

OFFICE OF THE COUNCIL

**COUNCIL MEMBERS**

JIM JOLLY  
PRESIDENT

LAURA M. TOY  
VICE PRESIDENT

SCOTT BAHR  
ROB GJONAJ DONOVIC  
BRANDON McCULLOUGH  
KATHLEEN E. McINTYRE  
SCOTT MORGAN



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

**OFFICE OF THE COUNCIL**

**ELECTRONIC AGENDA PACKET FOR  
THE REGULAR MEETING OF  
MONDAY, MAY 16, 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.**

**1945<sup>th</sup> Regular Meeting of the Council of the City of Livonia  
Monday, May 16, 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 1944th Regular Meeting of May 2, 2022  
Minutes of the 255th Special Meeting of May 4, 2022

**AUDIENCE COMMUNICATION**

**REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS**

**CONSENT AGENDA**

1. [REAPPOINTMENT OF JEREMY CURTIS TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2025.](#)
2. [REQUEST TO BARRICADE CITY STREETS: Chris Inch, Stevenson Cross Country Head Coach, re: on Friday, August 19, 2022, from 12:00 p.m. through Saturday, August 20, 2022, at 12:00 a.m., with a rain date of August 20, 2022, on Perth Street from Stark Road until it dead-ends West of Farmington, for a nighttime high school cross country meet.](#)
3. [REQUEST TO BARRICADE CITY STREETS: Patty Novak, re: on Van Court between Levan and Raleigh, on Friday, July 8, 2022, from 4:00 p.m. until 10:00 p.m., in order to host a wedding reception on the grounds of Christadelphians Church.](#)
4. [REQUEST TO BARRICADE CITY STREETS: Patty Novak, Christadelphians Church, re: on Van Court between Levan and Raleigh from Monday, August 1, 2022, until Friday, August 5, 2022, from 8:30 a.m. until 1:30 p.m. each day in order to host Vacation Bible School.](#)
5. [REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Anne Zaragoza, Board President, Loaves & Fishes Southwest Detroit, to host a fundraising event at St. Colette Church, located at 17600 Newburgh Road, to include a BBQ, cash bar, and a live band to perform on Friday, June 10, 2022, from 7:00 p.m. to 9:00 p.m.](#)
6. [AWARD OF BID: Inspection Department, re: for the 2022-2025 Weed Cutting and Property Maintenance Program, from budgeted funds.](#)

7. [REQUEST TO AMEND ENGINEERING SERVICES CONTRACT THROUGH QUALIFICATION BASED SELECTION \(QBS\) PROCESS WITH OHM ADVISORS \(OHM\) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - BELL CREEK BANK STABILIZATION: Engineering Division, re: same. \(CR 95-22\)](#)

### **UNFINISHED BUSINESS**

8. [ROLL CALL: Proposed Amendment to Livonia Code of Ordinances, as amended: Department of Law, re: to add Chapter 98, \(The City of Livonia Police and Fire Revised Retirement Plan\) to Title 2.](#)  
[First Reading given by Councilmember Kathleen E. McIntyre on Monday, May 2, 2022.](#)
9. [REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Randy Keatts, Shake Shack Michigan, LLC.; re: to host a car show with a DJ in the parking lot of business located at 39300 W. Seven Mile, every Monday until October, beginning on Monday May 23, 2022, from 4:00 p.m. to 8:00 p.m.](#)
10. [WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting o utilize an SDM liquor license \(sale of packaged beer and wine products for consumption off the premises\) in conjunction with the operation of a Class C liquor license \(sale of beer, wine and spirits for consumption on the premises\) previously approved for the subject property pursuant to Council Resolution #228-93\) in connection with the operation of a new freestanding full-service restaurant \(Shake Shack\) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.](#)

#### **NEW DATA - Additional information regarding Shake Shack alcohol sales**

11. [WAIVER PETITION: Planning Commission, re: Petition 2022-03-02-07 submitted by Clover Self Storage requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24.](#)
12. [REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Octane fitness equipment, from budgeted funds.](#)

#### **NEW DATA - Additional information regarding pricing and surcharge**

13. [REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Precor fitness equipment, from budgeted funds.](#)

#### **NEW DATA - Additional information regarding pricing and surcharge**

**NEW BUSINESS**

**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](mailto:clerk@livonia.gov) if you need assistance. Council agendas are available on the City's website – [www.livonia.gov](http://www.livonia.gov) - under Government, City Council, Agendas.



**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

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

LaShawn Thomas presented the request to Council.

Jeremy Cutis came to the podium to answer any questions.

Councilmember Kathleen McIntyre offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

1.

Mayor's Office  
April 14, 2022

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Janice Centers, Executive Assistant to the Mayor - Program Supervisor

### AGENDA ITEM

REAPPOINTMENT OF JEREMY CURTIS TO THE 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 Jeremy Curtis to the Plymouth Road Development Authority

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Jeremy Curtis, 17875 Woodside, Livonia, Michigan 48152, 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 Jeremy Curtis to the Plymouth Road Development Authority for a three-year term.

### FISCAL CONSIDERATION

### ATTACHMENTS

None

### APPROVED BY

Maureen Miller Brosnan, Mayor Date: April 14, 2022

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

2. REQUEST TO BARRICADE CITY STREETS: Chris Inch, Stevenson Cross Country Head Coach, re: on Friday, August 19, 2022, from 12:00 p.m. through Saturday, August 20, 2022, at 12:00 p.m. on Perth Street from Stark Road until it dead-ends West of Farmington, for a nighttime high school cross country meet.

Ted Davis presented the request to Council.

President Jim Jolly mentioned that he is familiar with this event.

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

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

2.

City Clerk  
April 12, 2022

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Lori Miller, Deputy City Clerk

### AGENDA ITEM

REQUEST TO BARRICADE CITY STREETS: Chris Inch, Stevenson Cross Country Head Coach, re: on Friday, August 19, 2022, from 12:00 p.m. through Saturday, August 20, 2022 at 12:00 p.m. on Perth Street from Stark Road until it dead-ends West of Farmington, for a nighttime high school cross country meet.

### BACKGROUND

Chris Inch, Head Coach for the Stevenson High School Cross Country Team is requesting permission to barricade Perth Street at Stark Road from 12:00 p.m. August 19, 2022 through 12:00 p.m. August 20, 2022, to host The Lamplighter Invite High School Cross Country meet being sponsored by Stevenson High School. Mr. Inch is predicting approximately 2,000-2,5000 runners and spectators to be present at this event.

### RECOMMENDATION

Approve as submitted, with only (4) barricades being requested.

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

1. S05022022, Barricading of Streets for SHS Cross Country meet

### APPROVED BY

**REQUEST FOR NOISE WAIVER BLOCK PARTY and/or  
BARRICADING OF CITY STREETS**

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097  
or hand deliver to the City Clerk's Office at least 8 weeks prior to the planned event

**PLEASE PRINT**

Date of Application: 4/1/22 Date to appear at a Council Meeting: Please Inform

Name of Neighborhood Representative: Chris Inch - Head Coach Stevenson XC  
Mark Lauzon

Address (please include zip code): Chris: 73522 Longacre St.  
Farmington, MI 48335

Telephone Number with area code: Home: Chris: 248 910 9481 Office: Mark: 248 802 2540

Email: chrisinch@gmail.com  
markflauzon@gmail.com

Please circle what is being requested - "BLOCK PARTY" and/or **"STREET BARRICADING"**

August 19, 2022 August 20, 2022 Start = Noon; end 12:00 AM  
Date of Block Party and/or Barricading      Rain Date      Start/end time of Block Party and/or Barricading  
**End time is no later than 10:00 p.m.**

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

Barricading Perth Street at Stark Rd.

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.)

The Lamplighter Invite. High School cross country  
meet sponsored by Stevenson H.S.

How many barricades are you requesting (max. 10)? 4

Approximate Number Attending: Approx 2000 - 2500 runners & spectators

Date of Council Approval/Denial: \_\_\_\_\_

Council Resolution Number: \_\_\_\_\_

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OFFICE OF THE CITY CLERK  
2022 APR 13 AM 1:50

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

3. REQUEST TO BARRICADE CITY STREETS: Patty Novak, re: on Van Court between Levan and Raleigh, on Friday, July 8, 2022, from 4:00 p.m. until 10:00 p.m., in order to host a wedding reception on the grounds of Christadelphians Church.

Patty Novak, 15586 Nola Circle, presented the request to Council. A map was presented to show the area requested to barricade. She explained her barricade request to Council.

Councilmember Scott Bahr stated that was familiar with the event and offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

3.

**Council Office**  
**April 18, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Sara Kasprovicz, Council Office Manager

### AGENDA ITEM

REQUEST TO BARRICADE CITY STREETS: Patty Novak, re: on Van Court between Levan and Raleigh, on Friday, July 8, 2022 from 4:00 p.m. until 10:00 p.m., in order to host a wedding reception on the grounds of Christadelphians Church.

### BACKGROUND

Patty Novak, Christadelphians Church, is requesting to barricade city streets on Van Court between Levan and Raleigh, on Friday, July 8, 2022, from 4:00 p.m. until 10:00 p.m., in order to host a wedding reception.

### RECOMMENDATION

To approve request as submitted.

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

1. S050222 Novak July Block Party and barricading Form

### APPROVED BY

# REQUEST FOR NOISE WAIVER BLOCK PARTY and/or BARRICADING OF CITY STREETS

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097  
or hand deliver to the City Clerk's Office at least 8 weeks prior to the planned event

## PLEASE PRINT

Date of Application: 3-22-2022 Date to appear at a Council Meeting: 4-18? not sure what the  
May, June, July ZBA meetings are

Name of Neighborhood Representative: Patty Novak

Address (please include zip code): 15586 Nola Circle, 48154

Telephone Number with area code: Home: 734-464-1462 Office: 313-268-9494

Email: patty7088@gmail.com

Please circle what is being requested – “BLOCK PARTY” and/or **“STREET BARRICADING”**

|                                           |             |                                                                                                 |
|-------------------------------------------|-------------|-------------------------------------------------------------------------------------------------|
| <u>Friday, July 8, 2022</u>               | <u>None</u> | <u>4pm - 10pm</u>                                                                               |
| Date of Block Party<br>and/or Barricading | Rain Date   | Start/end time of Block Party and/or Barricading<br><b>End time is no later than 10:00 p.m.</b> |

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

In front of my church - the Christadelphians on Van Ct. We'd block off just west of Levan and just east of Raleigh Ave.

No homes in the area will be affected.

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.)

Wedding reception on the grounds of my church. We're planning to have guests park in our grassy lot across the street from our church. Then they would need to cross the street for the wedding and the reception. The reception will be held in a tent. We are expecting young children as well as older adults and would feel better knowing they can safely cross the street to get to their car. There will be soft music, food and games.

How many barricades are you requesting (max. 10)? 8

Approximate Number Attending: 200

Date of Council Approval/Denial:

Council Resolution Number:



**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

4. REQUEST TO BARRICADE CITY STREETS: Patty Novak, Christadelphians Church, re: on Van Court between Levan and Raleigh from Monday, August 1, 2022, until Friday, August 5, 2022, from 8:30 a.m. until 1:30 p.m. each day in order to host Vacation Bible School.

