	10	SALIX ALBA	SALE	5'-6" CAL	D+B
JA	10	JUNIPERUS HORIZONTALIS	JUNIPER	5'-6" CAL	D+B
PO	10	POTENTILLA FRUTICOSA	POTENTILLA	5'-6" CAL	D+B
TA	10	TAXUS CANADENSIS	TAXUS	5'-6" CAL	D+B

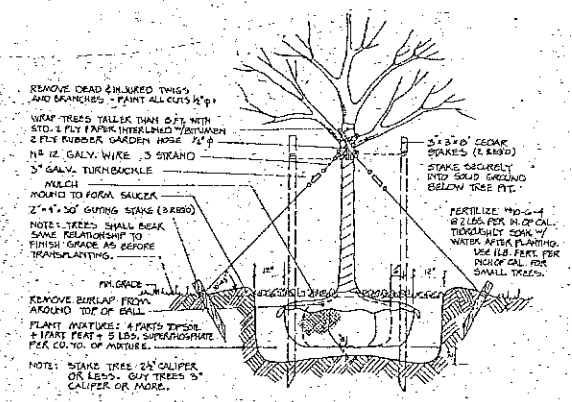
NOTE: ALL SHRUB BEDS TO HAVE 4" SHREDDED DARK MULCH (INCIDENTAL)
ALL AREAS SHOWN AS "50" SHALL HAVE MIN. 2" TOPSOIL FACE THEN 500 ON TOP.



SHRUB PLANTING DETAIL



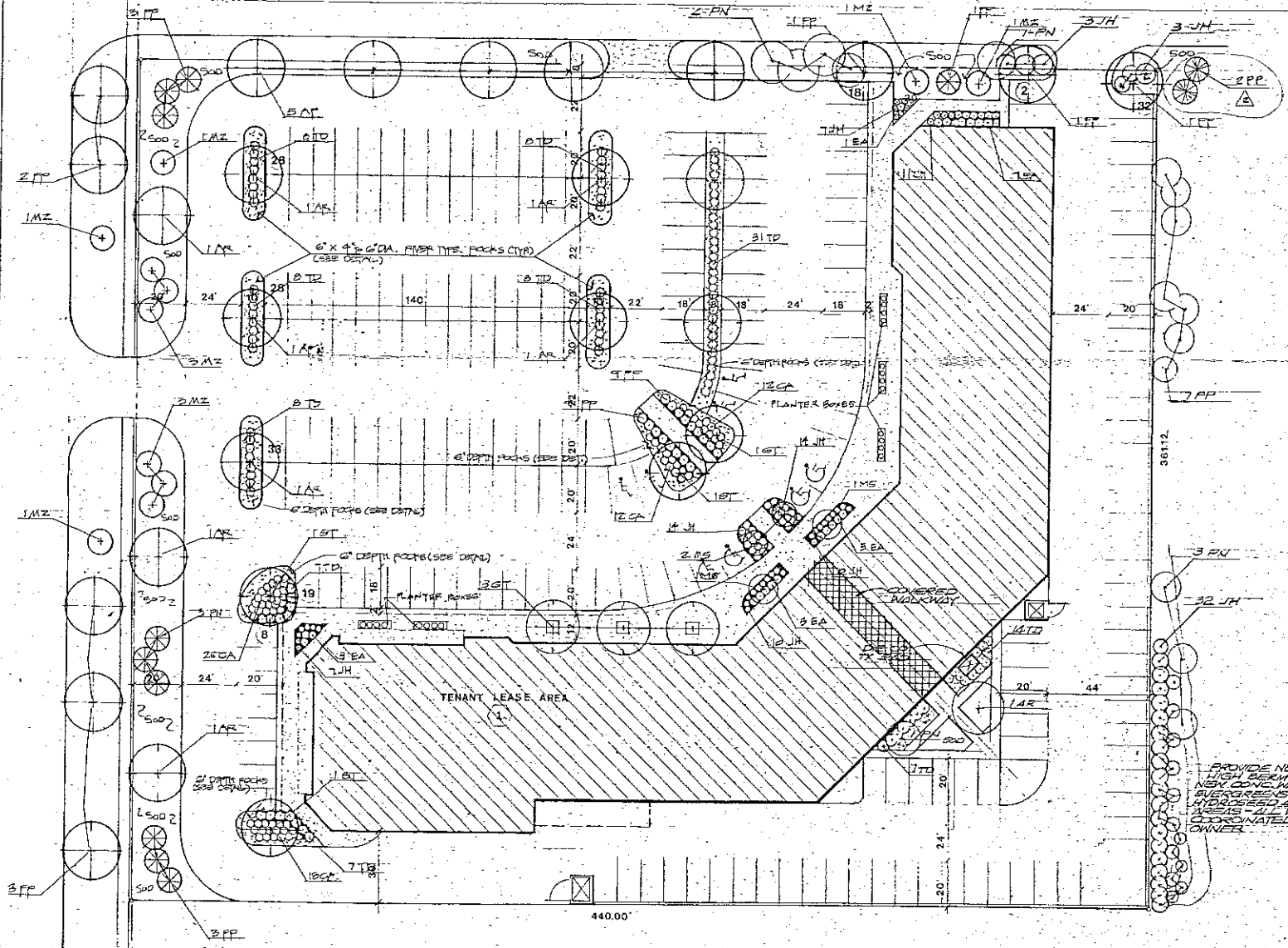
EVERGREEN TREE PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL

