

MINUTES OF THE ONE THOUSAND NINE HUNDRED FORTY FOURTH**REGULAR MEETING MAY 2, 2022**

On May 2, 2022, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Councilmember Morgan led the meeting with the Pledge of Allegiance.

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

Elected and appointed officials present: Mike Fisher, Assistant City Attorney; Susan M. Nash, City Clerk; Sara Kasprovicz, Program Supervisor of Council Office; Mark Taormina, Director of Planning and Economic Development; and Todd Zilincik, City Engineer.

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

#131-22 RESOLVED, that the Minutes of the 1,943rd Regular Meeting of the Council held April 18, 2022 are approved as presented.

A roll call vote was taken with the following result:

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

NAYS: None

PRESENT: McIntyre

The President declared the resolution adopted.

During Audience Communication, Ron Riggio, 37204 Bretton, addressed Council to express concern about rain issues and flooding at the Whispering Willows Golf Course and the adjacent Whispering Willows subdivision.

Councilmember Donovic thanked the Engineering department for working on the flooding issues experienced at the Golf Course. Donovic also congratulated the Warriors Robotics Team for winning a national award recently. He further

congratulated residents and police officers who received awards at the recent Police Awards ceremony. Lastly, Donovic extended Happy Birthday wishes to his younger brother.

Councilmember McIntyre announced the following retirees for the month of April: Thomas Gregory, Fire Marshal; Dave Heavener, Fire Chief; Tracey Hedglen, Account Clerk III in Payroll; Carl Katafiasz, Assistant Branch Librarian; and David Scott, Senior Police Officer. McIntyre thanked all retirees for their years of service and wished them well in retirement.

Councilmember McCullough indicated National Teacher Appreciation Week starts today and thanked teachers in the community for everything they do.

Councilmember Bahr wished his daughter and wife Happy Birthdays.

Councilmember Donovic wished Councilmember Bahr a Happy Birthday.

President Jolly extended Happy Birthday wishes to Dave Lear, Assistant City Engineer; Councilmember Scott Bahr; Mayor Maureen Miller Brosnan; Chief of Staff Dave Varga; and Deputy Fire Chief John Unsworth.

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

#132-22 RESOLVED, that having considered an application from Gale Wilcox, MI Work Matters, dated April 8, 2022, the Council does hereby take this means to indicate that MI Work Matters is recognized as a non-profit organization operating in the community, and the action herein being taken for the purpose of affording MI Work Matters the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

#133-22 RESOLVED, that having considered a communication from the Mayor, dated April 4, 2022, wherein she has requested approval of the reappointment of John Hiltz, 34000 Plymouth Road, Livonia, Michigan 48150, to the Livonia Plymouth Road Development Authority as a Business/Property Owner in the District for a three-year term expiring May 16, 2025, pursuant to Section 3.16.060 of the Livonia Code of Ordinances, as amended, and Act No. 197 of the Public Acts of Michigan of 1975, as amended, the Council does hereby confirm and approve such reappointment.

#134-22 RESOLVED, that pursuant to Section 13.14(1) of the Livonia Vision 21 Zoning Ordinance and Section 601 of Act 110 of the Public Acts of Michigan of 2006, as amended, Martha Ptashnik, 19251 Glen Eagles Dr., Livonia, Michigan 48152, is hereby appointed to the Zoning Board of Appeals, to fill the unexpired term of Joel Turbiak, which will expire on July 12, 2023, with all the authority and duties as set forth in the said Zoning

Ordinance and Act 110, and further provided that he takes the Oath of Office as required in Chapter X, Section 2 of the City Charter, to be administered by the Office of the City Clerk.

#135-22 RESOLVED, that having considered a communication from the City Planning Commission, dated March 24, 2022, approved for submission by the Mayor, which transmits its resolution #03-18-2022, adopted on March 22, 2022, with regard to 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, the Council does hereby concur in the recommendation made by the City Planning commission and Petition 2022-02-02-03 is hereby approved and granted, 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.

#136-22 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated March 25, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, in connection with the renewal of the contract between the City of Livonia and ESRI, Inc. for the City's Geographic Information System (GIS), the Council does hereby approve a renewal of the contract between the City of Livonia and ESRI Inc., 380 New York Street, Redlands, California 92373, to provide software maintenance for the City of Livonia's Geographic Information System (GIS), for a one (1) year period from July 17, 2022 to July 16, 2023, in an amount not to exceed \$20,750.00, the same to be expended from funds already budgeted in Account No. 101-228-851-020 (Computer Software Maintenance) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, for the reason that ESRI, Inc. is a sole source supplier and no advantage would result from requiring competitive bidding.