Patty Novak, 15586 Nola Circle, presented the request to Council. She noted this is the same request they have made for the last four years, and it has been very effective to have the barricades for the children to cross the street safely.

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

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

4.

**Council Office**  
**April 18, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Sara Kasprowicz, Council Office Manager

### AGENDA ITEM

REQUEST TO BARRICADE CITY STREETS: Patty Novak, Christadelphians Church, re: on Van Court between Levan and Raleigh from Monday, August 1, 2022 until Friday, August 5, 2022, from 8:30 a.m. until 1:30 p.m. each day in order to host Vacation Bible School.

### BACKGROUND

Patty Novak is requesting to barricade Van Court from Levan to Raleigh in order to host Vacation Bible School from Monday, August \_\_\_\_, 2022 until Friday, August \_\_\_\_\_ 2022 from 8:30 a.m. until 1:30 p.m. each day.

### RECOMMENDATION

To approve the request as submitted.

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

1. S050222 Novak August Block Party and barricading Form

### APPROVED BY

# REQUEST FOR NOISE WAIVER BLOCK PARTY and/or BARRICADING OF CITY STREETS

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097  
or hand deliver to the City Clerk's Office at least 8 weeks prior to the planned event

## PLEASE PRINT

Date of Application: 3-22-2022 Date to appear at a Council Meeting: 4-18? not sure what the May, June, July ZBA meetings are

Name of Neighborhood Representative: Patty Novak

Address (please include zip code): 15586 Nola Circle, 48154

Telephone Number with area code: Home: 734-464-1462 Office: 313-268-9494

Email: patty7088@gmail.com

Please circle what is being requested – “BLOCK PARTY” and/or **“STREET BARRICADING”**

|                                           |             |                                                                                                 |
|-------------------------------------------|-------------|-------------------------------------------------------------------------------------------------|
| <u>M-F, August, 2022</u>                  | <u>None</u> | <u>8:30am - 1:30pm</u>                                                                          |
| Date of Block Party<br>and/or Barricading | Rain Date   | Start/end time of Block Party and/or Barricading<br><b>End time is no later than 10:00 p.m.</b> |

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

In front of my church - the Christadelphians on Van Ct. We'd block off just west of Levan and just east of Raleigh Ave.

No homes in the area will be affected.

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.)

Vacation Bible School at my church. We typically have 100-120 people attend with 50-70 children under age 10. We hold some events outside as well as across the street in our grassy lot. Our outdoor events are meeting in small groups to discuss the day; playing some kid type sport games; singing with the children, and some crafts. With street barricading, the children can now safely cross the street. The children and adults have enjoyed the Council so graciously approving street barricading the past few years! Sometimes Livonia Police stop by and chat with the children and teens. We appreciate their visits!

How many barricades are you requesting (max. 10)? 8

Approximate Number Attending: 200

Date of Council Approval/Denial: \_\_\_\_\_

Council Resolution Number: \_\_\_\_\_

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

5. REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Anne Zaragoza, Board President, Loaves & Fishes Southwest Detroit, to host fundraising event at St. Colette Church located at 17600 Newburgh Road, to include BBQ, cash bar, and a live band to perform on Friday, June 10, 2022, from 7:00 p.m. to 9:00 p.m.

Cindy Portis, St. Colette church, presented the request to Council.

Councilmember Kathleen McIntyre offered an approving resolution for the Consent agenda.

President Jim Jolly noted that he is a parishioner at St. Colette and asked if Father Gary would be out there dancing. Cindy Portis replied that he would be there and invited everyone to come to the event.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

5.

City Clerk  
April 19, 2022

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Lori Miller, Deputy City Clerk

### AGENDA ITEM

REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Anne Zaragoza, Board President, Loaves & Fishes Southwest Detroit, to host a fundraising event at St. Colette Church, located at 17600 Newburgh Road, to include a BBQ, cash bar, and a live band to perform on Friday, June 10, 2022, from 7:00 p.m. to 9:00 p.m.

### BACKGROUND

Loaves and Fishes Southwest Detroit (LFSD) is a non-profit organization that offers assistance to residents who experience hunger. They are seeking permission to host an outdoor event at St. Colette's Church located at 17600 Newburgh Road on Friday, June 10, 2022 from 7:00 p.m. to 9:00 p.m. The event will host a 17 piece band playing "big-band" music, bbq food and a cash bar. They are also seeking to host a 50/50 drawing at this event.

### RECOMMENDATION

Approve as submitted.

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

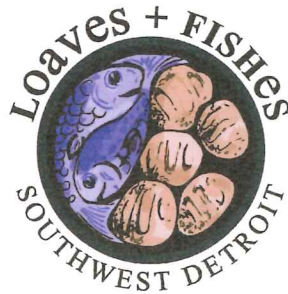
1. S05022022-Loaves and Fishes Southwest Detroit request for an outdoor event

### APPROVED BY

April 12, 2022

Livonia City Council  
c/o City Clerk  
33000 Civic Center Drive  
Livonia, MI 48154-3097

Compassionate Food Distribution



## REQUEST FOR AN OUTDOOR EVENT

Date of Application: April 12, 2022

Date to appear at a Council Meeting: April 18, 2022

Name of Neighborhood Representative: Cindy Portis, St. Colette's Director of Christian Service.

Cindy's Telephone Number: Mobile: 734-231-4006 Office: 734-464-4436

### Organization Requesting Permission:

Loaves and Fishes Southwest Detroit (LFSD) is a non-profit 501 (c)(3) organization which assists residents of SW Detroit and the metro area break the cycle of hunger in their lives. We raise funds and purchase food for a growing number of food pantries, currently 7. For many years, St. Colette's has supported us with food, funds and Christmas gifts. Their Pastor, Director of Christian Service and Business Manager all have agreed to allow LFSD to use their grounds to offer a musical fundraiser. LFSD or their contractors will organize, promote and set up/tear down the event.

Contact Person: Anne Zaragoza, LFSD Board President

Organization Address: 4329 Central, PO Box 10552 Detroit, MI 48210

Telephone number: Mobile: 734-752-4761

Email: [anne@loavesandfishesswdetroit.org](mailto:anne@loavesandfishesswdetroit.org)

Date of Event: Friday, June 10, 2022

Rain Date: July 8, 2022

Time: 7pm – 9pm

Location: St. Colette's Church, 17600 Newburgh Rd., Livonia, MI 48152

Type of Event: A two-set musical evening with "Ben's Friends" who are a 17 piece band playing "big-band" music. A BBQ and a cash bar will be offered. Tickets will be sold through the LFSD Board, local churches and supporters. If approved, a 50/50 drawing will be included.

Approximate number of attendees: 125

P. O. Box 10552, Detroit, MI 48210

734-752-4761 or 734-731-2840

[anne@loavesandfishesswdetroit.org](mailto:anne@loavesandfishesswdetroit.org) [www.loavesandfishesswdetroit.org](http://www.loavesandfishesswdetroit.org)

LFSD is a non-profit 501(c) (3) organization, Federal EIN #27-0714179

**Loaves & Fishes Southwest Detroit**  
Compassionate Food Distribution

**Anne Zaragoza**

Board President

PO Box 10552  
4329 Central  
Detroit, MI 48210

734-752-4761 cell  
313-841-0783 office  
734-676-8846 home  
[anne@loavesandfishesswdetroit.org](mailto:anne@loavesandfishesswdetroit.org)  
[www.loavesandfishesswdetroit.org](http://www.loavesandfishesswdetroit.org)



RECEIVED  
OFFICE OF THE CITY CLERK  
2022 APR 19 PM 4:48

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

9. AWARD OF BID: Inspection Department, re: for the 2022-2025 Weed Cutting and Property Maintenance Program, from budgeted funds.

Jerome Hanna, Director of Inspection and Ordinance, presented the request to Council.

Councilmember Scott Bahr asked the reason for only one bid. Jerome Hanna replied that they went out for bids twice and only got one bid each time. He noted that he was not concerned, it is very involved work and because of worker shortages, he is not surprised. Scott Bahr asked if the prices are consistent. Jerome Hanna noted that they are one cent per square yard above the previous contract. Property owners are billed and if they don't pay, it is placed on their taxes.

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

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

9.

**Inspection**  
**April 11, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Karen Thompson, Program Supervisor

### AGENDA ITEM

AWARD OF BID: Inspection Department, re: for the 2022-2025 Weed Cutting and Property Maintenance Program, from budgeted funds.

### BACKGROUND

April 14, 2022

Honorable Members of the City Council  
City of Livonia

RE: Weed Cutting and Property Maintenance Program Contract

Dear Council Members:

The Inspection Department, prepared specifications with the assistance of the Finance Department and arranged for bids to be taken for the 2022-2025 Weed Cutting and Property Maintenance Program. The project was advertised on Michigan Intergovernmental Trade Network (MITN).

In response to our request, one (1) bid was submitted and subsequently opened by the City Clerk at 2:00 p.m. on April 5, 2022, as follows:

Contractor  
Highland Landscape & Snow Plowing Inc.  
51005 Belmont Park Ct.

Amount of Bid  
Based upon 1,000,000 sq. yds.  
\$.050 per sq. yd. Total \$50,000

Northville, MI 48167

Debris removal per man hour  
\$34.00 / hr.

We have investigated the business address, equipment and references of the bidder, Highland Landscape & Snow Plowing, Inc, and found it acceptable.

The Inspection Department recommends and respectfully requests that the Council approve the following:

1. Accept the low bid, in accordance with Livonia Code of Ordinance Section 3.04.140, of Highland landscape & Snow Plowing, Inc.



2. Award and authorize a contract for the 2022-2025 weed cutting and property maintenance program per contract be entered into with Highland Landscape & Snow Plowing, Inc. at the unit prices of \$0.050 per sq. yard for mowing and \$34.00 per hour for debris removal. Estimated to be approximately \$50,000.00 annually, said amount to be adjusted based upon the quantity of work completed.
3. Authorize an advance, annually, in the contract amount from the Municipal Refuse Fund Account #226-521-818-015 and 226-521-936-104, for the purpose of making payments to the contractor as he completes the work, with the provision that the Municipal Refuse Fund Account be reimbursed as bills for weed cutting are collected.
4. Authorize the Director of Inspection to approve minor changes as may be required to complete the contract.