MIDDLEBELT ROAD

TERRENCE AVE.



PROVIDE NEW 6\"/>

mb
&a
MANDELL
BILOVUS
&
ASSOCIATES P.C.

ARCHITECTS
ENGINEERS
PLANNERS

24111 W. FOURTEEN MILE
SUITE 11-6
FRANKLIN, MICHIGAN
48005
313/555-0925

DRAWN BY
BROWNELL
DATE STARTED
07/21/1985
CHECKED BY
ISSUED FOR CONSTRUCTION
APPROVED FOR CONSTRUCTION
DATE
REV #2 11/19/85

PROJECT
COMMERCIAL STORES

TITLE
SITE PLAN
LANDSCAPING

SCALE 1\"/>

85-163

LS-1

RECEIVED
MAR 1 1985
CITY OF LANSING
TREASURY COLLECTION

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

November 30, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-11-08-06 – 16112 thru 16184 Middlebelt Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The parcel is assigned the range of addresses of #16100 to #16184 Middlebelt Road, with the address of **#16100 Middlebelt Road** being assigned to the overall parcel.

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

It should be noted that the developer may be required to obtain a permit from the Wayne County Department of Public Service should any work occur within the Middlebelt Road right-of-way.

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Lear", written over a horizontal line.

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

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



DENNIS K. WRIGHT
MAYOR

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

DATE: December 06, 2021
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: **Petition 2021-11-08-06, 16112-16184 Middlebelt**

This office has reviewed the site plan submitted in connection with a request to construct or modify a commercial building on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

CURTIS CAID
CHIEF OF POLICE



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

MAUREEN MILLER BROSNAN
MAYOR



November 23, 2021

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

Petition 2021-11-08-06 - 16112 thru 16184 Middlebelt Road

Dear Mr. Miller,

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

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

Sincerely,

FOR THE CHIEF OF POLICE

Det. Scott Sczepanski #543
Scott Sczepanski, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

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

Date: January 3, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-11-08-06 – 16112 thru 16184 Middlebelt Road

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

1. The Inspection Department has an open violation on this property for the removal of trees from the required landscaping. We are holding our enforcement action in abeyance while the petitioner seeks approval of a new landscape plan.

This Department has no further objections to this Petition.

I trust this provides the requested information.

Jerome Hanna

Jerome Hanna
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSAN
MAYOR

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

December 13, 2021

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

Petition 2021-11-08-06 - 16112 thru 16184 Middlebelt Road

Dear Mr. Miller,

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

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

December 3, 2021

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

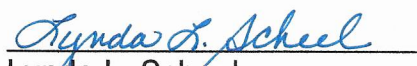
Re: Petition 2021-11-08-06

11612 thru 16184 Middlebelt Road
Belmond Properties LLC
(16100 Middlebelt Road)

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time taxes are due, but not delinquent, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**

From: [Miller, Scott](#)
To: [Reece, Stephanie](#)
Subject: FW: 16184 Middlebelt Rd Livonia, MI.
Date: Thursday, January 13, 2022 2:37:55 PM

Scott Miller
Planner IV
City of Livonia | Planning Department
(734) 466-2296
smiller@livonia.gov

From: Pilachowski, Daniel <dpilachowski@livonia.gov>
Sent: Thursday, January 13, 2022 2:20 PM
To: Miller, Scott <smiller@livonia.gov>
Subject: FW: 16184 Middlebelt Rd Livonia, MI.