#137-22 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated April 4, 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 submitted by Visicom Services Inc./Centaris, 2534 South Rochester Road, Rochester Hills, MI 48307, for the purchase of Sentinel One Control Security software with 24/7 SOC Backing (MDR), to further protect the City

from malware and ransomware threats, for a three-year period, in an annual amount not to exceed \$24,600.00, the same to be expended from funds already budgeted in Account No. 101-228-986-000 (Capital Outlay-Computer Software account) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, for the reason that Visicom Services Inc./Centaris is a sole source supplier and no advantage would result from requiring competitive bidding.

#138-22 RESOLVED, that having considered the report and recommendation of the Library Director, dated March 25, 2022, 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 Library Design Associates, Inc., 1149 South Main Street, Plymouth, MI 48170-2213 for performing all work required in connection with the purchase and installation of three (3) study rooms with furniture on the second floor of the Bennett Civic Center Library (TIPS Contract #200301) and a replacement table for the library conference room (NCPA Contract #07-42), in an aggregate amount not to exceed \$53,036.20; FURTHER, the Council does hereby authorize said expenditure from funds already budgeted in Account No.: 271-778-971-000 (Capital Outlay-Minor) for this purpose; FURTHER, the Council does hereby determine to authorize the said purchases without competitive bidding inasmuch as TIPS Contract #200301 is a consortium purchase of the library study rooms and furniture; and under NCPA Contract #07-42 is a consortium purchase of the replacement conference table; 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.

#139-22 RESOLVED, that having considered the report and recommendation of the Library Director, dated March 25, 2022, 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 Library Design Associates, Inc., 1149 South Main Street, Plymouth, MI 48170-2213 for performing all work required in connection with the purchase and replacement of shelving units for the youth non-fiction collection and youth paperback collection at the Carl Sandburg Library in an amount not to exceed \$33,052.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$33,052.00 from funds already budgeted in Account No. 271-780-976-000 (Capital-Outlay Building Improvement) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, for the reason that Library Design Associates, Inc. is the sole source provider of the Estey Cantilever Library Shelving and the Worden library furniture product sales, services, and warranty in the

State of Michigan and no advantage would result from requiring competitive bidding.

#140-22 RESOLVED, that having considered the report and recommendation of the Assistant City Engineer, dated April 5, 2022, which bears the signatures of the Director of Finance and the Superintendent of Parks and Recreation, and is approved for submission by the Mayor, regarding additional expenditure for the Sheldon Park Pool Deck Paving Project, to close out the contract with Luigi Ferdinandi & Son Cement Co., pursuant to Council Resolution 114-21, adopted on April 12, 2021, the Council does hereby authorize an additional expenditure in an amount not to exceed \$6,026.55 from funds budgeted in Account No. 208-797-971-000 to close out the Sheldon Park pool deck paving project payable to Luigi Ferdinandi & Son Cement Co., Inc., 16481 Common Road, Roseville, Michigan 48060, making the revised final contract amount not to exceed \$61,887.55; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia, with the aforesaid bidder and to do all things necessary or incidental to the full performance of this resolution.

#141-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Public Works, dated April 6, 2022, which bears the signatures of the Director of Finance and the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby accept the bid of RW Mead & Sons, 33795 Riviera, Fraser, MI 48026, for completing all work necessary in connection with the Jack E. Kirksey Recreation Center HVAC Maintenance Service contract for a period of four (4) years in an amount not to exceed \$492,582.00 (\$112,020.00 for year 1 from June 1, 2022 to May 31, 2023; \$119,250.00 for year 2 from June 1, 2023 to May 31, 2024; \$126,000.00 for year 3 from June 1, 2024 to May 31, 2025; and \$135,312.00 for year 4 from June 1, 2025 to May 31, 2026; the same having been the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$492,582.00 from funds budgeted in Account No. 208-755-818-020 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia, with the aforesaid bidder and to do all things necessary or incidental to the full performance of this resolution.