## RECOMMENDATION

RESOLVED, that having considered the report and recommendation of the Director of Inspection, dated April 14, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of Highland Landscape & Snow Plowing, Inc., 51005 Belmont Park Court, Northville, Michigan 48167, for completing all work required in connection with the City's 2022-2025 weed cutting and property maintenance program (INSP 14-2), for the estimated cost of \$50,000.00 annually, based upon the Public Service Division's estimate of units involved, and subject to final payment based upon the actual units completed in accordance with the unit prices accepted herein, said estimated cost and unit prices having been in fact the lowest bid received and meets all specifications;

FURTHER, the Council does hereby authorize an advance expenditure in an amount not to exceed \$50,000.00 per year from Account Nos. 226-521-818-015 and 226-521-936-104 (Municipal Refuse Fund) for the purpose of making payments to the contractor as he completes the work, with the understanding that the Municipal Refuse Fund Account will be reimbursed as bills for weed cutting are collected; and the Mayor and City Clerk are hereby authorized to execute a contract for and on behalf of the City of Livonia with the aforesaid bidders and to do all other things necessary or incidental to the full performance of this resolution; and the Director of Inspection is hereby authorized to approve minor adjustments in the work as it becomes necessary.

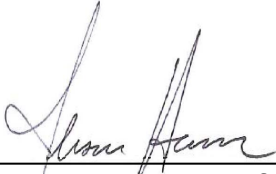
## FISCAL CONSIDERATION

Account #226-521-818-015 and #226-521-936-104 - \$50,000

## ATTACHMENTS

1. Weed Contract Bond Check
2. Weed Proposal

## APPROVED BY



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Jerome Hanna, Director of Inspection

Date: April 18, 2022



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Michael Slater, Finance Director

Date: April 19, 2022



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Paul Bernier, City Attorney

Date: April 19, 2022



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Maureen Miller Brosnan, Mayor

Date: April 21, 2022

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.

CHECK BACKGROUND CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

Comerica Bank

CASHIER'S CHECK

001634776

NOTICE TO CUSTOMERS: The purchase of an indemnity bond will be required before any cashier's check issued by this bank will be replaced or refunded in the event it is lost, stolen, or destroyed.

DATE

3/29/22

\*\*\*\*\*500 DOLLARS AND 00 CENTS

Dollars

\*\*\*\*\*500.00

PAY  
TO THE  
ORDER OF

CITY OF LIVONIA

Drawer: Comerica Bank

00018/34507

001634776

REMITTER

Authorized  
Signature

Devad Patel

MP

⑈001634776⑈ ⑆072000096⑆ 1852538444⑈

FORM OF PROPOSAL

2022 WEED CUTTING AND PROPERTY MAINTENANCE

City of Livonia  
Inspection Department  
33000 Civic Center Drive  
Livonia, Michigan 48154

Gentlemen:

The undersigned, having familiarized himself with the local conditions affecting the cost of the work and the specifications, hereby proposes to perform everything required to provide the furnish all of the labor, material, necessary tools, expendable equipment and all utility and transportation service necessary for weed cutting including debris removal, for the City of Livonia.

COMPANY NAME: Highland Landscape & Snow Plowing, Inc.

**PROPOSAL:**

For complete performance of all requirements and obligations imposed by terms and conditions of the said contract for weed cutting, the contractor submits the following proposal for the duration of the contract.

|                                                       | <u>Estimated<br/>Quantity</u> | <u>Unit<br/>Price</u> | <u>Total<br/>Bid Price</u>   |
|-------------------------------------------------------|-------------------------------|-----------------------|------------------------------|
| Mowing or cutting weeds,<br>Grass or brush, including | 1,000,000<br>sq. yds.         | <u>.05</u>            | <u>\$50,000<sup>00</sup></u> |
| Debris removal.                                       | Per man hour                  | <u>\$34</u> /HR       |                              |

The undersigned agrees that the City of Livonia may increase or decrease the quantity of work without changing the unit price bid for the work.

In submitting this bid, it is understood that the right is reserved by the City of Livonia to reject any and all bids based on past performance or other valid reason and also waive any irregularities in the bids. It is agreed that this bid may not be withdrawn for a period of sixty (60) days from the opening thereof.

The undersigned states that he will have a sufficient number of employees with specific responsibilities to satisfactorily complete the contract.

Date 3/31/2022 Firm Name Highland Landscape & Snow Plowing, Inc.  
(If corporation, partnership, or assumed name)  
Address 51005 Belmont PK CT Signature [Signature]  
(Person executing proposal and official capacity)  
Print Name Jeff Speaks  
City Northville State MI Zip Code 48167  
Email jshighland1@gmail.com  
Phone 248-924-3311 FAX \_\_\_\_\_

**CONTACT PERSON TO WHOM QUESTIONS REGARDING PROPOSAL  
RESPONSE SHOULD BE DIRECTED:**

NAME: Jeff Speaks TITLE: Owner  
PHONE: 734-377-5300  
EMAIL: jshighland1@gmail.com

**To be considered for this project, the following forms must be uploaded to the MITN website on or before 2:00 p.m. on February 22, 2022:**

**The following information must be submitted with your bid response in the order listed below.**

- ☒ Form of Proposal
- ☐ Statement of Qualifications
- ☐ References
- ☒ Bid Security
- ☐ List of Owned Equipment (Labeled Exhibit A)
- ☐ List of Equipment to be Rented (Labeled Exhibit B)

**WEED CUTTING REFERENCE FORM**COMPANY NAME: Highland Landscape & Snow Plowing, Inc.

|                                                                            |                                           |
|----------------------------------------------------------------------------|-------------------------------------------|
| Reference Company Name: <u>City of Westland</u>                            |                                           |
| City/State: <u>Westland, Michigan</u>                                      |                                           |
| Summary of Work Performed:<br><u>Weed Cutting and Property Maintenance</u> |                                           |
| Dates of Work: <u>2012 - present</u>                                       |                                           |
| Company Contact Person: <u>Michael Reddy</u>                               | Title: <u>Deputy Mayor</u>                |
| Phone Number: <u>734-589-9621 cell</u>                                     | Email: <u>Michael.Reddy14eq@gmail.com</u> |

|                                                                            |                                                           |
|----------------------------------------------------------------------------|-----------------------------------------------------------|
| Reference Company Name: <u>City of Wayne</u>                               |                                                           |
| City/State: <u>Wayne, Michigan</u>                                         |                                                           |
| Summary of Work Performed:<br><u>Weed Cutting and Property Maintenance</u> |                                                           |
| Dates of Work: <u>2014 - present</u>                                       |                                                           |
| Company Contact Person: <u>Lori Gowin</u>                                  | Title: <u>DDA Community Development/Planning Director</u> |
| Phone Number: <u>734-560-2611</u>                                          | Email: <u>lgowin@cityofwayne.com</u>                      |

|                                                                       |                                             |
|-----------------------------------------------------------------------|---------------------------------------------|
| Reference Company Name: <u>USA Hockey Arena</u>                       |                                             |
| City/State: <u>Plymouth, Michigan</u>                                 |                                             |
| Summary of Work Performed:<br><u>All Landscaping and Snow Plowing</u> |                                             |
| Dates of Work: <u>2004 - present</u>                                  |                                             |
| Company Contact Person: <u>Mike Henry</u>                             | Title: <u>General Manager</u>               |
| Phone Number: <u>734-453-6400</u>                                     | Email: <u>Mike.Henry@USAHockeyarena.org</u> |

**STATEMENT OF QUALIFICATIONS  
WEED CUTTING**

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

Company Name: Highland Landscape & Snow Plowing, Inc.

Address 51005 Belmont Park Ct Northville, MI 48167

Contact Person: Jeff Speaks Title Owner

Phone No. 248-924-3311 Email jshighland@gmail.com

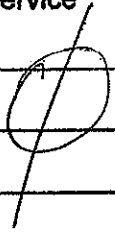
1. Number of years operating under you present name: 17

2. General nature of work performed by your company:

Full Landscape and Snow Plowing Services

3. Number of years you have performed work similar in scope and size to the work requested: 10 years.

4. 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 |
|-------------------------------------------------------------------------------------|-------------------|----------------------------------|
|  |                   |                                  |
|                                                                                     |                   |                                  |
|                                                                                     |                   |                                  |
|                                                                                     |                   |                                  |

**Statement of Qualifications Continued**

5. List the members of the team who will be assigned to this project and the roles they will perform. Attach copies of the resumes of the persons listed below:

| Name           | Title      | Role        | Years of Experience | Number of other projects currently assigned |
|----------------|------------|-------------|---------------------|---------------------------------------------|
| Jeff Speaks    | Owner      | Oversee     | 31                  | varias                                      |
| Manny Valadez  | Foreman    | Coordinator | 20                  | varias                                      |
| Martin Valadez | Landscaper | Maintenance | 15                  | varias                                      |
| Pablo Guerrero | Landscaper | Maintenance | 14                  | varias                                      |
|                |            |             |                     |                                             |
|                |            |             |                     |                                             |
|                |            |             |                     |                                             |

6. What challenges to you foresee?

None

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

Mow and trim lots

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

Full landscape services if needed

COMPANY NAME: Highland Landscape & Snow Plowing, Inc.



Highland Landscape & Snow Plowing, Inc

51005 Belmont Park CT

Northville, MI 48170

248-924-3311

## **Exhibit A**

### **(18) Zero Turn Lawn Mowers**

# **Highland Landscape & Snow Plowing**

## **Exhibit A**

### **Equipment List:**

2020 Ford F250 EXT Cab Super

2004 Chevy Silverado 3500

2019 Ford F250 CREW CAB SUP

2019 CHEV Silverado K3500 LTZ

2007 GM C4C042

2000 Utility Trailer

2002 Lowboy

2009 GM C7C042

2005 Utility Trailer

2006 GM C7CO42

2016 Ford F250 Super Duty

2014 Ford Econoline E250

2016 Ford F250 Super Duty

2015 Chev Silverado K2500HD

2017 Ford F250 Super Duty

2012 Ford E350

2017 Thunder

2019 PJ Trailer

2019 Ford F250 Super Duty

**Cont.**

**2018 ISU NPR-HD**

**2019 John Deere 35 D Excavator**

**2015 John Deere 326 Skid steer**

**2018 John Deere 330 Skid steer**

**2020 John Deere 317G Truck Loader**

**2020 Ditch Witch SK 800 Dingo**

**2020 (5) Boss Snowrator with Plow**

**(15) Boss Snowplows**

**(18) Zero Turn 60" Lawn Mowers**

**(4) Toro 36" Snow Blowers**

**2015 Yamaha Four-Wheeler with Plow and Salter**

**2018 Honda Four-Wheeler with Plow and Salter**

**(26) Red Max Weed Whippers**

**(10) Red Max Edgers**

**(22) Red Max Blowers**

**(8) Stihl Chainsaws**

**(10) Wheelbarrows**

**(4) Stihl Brick Saws**

**(3) Wacker Compacters**

**(30) Rakes**

**(22) Snow Shovels**

**(15) Shovels**

**(8) Hand Clippers**

Highland Landscape & Snow Plowing, Inc

51005 Belmont Park CT

Northville, MI 48170

248-924-3311

## **Exhibit B**

**No equipment will be rented**

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

12. REQUEST TO AMEND ENGINEERING SERVICES CONTRACT THROUGH QUALIFICATION BASED SELECTION (QBS) PROCESS WITH OHM ADVISORS (OHM) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - BELL CREEK BANK STABILIZATION: Engineering Division, re: same. (CR 95-22)

Todd Zilincik, City Engineer, presented the request to Council.