Daniel Pilachowski
Code Enforcement Officer
City of Livonia | Inspection Department
(734) 466-2581
dpilachowski@livonia.gov

From: Trena Edmondson <trena.edmondson@jmcmanagement.com>
Sent: Thursday, January 13, 2022 12:44 PM
To: Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>; Pilachowski, Daniel <dpilachowski@livonia.gov>; Banko, Steven <SBanko@livonia.gov>; Taormina, Mark <mtaormina@livonia.gov>
Cc: Aaron Cox <admin@aaroncoxlaw.com>; Christina Rice <christina.rice@jmcmanagement.com>
Subject: 16184 Middlebelt Rd Livonia, MI.

Bob Stroble,

Happy New Year,

Hope my email finds you well, I will get straight to the point!

I received a call yesterday by a current tenant of ours at Belmond Properties, LLC who informed me that they applied for an electrical permit a couple weeks ago and was denied my tenant stated the

reason for the denial was due to the owner (Belmond Properties, LLC) not having an approved landscape plan.

In disbelief that this could even be true, I called Dan Pilachowski at 9am this morning, had a conversation with him about how this must be a mistake, he responded that it was not a mistake and I needed to speak with Bob Stroble.

So, I called you this morning at 9:05am and left a message on your voice mail, due to the urgency of assisting my tenant to obtain his permit, I call you again at 11:07am, still no call back so I decided to email you.

It is very hard to believe that this is not some type of mistake as one clearly has nothing to do with the other (approved landscape plan vs tenant electrical permit). My tenant was directed to proceed with his electrical upgrade as the City of Livonia's issue is with the common area of the property as it relates to the dead trees that were removed (by the way the businesses can be seen from traffic going and coming, which can and will result in more revenue for their businesses) and Belmond is scheduled to appear February 8, 2022, in front of the zoning commission of which I am certain our landscape plan will be approved.

It is very unprofessional that a representative in a position such as yours (Assistant Director of Inspections) would allow such a denial for such a reason as stated, is this even legal?

Belmond Properties is bringing new tenants to a shopping center (Livonia) from other cities which is also contributing to the income for the City of Livonia.

Mr. Assistant Director of Inspections I must ask about the other centers in proximity that also have NO trees, are their new tenants being refused permits as well, or is this just Belmond Properties, LLC? Have you inspected those properties as well?

When we first considered purchasing the shopping center in Livonia, we had high hopes of having a professional and admirable working relationship for the good of the city and the community, you are trying to make this very difficult.

So, with that being said, to correct this grossly mistake of denying my tenant an electrical permit to get his business up and operating, what time today January 13, 2022, can my tenant pick up his approved permit?

Thank you in advance for making the cities wrong right.

Hope to see you at the City Planning Commission meeting on February 1 and 8th.

Warm Regards,

Trena R. Edmondson
Senior Property Manager
JMC Management, LLC
www.JMCmanagement.com

24500 Northwestern Hwy Ste #100

(586) 782-4372 Direct

(586) 427-9410 ext 113

(313) 479-9343 Cell

(313) 515-9411 Fax

Trena.edmondson@jmcmanagement.com



LETTER TO THE LIVONIA CITY COUNCIL

32.

Law
April 7, 2022

MEETING DATE

Regular Meeting of May
2, 2022

PREPARED BY

Brenda Smyser, Program Supervisor,

AGENDA ITEM

ACCEPTANCE OF GRANT OF EASEMENT: Department of Law, re: for sanitary sewer secured without monetary consideration from Madonna University, 36600 Schoolcraft Road, for Madonna University Heritage Center, in the Southwest 1/4 of Section 20. Parcel ID #46-078-99-0002-009.

BACKGROUND

We are transmitting for Council acceptance of a Grant of Easement, secured without monetary consideration, from Madonna University, for public utility easement in the Southwest 1/4 of Section 20, in connection with the sanitary sewer constructed at Madonna University Heritage Center.

This document, recently received from the Engineering Division, has been approved as to form by the Department of Law and the legal description approved by the Engineering Division. A map prepared by the Engineering Division is attached indicating the location of the proposed subject conveyance.