#142-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated March 16, 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 Weatherseal Home Improvements Co. Inc., 51662 Oro Dr., Shelby Township, MI 48315, for performing all work required in connection with the

replacement of the roof with Ce-Dur shingles on the Alexander Blue House at Greenmead Historical Park in an amount not to exceed \$115,360.00; the same having been in fact the lowest bid received which meets all specifications; FURTHER, an amount not to exceed \$115,360.00 is hereby authorized to be expended from Account No. 101-821-974-000 (Capital Outlay) for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia with Weatherseal Home Improvements Co. Inc., and to do all things necessary or incidental to the full performance of this resolution.

#143-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 6, 2022, 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 Nagle Paving, 36780 Amrhein Rd., Livonia, MI 48150 for performing all work required in connection with the parking lot expansion at Ben Celani Play Area, for a total amount not to exceed \$103,290.00; the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$103,290.00 from funds already budgeted in Account No. 101-758-974-000 for this purpose; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, with Nagle Paving and to do all other things necessary or incidental to the full performance of this resolution.

#144-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 6, 2022, 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 Rotondo Construction, 38807 Ann Arbor Road, Livonia, MI 48150 for performing all work required in connection with the installation of a central gathering area at Ben Celani Play Area, for a total amount not to exceed \$150,508.50; the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$150,508.50 from funds already budgeted in Account No. 101-758-974-000 for this purpose; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, with Rotondo Construction and to do all other things necessary or incidental to the full performance of this resolution.

#145-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 7, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the

bid of Baruzzini Contracting, LLC, 1281 S. Old US Hwy 23, Brighton, MI 48114, for performing all worked required in connection with the Leisure Pool UV Replacement at the Jack E. Kirksey Recreation Center, in an amount not to exceed \$56,750.00, the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$56,750.00 from funds already budgeted in Account No. 208-755-971-000 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 Baruzzini Contracting, LLC and to do all things necessary or incidental to the full performance of this resolution.

#146-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 5, 2022, 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 Baruzzini Contracting, LLC, 1281 S. Old US Hwy 23, Brighton, MI 48114, for performing all worked required in connection with the Spa UV unit replacement at the Jack E. Kirksey Recreation Center, in an amount not to exceed \$31,810.00, the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$31,810.00 from funds already budgeted in Account No. 208-755-971-000 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 Baruzzini Contracting, LLC and to do all things necessary or incidental to the full performance of this resolution.

#147-22 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated April 7, 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, the Council does hereby accept the bid of KJP Roofing and Sheet Metal, Inc., 46958 N. Gratiot Avenue, Suite #174, Chesterfield, MI 48051 for performing all work required in connection with the Silver Village Apartments roof replacements, to include all labor, materials and equipment, in an amount not to exceed \$557,634.00, the same having been the lowest qualified bid received which meets all specifications; FURTHER, the Council does hereby authorize the expenditure of a sum not to exceed \$557,634.00 from funds already budgeted in Account No. 538-676-987-000 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 KJP Roofing and Sheet Metal, Inc. and to do all things necessary or incidental to the full performance of this resolution.

#148-22 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated March 31, 2022, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby authorize a two-year contract, for the period April 1, 2022 through March 31, 2024, with an optional third year extension upon mutual consent, with RCI Electric, 4999 McCarthy Dr., Milford, MI 48381, for completing all work required in connection with the street light and general electrical maintenance at all City buildings and facilities and parking lots and athletic and street light electrical maintenance at City-owned ball diamonds, parking lots, parks, and miscellaneous City facilities and along the Plymouth Road corridor, at the unit prices bid, at an estimated annual amount of \$291,975.00, the same having been the sole bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$291,975.00 from funds already budgeted in various departmental contractual services accounts for this purpose; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract with RCI Electric, 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.