Kathleen McIntyre noted that since we already have a contract with OHM, it makes sense to amend the contract to include this type of work and offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

12.

**Engineering**  
**April 22, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Karen Worley, Secretary IV

### AGENDA ITEM

REQUEST TO AMEND ENGINEERING SERVICES CONTRACT THROUGH QUALIFICATION BASED SELECTION (QBS) PROCESS WITH OHM ADVISORS (OHM) FOR ENGINEERING SERVICES FOR THE MEDC GRANT - BELL CREEK BANK STABILIZATION: 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 Bell Creek streambank stabilization portion of the grant, we are recommending OHM Advisors (OHM) 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 OHM dated April 21, 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:

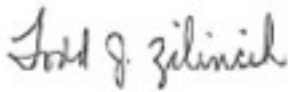
- Authorize the Mayor and the City Clerk to execute an amendment to the Engineering contract with OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 in the amount of \$50,000 for professional engineering services for the Michigan Economic Development Corporation (MEDC), Bell Creek Streambank Stabilization Project.

- Authorize an expenditure in the amount of \$50,000 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. 2022\_04\_21\_BellCreek\_OHM\_Prop
2. CR 95-22

## APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: April 22, 2022



Don Rohraff, Director of Public Works

Date: April 22, 2022



Michael Slater, Finance Director

Date: April 22, 2022



Paul Bernier, City Attorney

Date: April 22, 2022



Maureen Miller Brosnan, Mayor

Date: April 22, 2022



April 21, 2022

Todd J. Zilincik, PE, City Engineer  
Engineering Division  
City of Livonia  
33000 Civic Center Drive  
Livonia, MI 48154

RE: Design Engineering and Construction Phase Services  
Bell Creek Bank Stabilization

Dear Mr. Zilincik:

Thank you for the opportunity to continue assisting the City of Livonia by selecting us to provide Design Engineering and Construction phase services for the 2022 Bell Creek Bank Stabilization Project. Attached is Exhibit A with associated Project Supplements (A-C), Supplement A - Scope of Services, outlining the Project Understanding, Supplement B – Schedule, Supplement C – Compensation.

If you have any questions concerning the Exhibit, please contact me at (734) 466-4567. Again, we look forward to working with the City of Livonia on this important stabilization project.

Sincerely,

A handwritten signature in black ink that reads "Valerie Novaes". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

---

Valerie Novaes, PE  
Practice Leader - Stormwater

Attachment: Proposal Exhibits

cc: Rhett Gronevelt, PE, Principal OHM



**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: Bell Creek Streambank Stabilization

Dated: \_\_\_\_\_, 2022

This is an Exhibit to the Contract dated December 1, 2016 between the City of Livonia (CITY) and OHM Advisors (CONSULTANT), 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**

CONSULTANT will provide Design and Construction Phase Services for the proposed improvements in accordance with attached Supplement A, dated April 21, 2022.

**B. PROJECT SCHEDULE**

The Project Schedule is attached as Supplement B, dated April 21, 2022.

**C. PAYMENTS TO CONSULTANT**

CONSULTANT shall be paid on an hourly basis up to the not-to-exceed amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) in accordance with the terms on Supplement C, dated April 21, 2022.

In Witness Whereof, the CITY and CONSULTANT, by 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



Valerie Novaes

By:   
Rhett A. Gronevelt, PE

Its: Principal

Approved:

\_\_\_\_\_  
Donald R. Rohraff  
Director of Public Works

Approved:

\_\_\_\_\_  
Todd J. Zilincik, PE  
City Engineer

Approved:

\_\_\_\_\_  
Michael Slater  
Director of Finance

Approved:

\_\_\_\_\_  
Paul A. Bernier

Pursuant to Council Resolution

No.: \_\_\_\_\_

Adopted on: \_\_\_\_\_

**SCOPE OF SERVICES****CITY OF LIVONIA****2022 BELL CREEK BANK STABILIZATION****PROJECT UNDERSTANDING**

The CONSULTANT will provide Design Services for the 2022 BELL CREEK BANK STABILIZATION. The CITY'S intent is to stabilize streambank in Bell Creek in the vicinity of 16153 Bell Creek Court. EGLE Water Resource Division permits will be necessary. Field data collection, including stream habitat parameters and topographic survey may be required during the design phase. CONSULTANT will prepare contract documents (plans and specifications) for the CITY to obtain bids and subsequently award a construction contract.

**WORK PLAN****A. Design Parameters**

1. Permitting: Required submittal of EGLE Joint Permit Application for Inland Lakes and Streams and Wetland Resources.
2. Site Assessment: Measurements of the stream and surrounding area to facilitate permitting, design development, materials quantifications, and site access.
3. Concept Development: Utilizing site assessment data and accepted design criteria for stabilization of streambank, preliminary engineering will be conducted that mitigates bank erosion and repairs riparian areas of concern within the project area.
4. Final Design: Building on developed concepts for bank stabilization, construction drawings suitable to construct stream stabilization measures will be produced.
5. Construction Access: Equipment access and materials stockpiling will be considered and accounted for during the design process.
6. Erosion Control: Best management practices to minimize sediment entering the city's stormwater system or Bell Creek will be employed.
7. General Design Standards: Design of streambank stabilization will reference Environmental Protection Agency's Natural Channel Design Review Checklist (2011) and the Michigan Stream Quantification Tool User Manual (2021).
8. Specifications: CITY/CONSULTANT specifications will be utilized.
9. Right of Entry: Access to properties may require special permissions or easements. Heavy equipment access to the project location throughout construction is anticipated to be necessary. CONSULTANT to identify temporary and/or permanent easements. CITY to acquire easements

**B. CONSULTANT Design Phase Scope of Services:**

1. Attend one (1) pre-application meeting with the Michigan Department of Environment, Great Lakes, and Energy (EGLE).
2. Provide up to three (3) crew days of survey time to conduct geomorphological and topographic survey of existing conditions sufficient to prescribe stabilization measures and obtain appropriate permits.
3. Check existing known utilities, public or private, within project limits for potential conflicts. Utility plans are generally not requested as proposed work is often surface related improvements. Utilities will be marked in construction and further investigation into depths will be made at that time.
4. Identify potential access routes for equipment into the project area and work with city staff to gain appropriate permission for entry.
5. Notify known utility agencies of the proposed work, identify conflicts and coordinate relocations where, and if, necessary.
6. Prepare Contract Documents showing project details, using City of Livonia contract document, and OHM technical specifications.
7. Prepare preliminary Engineer's Opinion of Probable Construction Cost.
8. Attend coordination and plan review meetings with the CITY. An estimated two (2) meetings are anticipated.
9. Final submittal will include the following:
  - a. Five (5) sets of the Contract Documents to the CITY for their use.
  - b. One (1) scanned document (.pdf) for the use of the CITY.
  - c. Engineer's Opinion of Probable Construction Cost.
  - d. Field notes and copies of quantity calculations, if requested by the CITY.
10. Permits: Preparation and submittal of EGLE Joint Permit Application under Michigan NREPA Part 301 and 303.
11. Bid Assistance:
  - a. Assist the City in publicly bidding this project to negotiate a contract for City Council approval. CONSULTANT will issue contract documents for bid, prepare for and attend one pre-bid meeting and prepare one addendum. CONSULTANT will attend bid opening, review bids and provide a recommendation of aware letter.

**D. CONSULTANT Construction Phase Scope of Services:**

1. **Construction Observation Services** shall consist of part-time observation of the work progress by the contractor(s) on days when work is performed. Construction Daily Reports (CDRs) will be prepared documenting the general work progress for the day and the locations of streambank work. 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.

2. **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.
  - c. Resolution of construction issues/problems that may arise.
  - d. Attendance at construction progress meetings (bi-weekly for 4 weeks).

**E. City's Responsibilities**

1. Provide existing water, storm, and sanitary sewer information, as needed, by July 1, 2022, if requested.
2. Coordination with area residents to gain legal right of entry into the project site.
3. Pay any required permit application fees or reimburse the CONSULTANT for permit fees paid to expedite review and approval.
4. Assist the CONSULTANT in expediting any reviews by WCDPS, if needed.
5. Host a public information meeting with residents, as needed.
6. Review specific specifications to ensure safety and reduce residential complaints.

## Supplement B - Schedule

### 2022 BELL CREEK BANK STABILIZATION

|       |                                              |           |           | 2022     |     |     |     |     |     |      |     |      |     |     |     | 2023 |     |     |     |     |     |      |     |      |     |     |     |
|-------|----------------------------------------------|-----------|-----------|----------|-----|-----|-----|-----|-----|------|-----|------|-----|-----|-----|------|-----|-----|-----|-----|-----|------|-----|------|-----|-----|-----|
| Tasks | Start                                        | Finish    | Duration  | Jan      | Feb | Mar | Apr | May | Jun | July | Aug | Sept | Oct | Nov | Dec | Jan  | Feb | Mar | Apr | May | Jun | July | Aug | Sept | Oct | Nov | Dec |
|       | Notice to Proceed                            | 5/9/2022  | 5/9/2022  | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Preliminary Design Phase                     | 5/9/2022  | 7/25/2022 | 77 days  |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Internal Predesign Meeting with the City     | 5/13/2022 | 5/13/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Pre-Application Meeting Request              | 5/10/2022 | 5/10/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Pre-Application Meeting *                    | 6/21/2022 | 6/21/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Geomorphological and Topographic Survey      | 6/6/2022  | 6/8/2022  | 3 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Preliminary Design Concept*                  | 6/13/2022 | 7/11/2022 | 28 days  |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | QA/QC and Revisions of Preliminary Documents | 7/12/2022 | 7/18/2022 | 7 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Permit Submission to EGLE                    | 7/21/2022 | 7/21/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | 50% Status Meeting with City                 | 7/25/2022 | 7/25/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Final Design Phase                           | 7/26/2022 | 3/23/2022 | 150 days |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Develop Final Design                         | 7/26/2022 | 9/12/2022 | 48 days  |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Submit Final Plans to City                   | 9/12/2022 | 9/12/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Final Revisions                              | 9/19/2022 | 9/23/2022 | 5 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Electronic Bid Books to City (if required)   | 9/26/2022 | 9/26/2022 | 1 days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Advertisement Period (if required)           | 1/17/2022 | 2/3/2022  | 17 days  |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | City Bid Letting (if required)               | 2/6/2023  | 2/6/2023  | 1 Days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Council Approval                             | 2/27/2023 | 2/27/2023 | 1 Days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Public Information Meeting                   | 3/23/2023 | 3/23/2023 | 1 Days   |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |
|       | Construction Phase                           | 4/1/2023  | 8/31/2023 | 20 weeks |     |     |     |     |     |      |     |      |     |     |     |      |     |     |     |     |     |      |     |      |     |     |     |

\*A buffer period has been built into the schedule to account for delays from EGLE with attending a pre-application meeting.