RECOMMENDATION

RESOLVED, that having considered a communication from the Department of Law, dated April 7, 2022, transmitting for Council acceptance of a Grant of Easement from Madonna University, executed by Ian Day, Vice President of Finance and Operations, for a public utility easement in connection with the construction of a sanitary sewer at the subject location in the Southwest 1/4 of Section 20, more particularly described as:

Twenty-Foot Wide Sanitary Sewer Easement

A 20-foot wide public sanitary sewer easement over a parcel of land situated in the S.W. 1/4 of Section 20, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, being described as: Beginning at a point distant N 00°15'22" W, 102.00 feet and N 089°56'35" W, 91.84 feet from the S 1/4 Corner of Section 20; thence N 89°56'35" W, 940.60 feet to the EASEMENT POINT OF BEGINNING; thence along said easement the following four (4) courses and distances: N 00°14'12" E, 44.05 feet; N 89°45'48" W, 20.00 feet; S 89°56'35" E, 20.00 feet back to the EASEMENT POINT OF BEGINNING.

The Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Grant of Easement and the City Clerk is hereby requested to have the same recorded in the Office of the Register of Deeds and to do all other things necessary or incidental to fulfill the

purpose of this resolution.

FISCAL CONSIDERATION

None

ATTACHMENTS

1. Madonna University

APPROVED BY



Paul Bernier, City Attorney

Date: April 07, 2022



Maureen Miller Brosnan, Mayor

Date: April 07, 2022

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
City Engineer

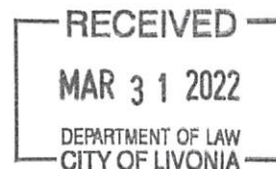
DAVID W. LEAR, P.E.
Assistant City Engineer



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

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
Director of Public Works



March 30, 2022

Department of Law
City of Livonia

**Re: Public Utility Easement for Sanitary Sewer
S.W. 1/4 of Section 20
for Madonna University Heritage Center**

Ladies and Gentlemen:

Transmitted herewith is the signed Grant of Easement received from Madonna University for a 20 foot wide public utility easement in the S.W. 1/4 of Section 20. The above easement was required by this office in connection with the sanitary sewer constructed for the Madonna University Heritage Center.

The legal description contained in the instrument meets with the approval of this office. In addition, we are attaching herewith a map showing the proposed conveyance.

Please review the instrument as to form and forward same to the City Council for their acceptance.

Should you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, reading "Todd J. Zilincik".

Todd J. Zilincik, P.E.
City Engineer

TJZ:kjw
Attachment

cc: Ian Day, Madonna University, 36600 Schoolcraft Road, Livonia, MI 48150
DPW
File

GRANT OF EASEMENT
Tax I.D. No. 46-078-99-0002-009
36700 Schoolcraft Road
Livonia, Michigan 48150

GRANT OF EASEMENT

THIS INDENTURE, made this _____ day of _____, 20____, between Madonna University, a 501c3 Non-Profit Organization (Grantor), whose street number and address is 36600 Schoolcraft Road, Livonia, MI 48150 and the CITY OF LIVONIA, a Michigan municipal corporation (Grantee), whose street number and post office address is 33000 Civic Center Drive, Livonia, Michigan, 48154.

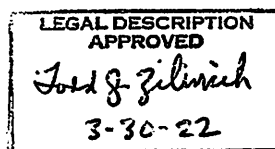
WITNESSETH:

That the Grantor, for and in consideration of the sum of One Dollar (\$1.00) paid by the Grantee, the receipt of which is hereby confessed and acknowledged, does by these presents grant unto Grantee, its successors and assigns an easement for the purpose of installing and maintaining a sanitary sewer, in, unto and upon that certain piece of land situated in the City of Livonia, County of Wayne and State of Michigan, described as follows:

PARCEL ID: **46-078-99-0002-009**

PROPERTY ADDRESS: **36700 Schoolcraft Road**

EASEMENT DESCRIPTION:



20- Foot Wide Sanitary Sewer Easement

A 20-foot wide public sanitary sewer easement over a parcel of land situated in the S.W. ¼ of Section 20, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, being described as: Beginning at a point distant N 00°15'22" W, 102.00 feet and N 89°56'35" W, 91.84 feet from the S ¼ Corner of Section 20; thence N 89°56'35" W, 940.60 feet to the EASEMENT POINT OF BEGINNING; thence along said easement the following four (4) courses and distances: N 00°14'12" E, 44.05 feet; N 89°45'48" W, 20.00 feet; S 00°14'12" W, 44.10 feet; S 89°56'35" E, 20.00 feet back to the EASEMENT POINT OF BEGINNING.