#149-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated April 7, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby accept the bid of Trugreen, 48932 Wixom Tech Dr., Wixom, MI 48393 for performing all services required in connection with the portion of the City of Livonia's 2022 and 2023 Vegetation Control Program relating to the major county road medians, the City buildings and sports fields, for a total amount not to exceed \$29,025.08 (\$14,512.54 annually); FURTHER, the Council does hereby accept the bid of Green World, 1401 Souter Blvd., Troy, MI 48083, for performing all services required in connection with the portion of the City of Livonia's 2022 and 2023 Vegetation Control Program relating to the maintenance of the Schoolcraft Fence Line and retention pond vegetation control, for a total amount not to exceed \$10,500.00 (\$5,250.00 annually); the same having been in fact the lowest bids received which meet all specifications; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$14,512.54 from funds budgeted in Account No. 101-524-818-000 payable to Trugreen, 48932 Wixom Tech Dr., Wixom, MI 48393 and an annual expenditure in an amount not to exceed \$4,670.00 from funds budgeted in Account No. 101-463-818-000 payable to Green World, 1401 Souter Blvd., Troy, MI 48083, for this purpose; and the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with Trugreen and Green World and to do all things necessary or incidental to the full performance of this resolution.

#150-22 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.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Gretchen Whitmer, State Senator Dayna Polehanki, State Representative Jewell Jones, and Laurie Pohutsky, the Michigan Municipal League State and Federal Affairs Division, and the Conference of Western Wayne.

#151-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 25, 2022, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from Jolly Road Properties, LLC, a Michigan limited liability company, in conjunction with the construction of a storm drainage system to provide adequate drainage from property developed at 11878 Hubbard Avenue, Livonia, Michigan, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the east side of Hubbard Avenue, north of Plymouth Road, in the Southeast ¼ of Section 27, for the development of Vision Quest, which accommodates storm water from property developed at 11878 Hubbard Avenue, with the maintenance agreement from the proprietor, Jolly Road Properties, LLC, 4729 Wendrick Dr., West Bloomfield, Michigan 48323, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#152-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 30, 2022, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from Madonna University, a 501c3 Non-Profit Organization, in conjunction with the construction of a storm drainage system to provide adequate drainage from property developed at 36700 Schoolcraft Road, Livonia, Michigan, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the west side of Levan Road, north of Schoolcraft Road, in the Southwest $\frac{1}{4}$ of Section 20, for the development of Madonna University Heritage Center, which accommodates storm water from property developed at 36700 Schoolcraft Road, with the maintenance agreement from the proprietor, Madonna University, 36600 Schoolcraft Road, Livonia, Michigan 48150, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#153-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 5, 2022, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from Livonia Business Center, LLC, a Michigan limited liability company, in conjunction with the construction of a storm drainage system to provide adequate drainage for property developed at 12250 and 12350 Sears Drive, Livonia, Michigan, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the east side of Sears Drive, north of Plymouth Road, in the Southwest $\frac{1}{4}$ of Section 26, for the development of the Livonia Business Center, which accommodates storm water from property developed at 12250 and 12350 Sears Drive, with the maintenance agreement from the proprietor, Livonia Business Center, LLC, a Michigan limited liability company, 2575 S. Haggerty Road, Suite 500, Canton, Michigan 48188, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#154-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 7, 2022, which bears the signatures of the Director of Finance, the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the quote of Nagle Paving Company, 36780 Amrhein, Livonia, Michigan 48150, for completing all work required in connection with the 2022 Asphalt Road Repair Program (Contract 22-A) on various asphalt streets throughout the City of Livonia, by extending their Contract 20-A unit prices for Contract 22-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 of 180 days, for an estimated total cost of \$4,000,000.00, based on the Engineering Division's estimate of units of work involved and subject to the final payment based on the actual units of work completed in accordance with the unit prices accepted herein; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$4,000,000.00 from funds in the following accounts:

Account No. 204-463-818-112 (Rehabilitation)	\$3,382,800.00
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Account No. 204-463-818-114 (Maintenance)	\$ 617,200.00
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FURTHER, the Council does hereby authorize an additional appropriation and expenditure in an amount not to exceed \$200,000.00 from the Unexpended Fund Balance of the Roads, Sidewalk and Tree Fund (204) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 3.04.140D3 of the Livonia Code of Ordinances, as amended, since no advantage to the City would result from competitive bidding; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; 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 Nagle Paving Company and to do all other things necessary or incidental to the full performance of this resolution.