## **Supplement C – Payments to the Consultant**

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### **PAYMENTS TO CONSULTANT**

#### **CITY OF LIVONIA**

#### **2022 BELL CREEK BANK STABILIZATION**

The following fees are based on the projected construction cost of \$150,000, but not to exceed \$200,000 and the streambank stabilization measures noted in Supplement A. The construction cost, and design effort, may be altered if additional length of stream is added or it is found to be necessary to realign the stream channel, or changes in streambank stabilization measures are requested which affects the construction cost by more than 10%.

#### **Design Phase**

The CITY agrees to pay the CONSULTANT on an hourly basis, billed monthly, per the 2022 OHM Rate Schedules at the not-to-exceed amount of Thirty-Five Thousand Dollars and Zero Cents (\$35,000).

#### **Construction Phase**

The CITY agrees to pay the CONSULTANT on an hourly basis, billed monthly, per the 2022 OHM Rate Schedules at the not-to-exceed amount of Fifteen Thousand Dollars and Zero Cents (\$15,000)

#### **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.

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.

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Susan M. Nash, City Clerk



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.

|                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------|
| <p><i>UNFINISHED BUSINESS ITEM 26 (Regular Meeting of May 2, 2022)</i><br/><i>FIRST READING GIVEN BY KATHLEEN MCINTYRE</i></p> |
|--------------------------------------------------------------------------------------------------------------------------------|

**Present:** Morgan, McCullough, McIntyre, Bahr, Donovic, Jolly  
**Absent:** Toy



## LETTER TO THE LIVONIA CITY COUNCIL

8.

Law  
May 3, 2022

### MEETING DATE

May 2, 2022

### PREPARED BY

Sara Kasprowicz, Council Office Manager,

### AGENDA ITEM

ROLL CALL: Proposed Amendment to Livonia Code of Ordinances, as amended: Department of Law, re: to add Chapter 98, (The City of Livonia Police and Fire Revised Retirement Plan) to Title 2. First Reading given by Councilmember Kathleen E. McIntyre on Monday, May 2, 2022.

### 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
2. R040422 Revised Retirement Plan Retirement Ordinance Amend to Law

### APPROVED BY

Paul Bernier, City Attorney

Date: April 06, 2022

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:**

- |                 |                                                                                         |
|-----------------|-----------------------------------------------------------------------------------------|
| <b>2.98.010</b> | <b>Title for citation.</b>                                                              |
| <b>2.98.020</b> | <b>Purpose of provisions.</b>                                                           |
| <b>2.98.025</b> | <b>Creation of Police and Fire Revised Retirement Plan.</b>                             |
| <b>2.98.030</b> | <b>Construction of chapter provisions.</b>                                              |
| <b>2.98.040</b> | <b>Enabling authority.</b>                                                              |
| <b>2.98.050</b> | <b>Definitions.</b>                                                                     |
| <b>2.98.060</b> | <b>Retirement system -- Established -- Purpose.</b>                                     |
| <b>2.98.070</b> | <b>Retirement system -- Rules and regulations.</b>                                      |
| <b>2.98.080</b> | <b>Retirement system -- Board of Trustees -- Created -- Organization and authority.</b> |
| <b>2.98.090</b> | <b>Board of Trustees -- Composition and Election.</b>                                   |
| <b>2.98.100</b> | <b>Board of Trustees -- Term of office.</b>                                             |
| <b>2.98.110</b> | <b>Board of Trustees -- Filling vacancies in office.</b>                                |
| <b>2.98.120</b> | <b>Board of Trustees -- Meetings and rules of procedure.</b>                            |
| <b>2.98.130</b> | <b>Board of Trustees -- Officers, advisors and employees.</b>                           |
| <b>2.98.140</b> | <b>Board of Trustees -- Recordkeeping and annual report.</b>                            |
| <b>2.98.150</b> | <b>Board of Trustees -- Adoption of mortality and other experience tables.</b>          |
| <b>2.98.160</b> | <b>Retirement system -- Qualifications for membership.</b>                              |
| <b>2.98.165</b> | <b>Irrevocable Option Election for Membership.</b>                                      |
| <b>2.98.170</b> | <b>Termination of membership -- Conditions.</b>                                         |
| <b>2.98.175</b> | <b>Re-employment by City after retirement.</b>                                          |
| <b>2.98.180</b> | <b>Service credits -- Computation.</b>                                                  |
| <b>2.98.190</b> | <b>Service credits -- For war service.</b>                                              |

- 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**      **Vesting.**
- 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:<br>(except lieutenants,<br>sergeants and police<br>command) | 25 years of total service<br>regardless of age or age 52 with<br>15 years of service. | Police officers                                        |
| Police lieutenants,<br>sergeants and police<br>command                        | 25 years of total service<br>regardless of age or age 52 with<br>15 years of service. | Police lieutenants,<br>sergeants and police<br>command |



|                |                                                                                       |                                  |
|----------------|---------------------------------------------------------------------------------------|----------------------------------|
| Fire employees | 25 years of total service<br>regardless of age or age 52<br>with 15 years of service. | Firefighters and fire<br>command |
|----------------|---------------------------------------------------------------------------------------|----------------------------------|

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. Vested 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 uninterrupted. 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<br/>RETIREMENT<br/>AGE</u> | <u>MULTIPLYING<br/>FACTOR</u> | <u>MAXIMUM<br/>YEARS<br/>CREDITED</u> | <u>MAXIMUM<br/>AFC<br/>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<br/>BEFORE ADDITIONAL<br/>CREDIT TO AGE 55</u> | <u>MAXIMUM TOTAL<br/>USABLE SERVICE CREDIT</u> | <u>MAXIMUM<br/>PENSION PAY OUT<br/>RATE ALLOWED</u> |
|------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------------|
| 10 TO 15                                                               | 20                                             | 50%                                                 |
| 16 TO 20                                                               | 25                                             | 62.5%                                               |
| OVER 20                                                                | 30 YEARS OR ACTUAL<br>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.

C. 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 ½ 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 ½, 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.

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***Regular Meeting Minutes of April 4, 2022***

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

**#115-22** RESOLVED, that having considered a communication from the Human Resources Director, dated March 24, 2022, which bears the signatures of the Director of Finance and the City Attorney and is approved for submission by the Mayor, transmitting a resolution adopted by the Civil Service Commission at its Special Meeting of February 28, 2022, recommending approval of the Police and Fire Revised Retirement Plan Retirement Ordinance, as drafted by the Retirement System's legal counsel, VanOverbeke, Michaud & Timmony, P.C., the Council does hereby refer this item to the Department of Law for preparation of a proposed ordinance amendment in connection with the Police and Fire Revised Retirement Plan.

|                                                                             |
|-----------------------------------------------------------------------------|
| <b><i>UNFINISHED BUSINESS ITEM 2 (Regular Meeting of April 4, 2022)</i></b> |
|-----------------------------------------------------------------------------|

|                |                                                                |
|----------------|----------------------------------------------------------------|
| <b>Motion:</b> | <b>McCullough</b>                                              |
| <b>Second:</b> | <b>Donovic</b>                                                 |
| <b>Ayes:</b>   | <b>Bahr, Donovic, Morgan, McCullough, McIntyre, Toy, Jolly</b> |
| <b>Nays:</b>   | <b>None</b>                                                    |
| <b>Absent:</b> | <b>None</b>                                                    |



**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

6. REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Randy Keatts, Shake Shack Michigan, LLC.; re: to host a car show with a DJ in the parking lot of business located at 39300 W. Seven Mile, every Monday until October, beginning on Monday May 23, 2022, from 4:00 p.m. to 8:00 p.m.

Brandon McCullough offered an approving resolution for the Regular agenda.

DIRECTION:

APPROVING

REGULAR



## LETTER TO THE LIVONIA CITY COUNCIL

6.

**Council Office**  
**April 18, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Sara Kasprowicz, Council Office Manager

### AGENDA ITEM

REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Randy Keatts, Shake Shack Michigan, LLC.; re: to host a car show with a DJ in the parking lot of business located at 39300 W. Seven Mile, every Monday until October, beginning on Monday May 23, 2022, from 4:00 p.m. to 8:00 p.m.

### BACKGROUND

Randy Keatts, Shake Shack, is requesting to host a car show with a DJ in the parking lot of business located at 39300 W. Seven Mile, on Monday, May 23, May 30 and June 6, 2022, from 4:00 p.m. to 8:00 p.m.

### RECOMMENDATION

Approve as submitted

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

1. S050222 Shake Shack Car Show Request

### APPROVED BY

**REQUEST FOR NOISE WAIVER BLOCK PARTY and/or  
BARRICADING OF CITY STREETS**

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097  
or hand deliver to the City Clerk's Office at least 8 weeks prior to the planned event

**PLEASE PRINT**

Date of Application: 4.11.2022 Date to appear at a Council Meeting: \_\_\_\_\_

Name of Neighborhood Representative: Randy Keatts / Shake Shack

Address (please include zip code): 39300 W. 7 mile, Livonia, MI 48152

Telephone Number with area code: <sup>Cell</sup> Home: 734-530-4684 Office: 734.339.2939

Email: rkeatts@shakeshack.com Shake Shack

Please circle what is being requested -- **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

5/23; 5/30; 6/6; 4pm-8pm

Date of Block Party and/or Barricading \_\_\_\_\_ Rain Date \_\_\_\_\_ Start/end time of Block Party and/or Barricading \_\_\_\_\_  
End time is no later than 10:00 p.m.

Every Monday until Early October

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

Shake Shack, Livonia → Northeast corner 7 & Haggerty  
39300 7 mile

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.) \_\_\_\_\_

car show & possible DJ

How many barricades are you requesting (max. 10)? N/A

Approximate Number Attending: 30-40?

Date of Council Approval/Denial: \_\_\_\_\_

Council Resolution Number: \_\_\_\_\_

SHAKE SHACK  
Alcoholic Beverage Server Awareness Form

As an employee of Shake Shack that is engaged in the dispensing of alcoholic beverages to the public, I understand and will ensure compliance to the best of my ability to the following rules:

1. Not allow any person under the age of 21 to purchase, possess or consume any alcoholic beverages on the premises;
2. Not sell to any adult when I know, or reasonably believe, the alcoholic beverage(s) will be given to a person under the age of 21;
3. Not sell or serve alcoholic beverages to, or allow the consumption of alcoholic beverages by, any person who is already intoxicated;
4. Not provide free alcoholic beverages to guests;
5. Not allow open containers of alcoholic beverages to be taken off the premises;
6. Not allow any person to purchase, possess or consume alcoholic beverages at any time prohibited by state or local law.

**ACCEPTABLE FORMS OF IDENTIFICATION**

A valid photo driver's license issued by the State of Michigan or by any other state (must have photo and be valid/not expired)

A valid armed forces identification card containing the holder's photograph (must have photo and be valid/not expired)

A valid passport, passport card, or travel visa containing the holder's photograph (must have photo and be valid/not expired)

**CARDING PRACTICES**

Anyone who appears to be under the age of 40 be considered a potential underage drinker and be asked to provide proper identification

By signing my name below, I acknowledge that I have read the aforementioned standards and understand that I am responsible for complying with these rules to the best my abilities.