See Attached Sanitary Sewer Easement Sketch

Including the right of access for the Grantee to go over and upon that part of said piece of land of the Grantor, for the purpose of installing, repairing and maintaining said sanitary sewer of the Grantee providing that the granting of the above easement does not vest in the Grantee authority to use any portion of said property for any purpose other than herein designated; provided also, that this easement shall continue only for such period of time as the Grantee, its successors and assigns, shall maintain said public utility. Any restoration of property by the Grantee necessitated by sanitary sewer installation, repair and maintenance shall be limited to backfilling the excavation and establishment of grass. It shall exclude all other improvements such as paved surfaces, corresponding sub-base materials, plants, trees, flower beds,

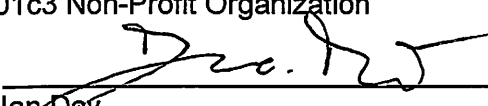
electrical lines and lights, boulders and any other miscellaneous items located within the sanitary sewer easement.

IT IS UNDERSTOOD AND AGREED, as a part of the consideration for the granting of the above easement, that the Grantee will use every effort possible to leave the premises in as good condition as at present.

IT WITNESS WHEREOF, the said Grantors have executed this Easement and Dedication the day and year above written.

GRANTOR:

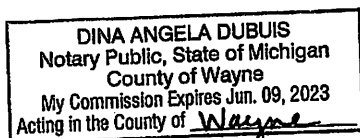
Madonna University
a 501c3 Non-Profit Organization

By: 
Ian Day
Its: Vice President of Finance and Operations

GRANT OF EASEMENT

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this 24th day of February, 2022, before me personally appeared Ian Day, the Vice President of Finance and Operations of Madonna University which executed the within instrument, and the said instrument was signed and sealed on behalf of said 501c3 Non-Profit Organization and acknowledged said instrument to be the free act and deed of said 501c3 Non-Profit Organization.




Notary Public, Dina Angela DuBuis
My Commission expires: June 9, 2023

Prepared by: Todd J. Zilincik, P.E.
City Engineer
Engineering Division
12973 Farmington Road
Livonia, Michigan 48150

Approved as to form:
DEPARTMENT OF LAW

Dated: _____

When recorded, return to: OFFICE OF THE CITY CLERK, 33000 Civic Center Drive,
Livonia, Michigan 48154

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 078-99-0002-009:

Part of the SW. 1/4 of Section 20, T.1S., R.9E., City of Livonia, Wayne County, Michigan, being described as: Beginning at a point distant N.00°15'22"W., 102.00 feet and N.89°56'35"W., 91.84 feet from the S. 1/4 Corner of Section 20; thence N.89°56'35"W., 1,274.68 feet; thence N.00°15'18"W., 471.17 feet; thence S.89°59'56"E., 203.04 feet; thence N.00°15'22"W., 1,070.42 feet; thence S.89°58'43"E., 257.42 feet; thence N.00°04'04"W., 141.21 feet; thence S.89°59'00"E., 34.38 feet; thence S.00°04'16"E., 18.00 feet; thence S.89°58'42"E., 129.82 feet; thence N.00°04'06"W., 134.17 feet; thence S.89°58'45"E., 383.00 feet; thence S.00°15'22"E., 222.55 feet; thence N.89°44'38"E., 100.00 feet; thence S.00°15'22"E., 125.00 feet; thence N.89°44'38"E., 215.00 feet; thence S.00°15'22"E., 930.81 feet along the Westlery 43 foot Right-of-way of Levan Road; thence S.89°56'45"W., 17.00 feet; thence S.00°15'22"E., 513.00 feet along the Westlery 60 foot Right-of-way of Levan Road; thence S.72°35'42"W., 33.32 feet back to the POINT OF BEGINNING. Containing 1,918,402 square feet or 44.04 acres. And subject to easements of record.

20-FOOT WIDE SANITARY SEWER EASEMENT:

(Per PEA Group)

A 20-foot wide public sanitary sewer easement over the previously described parcel of land situated in the SW. 1/4 of Section 20, T.1S., R.9E., City of Livonia, Wayne County, Michigan, being described as: Beginning at a point distant N.00°15'22"W., 102.00 feet and N.89°56'35"W., 91.84 feet from the S. 1/4 Corner of Section 20; thence N.89°56'35"W., 940.60 feet to the EASEMENT POINT OF BEGINNING; thence along said easement the following four (4) courses and distances:

N.00°14'12"E. 44.05'; N.89°45'48"W. 20.00'; S.00°14'12"W. 44.10'; S.89°56'35"E. 20.00' back to the EASEMENT POINT OF BEGINNING.

