

MINUTES OF THE ONE THOUSAND NINE HUNDRED FORTY THIRD**REGULAR MEETING APRIL 18, 2022**

On April 18, 2022, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Councilmember Donovic led the meeting with the Pledge of Allegiance.

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

Elected and appointed officials present: Paul Bernier, City Attorney; Susan M. Nash, City Clerk; Sara Kasprowicz, Manager of Council Office; Mark Taormina, Director of Planning and Economic Development; and Todd Zilincik, City Engineer.

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

#122-22 RESOLVED, that the Minutes of the 1,942nd Regular Meeting of the Council held April 4, 2022 are approved as presented.

During Audience Communication, Jim Baringhaus, Greenleaf Commission, addressed Council to announce an upcoming Renewable Energy Fair in partnership with Madonna University on Saturday, April 23rd from 10:00 a.m. to 1:00 p.m.

Councilmember McCullough thanked Mr. Baringhaus and the Greenleaf Commission for their diligence.

President Jolly wished his daughter, Claire, a Happy 9th Birthday.

A communication from the Department of Finance, dated March 3, 2022, re: forwarding various financial statements of the City of Livonia for the month ending December 31, 2021, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated March 29, 2022, re: forwarding various financial statements of the City of Livonia for the month of January 31, 2022, was received and placed on file for the information of the Council.

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

#123-22 RESOLVED, that having considered a communication from the City Treasurer and the City Clerk, dated March 23, 2022, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, recommending an increase in compensation for the classifications of Deputy Treasurer and Deputy Clerk to be in the same compensation range as other Deputy Treasurers and Deputy Clerks in comparable communities, the Council does hereby concur in the recommendation made by the Personnel Review Committee, which is supported by the Mayor, and the increase in compensation for the classifications of Deputy Treasurer and Deputy Clerk is hereby approved and authorized as outlined in the aforementioned communication and attachments thereto.

#124-22 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated March 18, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the quote of Webster & Garner Inc., 3346 W. Vienna Road, Clio, MI 48420 for supplying the Public Service Division with propane fuel, which meets all necessary fueling station specifications required by the Department for the filling of propane fuel, at a cost of \$0.295 per gallon over the market price, for the period February 1, 2022 through February 28, 2025, such funds to be expended from funds already budgeted in Account No. 101-443-751-100 (Department of Public Works Propane Account) for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low Oakland County Liquid Propane Gas Delivery bid price under Contract No. 005427 for supplying propane fuel; and no advantage to the City would result from competitive bidding, and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended; 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 company and to do all other things necessary or incidental to the full performance of this resolution.

#125-22 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated March 23, 2022, submitted pursuant to Council Resolution 150-21, adopted on May 10, 2021, 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, to which is attached a proposed amendment to the cross connection inspection service contract between the City of Livonia and HydroCorp, Inc., to modify the program to include repairs and any additional required testing for City of Livonia facilities, the Council does hereby approve an amendment to the existing contract with Hydrocorp, Inc., 5700 Crooks Road, Suite 100, Troy, Michigan 48098, to include repairs and any additional required tests for City of Livonia facilities, through April 30, 2024, for an additional amount not to exceed \$14,430.00 annually (\$28,860.00 over two years); FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$14,430.00 from funds budgeted in Account No. 592-559-818-000 for the two years through April 30, 2024 for this purpose; FURTHER, HydroCorp, Inc., is a sole source provider for a project of this magnitude, and such action is taken in accordance with Section 3.04.140D3 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the aforesaid amendment to the agreement with HydroCorp, Inc., subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#126-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 23, 2022, which bears the signatures of the Director of Finance and the Director of Public Works, and is approved for submission by the Mayor, regarding repair of sidewalks in the City of Livonia pursuant to the 2021 Sidewalk Program, Contract 21-G, at the locations and in the amounts indicated in the attachment to the aforesaid communication (the "Attachment"), which work was done pursuant to Council Resolution 84-21, adopted on March 22, 2021, and in accordance with the provisions of Section 340 of Title 12, Chapter 4 of the Livonia Code of Ordinances, as amended, the City Treasurer is hereby directed to send a statement of charges to all property owners in the amounts listed in the Attachment in accordance with Section 150 of Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Council does hereby establish the evening of Monday, June 6, 2022, at 7:00 p.m., at the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan, as the time and place when the Council shall meet for the purpose of adopting a resolution placing a special assessment upon said property for such charges unless the same are paid prior to the date of such meeting; and the City Clerk and City Treasurer are hereby requested to do all things necessary or incidental to the full performance of this resolution.

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

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

NAYS: None

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

AN ORDINANCE AMENDING THE LIVONIA VISION 21 ZONING ORDINANCE, AS AMENDED, IN ACCORDANCE WITH PUBLIC ACT 110 OF 2006 (MICHIGAN ZONING ENABLING ACT), AS AMENDED. (Pet. 2022-01-06-01)

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

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

NAYS: None

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

A communication received from the Director of Government Affairs, dated March 23, 2022, submitted pursuant to Council Resolution #37-20, adopted on February 10, 2020, to which is attached a report and recommendation regarding the City's response to climate change issues, was received and placed on file for the information of the Council.

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

#127-22 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Council Vice President Laura Toy, at the Regular Meeting held April 18, 2022, with respect to the City's response to climate change issues, the Council does hereby refer the subject matter of a green building and sustainability policy to the Administration for its report and recommendation.

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

AYES: Donovic, McCullough, Toy, Bahr, and Jolly

NAYS: Morgan

The President declared the foregoing resolution adopted.

Brent Sabo, 14587 Blue Skies, addressed Council to express his support of the City's efforts to mitigate climate change issues.

A communication containing the Simple Recycling collections data chart for the period December 2019 through March 2022, re: to modify the Simple Recycling Program from a regular, weekly curbside collection to a scheduled porch pickup, was received and placed on file for the information of the Council.

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

#128-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated March 18, 2022, 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, to which is attached a proposed amendment to the contract between the City of Livonia and Great Lakes Recycling d/b/a Simple Recycling, 5425 Naiman Parkway, Solon, Ohio 44139, to modify their program of collection of soft recyclables from a regular, weekly curbside collection to a scheduled porch pickup, at no cost to the City, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the proposed contract amendment 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.

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

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

NAYS: Jolly

The President declared the foregoing resolution adopted.

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

#129-22 RESOLVED, that having considered a communication from the Department of Law, dated April 5, 2022, which is approved for submission by the Mayor, the Council does hereby, by a two-thirds roll call vote in accordance with Section 7(1) of the Open Meetings Act, direct that a closed Committee of the Whole meeting be held for the purpose of discussing litigation matters and attorney/client privileged communications in connection with pending litigation, *The Parz Group, Inc., et al. v City of Livonia, et al.*

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

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

NAYS: None.

The President declared the foregoing resolution adopted.

Bob Klanseck, 17786 Country Club, addressed Council to express concern for trash in the roadways and water shed areas throughout the City.

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

#130-22 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Councilmember Brandon McCullough, at the Regular Meeting held April 18, 2022, the Council does hereby refer the subject matter of who bears responsibility for cleaning up trash on roadways within the City to the Administration for its report and recommendation.

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

On a motion by Bahr, seconded by Vice President Toy, and unanimously adopted, this 1,943rd Regular Meeting of the Council of the City of Livonia was adjourned at 7:32 p.m.

Susan M. Nash, City Clerk