\_\_\_\_\_  
EMPLOYEE NAME (print)

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
MANAGER NAME (print)

\_\_\_\_\_  
MANAGER SIGNATURE

Date Executed: \_\_\_\_\_

**Shake Shack Michigan, LLC**

**Michigan Locations & MLCC Violation History**

| <b><u>Location</u></b>                                                                   | <b><u>MLCC Violation History</u></b>  |
|------------------------------------------------------------------------------------------|---------------------------------------|
| <b>SHAKE SHACK MICHIGAN LLC</b><br><b>660 Woodward Ave., Ste 5A Detroit, MI 48226</b>    | <b>May 2017 – Present: None</b>       |
| <b>SHAKE SHACK MICHIGAN LLC</b><br><b>850 W Big Beaver Rd., Troy, MI 48084-4706</b>      | <b>April 2018 – Present: None</b>     |
| <b>SHAKE SHACK MICHIGAN LLC</b><br><b>3030 Washtenaw Ave., Ste 107, Ann Arbor, MI</b>    | <b>September 2019 – Present: None</b> |
| <b>SHAKE SHACK MICHIGAN LLC</b><br><b>66 N Adams Rd., Rochester Hills MI, 48309-1358</b> | <b>December 2021 – Present: None</b>  |

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

7. WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting o utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.

Patrick Howe, Legal Counsel for Shake Shack Michigan, LLC., presented the request to Council.

Councilmember Rob Donovic asked how the alcohol would be packaged. Patrick Howe replied that if it is beer, it would be in a can, if it is wine, it would be in a bottle which is ordered at a kiosk and not in a to-go cup.

Councilmember Brandon McCullough commented that the business has been doing very well and happy to have them. He offered an approving resolution for the Regular agenda.

Councilmember Kathleen McIntyre asked Mark Taormina if there were other restaurants in the city that offered drive-thru alcoholic beverages to-go. Mark Taormina replied that it is not something that Shake Shack or any other food serving drive-up operations are allowed to do. There are two special requirements apply to this type of request and have been met, which are that they are not within 500 feet of another SDM licensed establishment or within 400 feet of a house of worship or school property. He also noted that the Planning Commission's recommendation was to limit the waiver to Shake Shack only and not be transferable without Council approval.

Councilmember McIntyre asked that this would be to go, not through the drive through or through Grub Hub and that consumption would be permitted in the restaurant. Patrick Howe verified that the waiver-use for on-premise consumption is already in place, they are amending the waiver to include to-go sales of beer and wine.

Councilmember McIntyre asked to clarify how the food was presented to the customer when dining inside. Patrick Howe stated that the food is ordered, a number is called, the customer receives the order and takes it to their table.

Councilmember McIntyre asked what Shake Shack's policy is to verify that those at the table consuming are of legal age, since they are taking the food back to the table as opposed to other restaurants that are served at the table. Patrick Howe stated that the restaurant is monitored by trained staff at all times. Councilmember McIntyre stated that there were less eyes on the table with this process. Patrick stated that there is such a small amount of alcohol served and they take it very seriously.

DIRECTION:

APPROVING

REGULAR



## LETTER TO THE LIVONIA CITY COUNCIL

7.

**Planning**  
**April 14, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Stephanie Reece, Program Supervisor

### AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.

### BACKGROUND

April 14, 2022

Honorable Members of the City Council  
City of Livonia, Michigan

Re: Petition 2022-02-02-04 – Shake Shack

Dear Council Members:

At the 1,186th Public Hearings and Regular Meeting held by the City Planning Commission on April 12, 2022, the following resolution was unanimously adopted:

### RECOMMENDATION

#04-20-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on April 12, 2022, on Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant at 39300 Seven Mile Road (Shake Shack), located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6 the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02-04 be approved for the following reasons:



1. That the subject site has the capacity to accommodate the proposed use.
2. That the use of an SDM liquor license will complement the existing use of the subject property and will provide an additional service to customers, and
3. 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.

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.

#### FISCAL CONSIDERATION

#### ATTACHMENTS

1. 2022-02-02-04\_Shake Shack\_E-COUNCIL Pkt

#### APPROVED BY



\_\_\_\_\_  
Mark Taormina, Planning and Economic Development Director

Date: April 14, 2022



\_\_\_\_\_  
Maureen Miller Brosnan, Mayor

Date: April 14, 2022

**Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C.**, requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest  $\frac{1}{4}$  of Section 6.

**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: 2-28-22 Petition 2022-02-02-04

Site Address: 39300 W. 7 Mile Rd., Livonia, MI 48152 Sidwell 023 99 0001 005 Zoning of Property C-2

Requesting Approval To Sale of alcoholic beverages at Shake Shack Restaurant with Class C Liquor License and SDM Liquor License

Applicant: Shake Shack Business/Company: Shake Shack Michigan, LLC

Applicant's Address: 225 Varick St., Suite 301 City: New York State: NY Zip Code: 10014

Applicant's Phone # ( 248 ) 385-3112 Applicant's Email jphowe@jphowe.com

Contact Person: J. Patrick Howe Business/Company: JPHOWE, PLLC

Contact's Address: 280 N. Old Woodward Ave., Suite 12 City: Birmingham State: MI Zip Code: 48009

Contact's Phone # ( 248 ) 385-3112 Contact's Email jphowe@jphowe.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    |
|-----------------|-----------------------------------------------------------|-------------|
|                 | 0 sq. ft. of new construction x \$20.00 per 1,000 sq. ft. |             |
|                 | (NOTE: Round off to nearest 1,000)                        | + 0         |
|                 | Total Amount Due                                          | \$ \$600.00 |

Owner of Property: SPP Investors II, LLC

Owner's Address: 221 Pine St. City: San Francisco State: CA Zip Code: 94104

Owner's Phone # 415-781-2900 Owner's Email chip@SPPinc.com

Signature of Owner: Paul Erickson, Jr Print Name: PAUL ERICKSON, JR

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

on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature of Notary \_\_\_\_\_ My commission expires \_\_\_\_\_

Acting in the County of \_\_\_\_\_

*See attached*

Northville  
Township

HAGGERTY ROAD

C-1

C-2

C-4



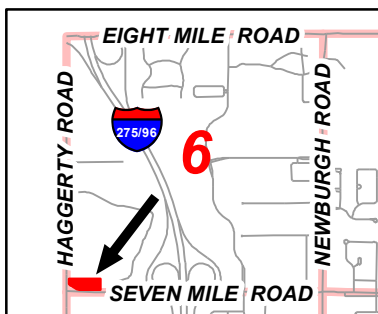
C-1

SEVEN MILE ROAD

C-2

C-4

PL



## Address & Zoning Map

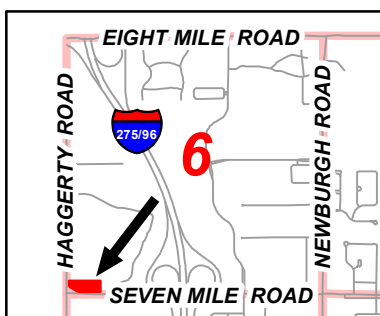
Petition 2022-02-02-04  
Shake Shack Michigan, L.L.C.  
39300 Seven Mile Road  
to utilize an SDM liquor license



Not to Scale

City of Livonia  
Planning Department





## **Aerial Map**

Petition 2022-02-02-04  
Shake Shack Michigan, L.L.C.  
39300 Seven Mile Road  
to utilize an SDM liquor license



Not to Scale



City of Livonia  
Planning Department



# PLANNING COMMISSION STAFF NOTES

## PUBLIC HEARING

### ITEM 1

**Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C.**, requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.

#### **April 5, 2022: Study Meeting:**

Shake Shack is seeking approval of a waiver use for an SDM liquor license to allow for the sale of packaged beer and wine products. This site was previously approved for a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in 1993 (CR #228-93) when it was originally developed as a full-service restaurant known as Romano's Macaroni Grill. In the case of CR #228-93, no special requirements or conditions apply; hence, Shake Shack is entitled to operate a Class C license at this location without the need to go back through the waiver use approval process.

The subject property is zoned C-2, General Business. The special requirements that apply to SDM liquor licenses include Section 6.03, which specifies that no SDM licensed establishments shall be located within five hundred feet (500') of any existing SDM licensed establishment as measured from the nearest point on the building proposed to be licensed to the building in which the existing licensed establishment is located. There are no SDM-licensed businesses within five hundred feet (500') of the Shake Shack.

Another special requirement, Section 6.03, specifies that a proposed SDM. licensed establishment shall be located at least four hundred feet (400') distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building. No church or school building exists within four hundred feet (400') of the subject restaurant.

With the adoption of P.A. 434 of 2016, SDM licenses are now treated as quota licenses based on a statutory limit of one (1) license for every 1,000 of population within the community. Certain waivers and exemptions apply that do not count against the City's SDM quota, including: 1) licenses issued to certain qualifying pharmacies, 2) licenses issued in conjunction with an eligible on-premises license

such as a Class C, and 3) licenses issued to establishments that contain at least 20,000 square feet of floor area and where more than 20% of the gross receipts are derived from the sale of food. In most instances, the MLCC issues SDM licenses without requiring local legislative approval. In Livonia, the current legal quota is ninety-six (96) SDM licenses based on the most recent federal census. As applied to the City's quota allocation, there are a total of sixty-two (62) "issued" SDM licenses and thirty-four (34) licenses still "available," according to the MLCC. Including the exempt licenses, the City currently has eighty-one (81) "Active" licenses. In Livonia, since the new quota system went into effect approximately six (6) years ago, an estimated ten (10) establishments that are also licensed to sell alcoholic beverages for consumption on the premises have obtained SDM licenses from the MLCC. Of these, only two (2) have gone through the waiver use process and received approvals: BJ's Restaurant and The Olive Garden. The other establishments have been notified that SDM sales are not allowed until such time that a waiver has been granted by City Council as required under Section 6.03.

**April 12, 2022: Public Hearing:**

**Approving Resolution:** That the request to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in connection with the operation of a freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, is hereby approved for the following reasons, subject to City Council approval and the following conditions.

1. That the subject site has the capacity to accommodate the proposed use.
2. That the use of an SDM liquor license will complement the existing use of the subject property and will provide an additional service to customers, and
3. 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.

**Denying Resolution:** That the request to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises), in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use complies with all the general waiver use standards and requirements as set forth in Section 6.03 of the Livonia Vision 21 Zoning Ordinance.

## **PUBLIC HEARING**

### **ITEM 1      Petition 2022-02-02-04 – Shake Shack SDM License**

**Page 3**

2. That this part of the City is currently well-served with SDM liquor licensed establishments selling packaged alcoholic beverages.
3. That there is no demonstrated need in the area for additional sales of packaged alcoholic beverages such as are permitted by the utilization of an SDM license.
4. That the petitioner has not sufficiently demonstrated that the proposed use would be compatible to and in harmony with the principle use of the subject property as well as other uses in the surrounding area. and
5. That the proposal is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.