#155-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 7, 2022, submitted pursuant to Council Resolution No. 336-21, which bears the signatures of the Finance Director, the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 for the 2022 Asphalt Road Program, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia,

to execute the attached contract amendment between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150, to provide construction engineering services for the 2022 Asphalt Road Program (Contract 22-A) in an amount not to exceed \$480,000.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140D.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$480,000.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#156-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 7, 2022, submitted pursuant to Council Resolution #95-22, adopted on March 14, 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 Contract Amendment from Hubbell, Roth & Clark, Inc., dated April 8, 2022, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract amendment between the City of Livonia and Hubbell, Roth and Clark, Inc., P.O Box 824, Bloomfield Hills, Michigan 48303-0824, to provide professional engineering services for the Michigan Economic Development Corporation (MEDC) Grant – Greenmead Regional Detention Pond Project – in an amount not to exceed \$42,000.00; FURTHER, the Council does hereby 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 \$1,000,000.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$42,000.00 from Account No. 401-000-974-000 (Capital Projects Fund – Land Improvements) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

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

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

NAYS: None

McIntyre gave first reading to the following Ordinance:

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

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

#157-22 RESOLVED, that having considered a communication from the City Planning Commission, dated March 28, 2022, approved for submission by the Mayor, which transmits its resolution #03-17-2022, adopted on March 22, 2022, with regard to 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 $\frac{1}{4}$ of Section 1, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-02-02-02 is hereby approved and granted, 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 as provided below;
2. That no more than two (2) U-Haul trucks, vans or trailers shall be parked in front of the building;
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.

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

AYES: Morgan, McCullough, McIntyre, Donovic, and Jolly

NAYS: Bahr

The President declared the resolution adopted.

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

#158-22 RESOLVED, that having considered a communication from the Human Resources Director, dated April 7, 2022, which bears the signatures of the Finance Director and the City Attorney, and is approved for submission by the Mayor, transmitting a resolution adopted by the Civil Service Commission (the "Commission") at its meeting of March 16, 2022, wherein the Commission submitted for Council review certain proposed changes to job descriptions and wages for temporary part-time staff in the Department of Parks and Recreation, 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.

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

#159-22 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 7, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, wherein a request by the Parks and Recreation Commission for an increase in membership, daily pass and ten visit pass fees at the Jack E. Kirksey Recreation Center, along with outdoor pool daily pass and season pass fees, the Council does hereby concur in the recommendation of the Parks and Recreation Commission as set forth in the aforesaid communication and attachment, and does hereby approve an increase in membership, daily pass and ten visit pass fees at the Jack E. Kirksey Recreation Center, along with outdoor pool daily pass and

season pass fees, effective December 1, 2022, in line with the 2022-2023 budget.

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

AYES: McCullough, Bahr, Donovic, and Jolly

NAYS: Morgan and McIntyre

The President declared the resolution adopted.

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

#160-22 RESOLVED, that having considered a communication from the City Planning Commission dated February 25, 2022, approved for submission by the Mayor, and a communication from Jennifer Glover, Permit Agent, Aver Sign Company, dated February 17, 2022, which in accordance with the provisions of Section 13.13(10) of Livonia Vision 21 Zoning Ordinance, as amended, the Zoning Ordinance, takes an appeal from a determination made on February 8, 2022, by the City Planning Commission in its resolution 02-10-2022 with regard to 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, and the Council having conducted a public hearing with regard to this matter on Monday, April 11, 2022, the Council does hereby reject the recommendation of the City Planning Commission and Petition 2003-08-SN-08 is hereby approved and granted, subject to 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.

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

#161-22 RESOLVED, that having considered a communication from the City Planning Commission dated April 12, 2022, approved for submission by the Mayor, and a communication from Susan K. Friedlaender, on behalf of Belmond Properties, LLC, dated February 17, 2022, which in accordance with the provisions of Section 13.13(10) of Livonia Vision 21 Zoning Ordinance, as amended, the Zoning Ordinance, takes an appeal from a determination made on February 8, 2022, by the City Planning Commission in its resolution 02-09-2022 with regard to 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 $\frac{1}{4}$ of Section 13, and the Council having conducted a public hearing with regard to this matter on Monday, April 11, 2022, the Council does hereby reject the recommendation of the City Planning Commission and Petition 2021-11-08-06 is hereby approved and granted, subject to 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 X, 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 Zoning 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 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.

On a motion by McCullough, seconded by Bahr, and unanimously adopted,

it was:

#162-22 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 ¼ 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. 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 089°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 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.

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

On a motion by Bahr, seconded by McCullough, and unanimously adopted, this 1,944TH Regular Meeting of the Council of the City of Livonia was adjourned at 7:22 p.m.

Susan M. Nash, City Clerk