CLIENT
MADONNA UNIVERSITY
36600 SCHOOLCRAFT RD
LIVONIA, MI 48150

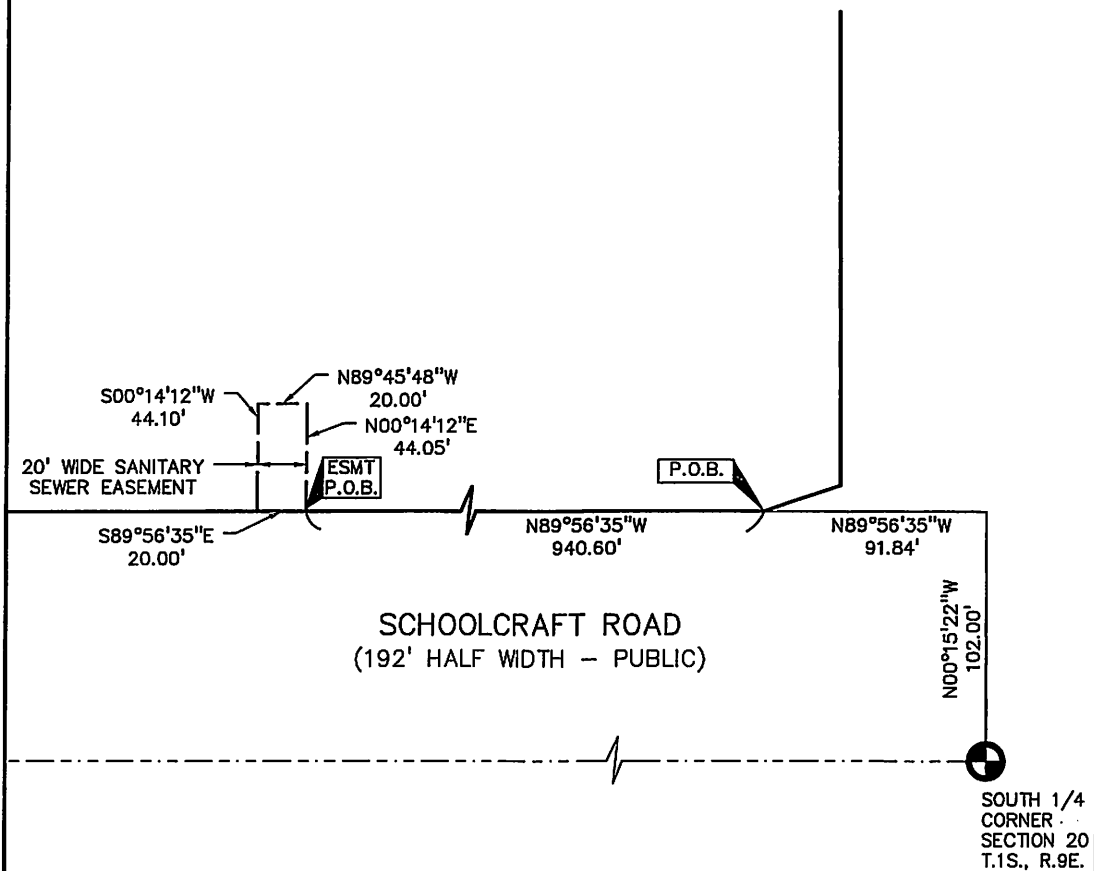
SHEET 1 OF 2
FEBRUARY 2, 2022
2017-310

**PEA
GROUP**

t: 844.813.2949
www.peagroup.com

PROJECT: 2017-310, 36600 SCHOOLCRAFT RD, LIVONIA, MI 48150, 2017-310, 36600 SCHOOLCRAFT RD, LIVONIA, MI 48150

EXHIBIT B SKETCH OF EASEMENT



CLIENT
MADONNA UNIVERSITY
36600 SCHOOLCRAFT RD
LIVONIA MI 48150

0 30 60
SCALE: 1" = 60'



SHEET 2 OF 2
FEBRUARY 2, 2022
2017-310

PEA
GROUP

t: 844.813.2949
www.peagroup.com

PROJECT: 2017-310 MADONNA HERITAGE AND RECREATION GROUP EASEMENT AND A 20' WIDE SANITARY SEWER EASEMENT