FCB-1

2'-6" SHAKE SHACK SIGNAGE  
& 2'-6" BURGER ILLUMINATED LOGO

FC-1

W-SF-E

P-4





**ALL SITE FEATURES WITHIN THE LIMIT OF DISTURBANCE INDICATED ON THIS PLAN ARE TO REMAIN UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IF SIGNIFICANT DISCREPANCIES ARE DISCERNED BETWEEN THIS PLAN AND FIELD CONDITIONS**



## DEMOLITION NOTES

1. THE WORK RELFERENCE ON THE DEMOLITION PLAN IS TO PROVIDE GENERAL INFORMATION TOWARDS THE EXISTING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR IS RESPONSIBLE TO REVIEW THE ENTIRE PLAN SET AND ASSOCIATED SPECIFICATIONS, PERMITS, ORDINANCES, AND LOCAL, STATE AND FEDERAL REQUIREMENTS TO DETERMINE NECESSARY TO COMPLETE THE SITE IMPROVEMENTS.
2. THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE MEANS AND METHODS OF DEMOLITION ACTIVITIES.
3. EXPLOSIVES SHALL NOT BE USED UNLESS WRITTEN CONSENT FROM BOTH THE DIVISION OF FIRE PREVENTION AND THE DIVISION OF LABOR IS OBTAINED. BEFORE THE START OF ANY EXPLOSIVE PROGRAM, THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL LOCAL, STATE, AND FEDERAL PERMITS, ORDINANCES, AND LOCAL, STATE AND FEDERAL REQUIREMENTS FOR ALL SEISMIC TESTING AS REQUIRED AND ANY DAMAGES AS THE RESULT OF SAID DEMOLITION PRACTICES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL PERMITS, ORDINANCES, AND LOCAL, STATE, AND FEDERAL CODES. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL UTILITIES ARE DISCONNECTED IN ACCORDANCE WITH THE DIVISION OF PUBLIC WORKS AND THE DIVISION OF LABOR PRIOR TO STARTING THE DEMOLITION OF ANY STRUCTURE. ALL EXCAVATIONS ASSOCIATED WITH DEMOLISHED STRUCTURES OR EXISTING PIPES SHALL BE PROTECTED AND PROPERLY SHORED, BRACED, AND COMPACTED TO SUPPORT SITE AND BUILDING IMPROVEMENTS. A GEOTECHNICAL ENGINEER SHOULD BE PRESENT DURING ALL DEMOLITION ACTIVITIES TO CHAIRMAN APPROVED TO REMOVE BACKFILL MATERIAL WAS COMPACTED TO A SUITABLE CONDITION.
5. DEMOLISHED DEBRIS SHALL NOT BE BURIED ON SITE. ALL MATERIALS GENERATED FROM THE DEMOLITION SHALL BE PROPERLY STORED, DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL REQUIRED PERMITS, ORDINANCES, AND LOCAL, STATE AND FEDERAL REQUIREMENTS TO COMPLY WITH THE ABOVE REGULATIONS.

30' 0' 30'



GRAPHIC SCALE IN FEET  
1" = 30'

[illegible]

**NOT APPROVED FOR CONSTRUCTION**



**STONEFIELD**  
engineering & design

Detroit, MI • New York, NY • Rutherford, NJ  
Princeton, NJ • Tampa, FL • Boston, MA

www.stonefieldeng.com

607 Shelby Suite 200, Detroit, MI 48226

Phone 248.247.1115

## SITE DEVELOPMENT PLANS

**PROPOSED RESTAURANT WITH  
DRIVE-THRU FACILITIES  
& BANK WITH DRIVE-THRU FACILITIES**

PARCEL ID: 46023990001005  
39300 WEST SEVEN MILE ROAD  
CITY OF LIVONIA  
WAYNE COUNTY MICHIGAN



**STONEFIELD**  
engineering & design

|        |          |             |         |
|--------|----------|-------------|---------|
| SCALE: | 1" = 30' | PROJECT ID: | M-18466 |
|--------|----------|-------------|---------|

**TITLE:**

## DEMOLITION PLAN

**DRAWING:**

**C-2**

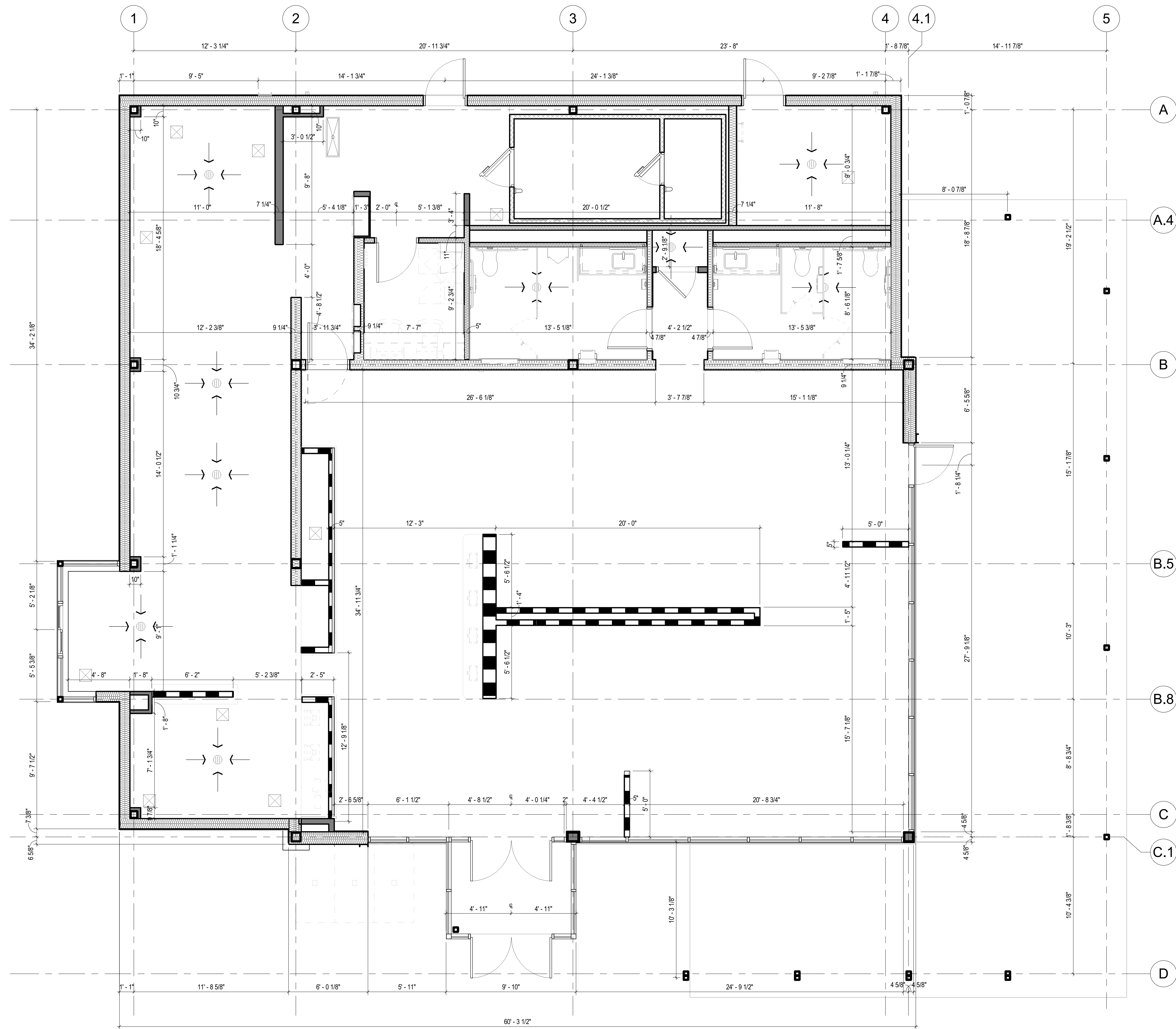


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[illegible]

|           |            |                           |
|-----------|------------|---------------------------|
|           |            | ISSUE FOR<br>PERMIT / BID |
|           | 01/13/2021 | ISSUE FOR<br>LL REVIEW    |
| NO.       | DATE       | REMARKS                   |
| REVISIONS |            |                           |

Sheet No.



 **1** **DIMENSIONED FLOOR PLAN**  
1/4" = 1'-0"



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

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

March 3, 2022

Mr. Scott Miller  
Planner IV  
City of Livonia

**Re: Petition 2022-02-02-04 – 39300 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 **#39300 Seven Mile 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.

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 or Haggerty Roads 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](mailto:dlear@livonia.gov) or [tzilincik@livonia.gov](mailto:tzilincik@livonia.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "D. 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:** March 3, 2022  
**TO:** Scott O. Miller, Planner IV  
**FROM:** Livonia Fire Prevention Division  
**SUBJECT:** Petition 2022-02-02-04, Shake Shack, 39300 Seven Mile Rd.

This office has reviewed the site plan submitted in connection with a request for for sales of packaged liquor in 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 BROSAN**  
MAYOR

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

March 9, 2022

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

Re: Petition 2022-02-02-04 - 39300 Seven Mile Road

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 Szczepanski, 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: April 1, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-02-02-04 – 39300 Seven Mile 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 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

Petition 2022-02-02-04 - 39300 Seven Mile 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: | \$ 381.54 |
| Total Due City of Livonia       | \$ 381.54 |

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula  
Chief Accountant

CK: jw



**From:** [utilitybill@ci.livonia.mi.us](mailto:utilitybill@ci.livonia.mi.us)  
**To:** [Block, Dea](#)  
**Subject:** Utilities Payment Received  
**Date:** Wednesday, March 16, 2022 11:41:15 AM

---

**CAUTION: EXTERNAL EMAIL**

Payment Summary  
-----

Confirmation #: 610094

Account #: 000303675-001

Date: 3/16/2022 11:41:02 AM

Payment Amount: \$381.54  
-----

# Transaction Statement

**Service Address**

39300 SEVEN MILE  
LIVONIA, MI 48152

**Mailing Address**

SHAKE SHACK MICHIGAN LLC  
PO BOX 18235 MS#2  
COLUMBUS, OH 43218

**Account Number**

000303675-001

**Amount Due**

\$381.54

**Account Number**

000303675-001

**From - Through**

09/08/2021 - 03/08/2022

**Services**

Water & Sewer - Metered

**Service Address**

39300 SEVEN MILE  
LIVONIA, MI 48152

**Beginning Balance**

\$0.00

| Date       | Type    | Amount   | Description         |
|------------|---------|----------|---------------------|
| 01/14/2022 | Bill    | \$171.89 | Due Date 02/10/2022 |
| 02/14/2022 | Penalty | \$5.16   |                     |
| 02/15/2022 | Bill    | \$204.49 | Due Date 03/10/2022 |

**Total Due**

\$381.54

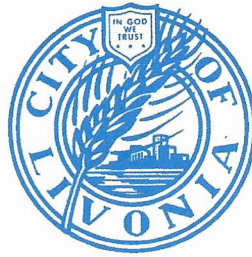
# Transaction Statement

**Account Number**

000303675-001

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 9, 2022

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

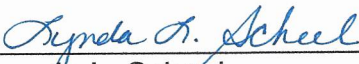
Re: Petition 2022-02-02-04

39300 Seven Mile Road  
Shake Shack

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

DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF POLICE

THOMAS GORALSKI  
CHIEF OF POLICE



MAUREEN MILLER BROSNAN  
MAYOR

March 24, 2022

15050 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5499  
(734) 466-2470  
FAX: (734) 261-2265

Scott Miller, Planner IV  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Re: Petition 2022-02-02-04 – 39300 Seven Mile Road

Dear Mr. Miller,

We reviewed the plans submitted by Shake Shack Michigan, L.L.C., requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.

After reviewing the plans with the Chief of Police, we have no objections to the waiver being granted, contingent that the petitioner complies with:

- All State Laws
- City Ordinances
- Stipulations and conditions set by the Livonia Police Department Liquor Investigation Unit as approved by the Chief of Police
- Stipulations and conditions set by the Traffic Bureau of the Livonia Police Department

We are available to provide any additional information you may desire on this subject.

Sincerely,

FOR THE CHIEF OF POLICE,

  
Jeffrey Ronayne  
Special Service Bureau

# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,186<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, April 12, 2022, the City Planning Commission of the City of Livonia held its 1,186<sup>th</sup> Public Hearing and Regular Meetings 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: Sam Caramagno      Glen Long      Betsy McCue  
Carol Smiley      Ian Wilshaw

Members absent: David Bongero      Peter Ventura

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 #1      PETITION 2022-02-02-04**

### **Shake Shack**

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises previously approved for the

subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant at 39300 Seven Mile Road (Shake Shack), located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6.

Mr. Taormina: Thank you, Mr. Chairman. This is a request to utilize an SDM liquor license that would allow for the sale of packaged beer and wine products for consumption off the premises. This proposed SDM license would be done in conjunction with a Class-C liquor license at the recently opened Shake Shack restaurant, which is at the corner of Seven Mile and Haggerty Roads. The zoning of the property is C-2 (General Business). This site was approved for a Class-C license in 1993, when it was originally developed as Romano's Macaroni Grill. No special requirements or conditions were imposed by the city at that time, thus, the waiver carried over to Shake Shack allowing it to operate a Class-C license at this location without the need to go back through the waiver process. However, the 1993 approval does not apply to the requested SDM license and is the reason why they are before us this evening. Section 6.03 of the zoning ordinance specifies that no SDM licensed establishment shall be within 500 feet of an existing SDM licensed business. There are no SDM licensed businesses within 500 feet of this Shake Shack. Additionally, that same section of the ordinance specifies that SDM licensed establishments must be located at least 400 feet from any church or school, No schools or places of worship are located within 400 feet of the proposed restaurant. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated March 3, 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 #39300 Seven Mile 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. 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 or Haggerty Roads 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 March 3, 2022, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request for sales of packaged liquor in 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 March 9, 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 also from the Division of Police, dated March 24, 2022, which reads: *"We reviewed the plans submitted by Shake Shack Michigan, L.L.C., requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant (Shake Shack) at 39300 Seven Mile Road, located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6. After reviewing the plans with the Chief of Police, we have no objections to the waiver being granted, contingent that the petitioner complies with: All State Laws, City Ordinances, Stipulations and conditions set by the Livonia Police Department Liquor Investigation Unit as approved by the Chief of Police, Stipulations and conditions set by the Traffic Bureau of the Livonia Police Department."* The letter is signed by Jeffery Ronayne, Sergeant, Special Services Bureau. The next letter is from the Inspection Department, dated April 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 March 14, 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: \$ 381.54 Total Due City of Livonia \$ 381.54"* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated March 9, 2022, which reads as follows: *In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the*

## **UNAPPROVED MINUTES**

4

*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. Wilshaw: Do we have any questions for our planning staff? I don't see any questions. Our petitioner's representative is here? If you want to come forward, and we'll start the meeting by asking that you give us your name and address for our record.

Patrick Howe, 280 N. Old Woodward Ave., Ste. 12, Birmingham, MI 48009. As mentioned by Mr. Taormina, Shake Shack has recently opened a brand-new store. It's off to a great start and they would like to offer on premise consumption of alcohol, which is permitted by right, as described. And with the wave of delivery services, they'd like to offer beer and wine to go. So, that would be the reason we're here for a waiver use request. and that would be both takeaway. So, if you go in order your meal, and you want a few cans of beer or a bottle of wine to go, that would be available to you, or through any of the modern delivery services that they offer. Beer and wine can be ordered through various different platforms and delivered by a person trained in the proper service of alcohol. So, there's a mechanism for that through the liquor commission with a third-party facilitator. With that, I'd be happy to answer any questions. This service of beer and wine to go will fit with their other operations in Michigan, which are in Detroit, Troy, Rochester Hills and Ann Arbor. So, thank you for your support tonight and I am happy to answer any questions you have.

Mr. Wilshaw: Thank you, Mr. Howe. We will see if we have any questions. Ms. Smiley?

Ms. Smiley: Good evening, I understand you to say that the other restaurant or Shake Shacks have this?

Mr. Howe: They do. Yeah,

Ms. Smiley: And then you said that you're not liable like to check, you know, when it's being delivered? Who delivers your food? And what kind of, you know...what they... is it no longer your responsibility?

Mr. Howe: So, our employees could deliver food on the state law with beer and wine, or we can engage with third party facilitator that's licensed by the Liquor Commission and they fall under their



jurisdiction and oversight. So, they have to be trained in the proper service of alcohol through a Tips or Serv Safe program. And so, they would, you know, make sure that the order is accurate when it leaves the building, and then they match the person that ordered it to the person at the door and check ID and they have to report back and keep all records on that. So, pretty much every restaurant I license these days gets an SDM license. It's just a part of the process for restaurants. Whether it's a fine dining restaurant that offers takeout, or a quick service restaurant that has delivery, it's just part of a restaurant's operation with a real increase in delivery.

Ms. Smiley: thank you. Thank you, Mr. Chair.

Mr. Wilshaw: Thank you, Miss Smiley. Any other questions for our petitioner's representative? Mr. Long?

Mr. Long: Thank you. I know we talked about this at the study meeting, but since all the other Michigan stores do this, but this wasn't requested at the initial startup of this location, can you talk about why this wasn't brought to us all at the same time?

Mr. Howe: I don't have a great answer. It was missed by the initial site plan permitting team. I was brought in after the fact and identified. We didn't need the waiver use for the Class-C and it was sort of grandfathered, and I think it was assumed by somebody that the beer wine takeaway was also grandfathered. That was revealed to not be the case, and so we filed right away and here we are. Yeah, just indicative also, this isn't their main business. I mean, their main business is great milkshakes, burgers, hotdogs, fries. So, this is an accessory component. They're open and operating without alcohol, and this will kind of complete the package.

Mr. Long: So, the so the so clean it all up and get you in line with all the other stores?

Mr. Howe: That's correct.

Mr. Long: Okay. Thank you. Thank you, Mr. Chairman.

Mr. Wilshaw: Thank you. Any other questions for petitioner?

Mr. Caramagno: You just talked a moment ago about your hamburgers and shakes and burgers, and at what percentage is the beer and

## **UNAPPROVED MINUTES**

6

wine, either inside or carry out sales of the business? And obviously, you don't have it here, but you have other stores, what is the percentage of alcohol sales?

Mr. Howe: Don't quote me on this, but I'd say it's less than 5%. You know, maybe on a higher vibe store with more alcohol, it's five to 10%, but I'd say it's less than 5%.

Mr. Caramagno: And how does the store compare with the others in Michigan, as far as a business? Is it busier? Is it low end mid range? High end? how does it compare?

Mr. Howe: I visited the store...I was there before it opened, and I visited there last week just to drive by and it's quite a drive thru operation. So, in my personal opinion, I'm a lawyer, not a business guy, it's going to be real high volume with takeout. With that said, you can't buy alcohol through the drive thru. So, if you want alcohol, you need to come in and that's the state law. You have to come into the store and take it away. So, there'll be no alcohol through the drive thru. So, I think you know, with this traffic pattern and intersection and office traffic, they're going to do a great business with Drive Thru, without alcohol. Otherwise, with all the retail around it, I think it's going to be great for dining as well. A very large outdoor patio, which would be licensed as well for on premise consumption, so yeah, I think it's a great location. They're really excited to be here. And this would finish it off.

Mr. Caramagno: Thank you.

Mr. Wilshaw: All right. Any other questions? Just to dovetail off of some of Mr. Caramagno's questions, I do believe the drive thru component is fairly new for Shake Shack. I don't think they...I think this is a sort of a new concept, or fairly new for them.

Mr. Howe: Yeah.

Mr. Wilshaw: So, this is one of the few locations that has drive-thru at this point, but one of the questions that was asked was about the percentage of sales. Just to give a broader picture, what percentage of the stores in the chain serve alcohol nationwide?

Mr. Howe: My understanding all where it's permitted and not cost prohibitive. So, you know, we're buying a license, it's a pretty significant investment. I think it's around \$60,000 to \$70,000 for this license, so it's very important to them. With that said, there's

only a handful of beverages on the menu. I mean, two to five beers at a time and two to three wines at a time. So, it's not a huge selection, but it's rotated. They sometimes offer local, you know, craft products, or something that, you know, they kind of steer through their flagship out of New York, they're based in New York, so they'll bring in some type of Brooklyn Lager or something like that. So, wherever it's permitted and not cost prohibitive, they like to offer this.

Mr. Wilshaw: Okay, so I think it's probably safe to say that this is not the exception to the rule. This is more in line.

Mr. Howe: Yes, exactly.

Mr. Wilshaw: Okay. Great. Thanks. Any other questions from anyone on this petition? Is there anyone in the audience wishing to speak for against this item? I don't see anybody coming forward. Thank you, Mr. Howe.

Mr. Howe: Thank you.

Mr. Wilshaw: If there's no other discussion, I'm going to close the public hearing and a motion would be an order.

On a motion by Long, seconded by McCue, and unanimously adopted, it was

**#04-20-2022** **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on April 12, 2022, on Petition 2022-02-02-04 submitted by Shake Shack Michigan, L.L.C., requesting waiver use approval pursuant to Section 6.03 of the Livonia Vision 21 Zoning Ordinance to utilize an SDM liquor license (sale of packaged beer and wine products for consumption off the premises) in conjunction with the operation of a Class C liquor license (sale of beer, wine and spirits for consumption on the premises previously approved for the subject property pursuant to Council Resolution #228-93) in connection with the operation of a new freestanding full-service restaurant at 39300 Seven Mile Road (Shake Shack), located on the northeast corner of Seven Mile and Haggerty Roads in the Southwest ¼ of Section 6 the Planning Commission does hereby recommend to the City Council that Petition 2022-02-02-04 be approved for the following reasons:

1. That the subject site has the capacity to accommodate the proposed use.

2. That the use of an SDM liquor license will complement the existing use of the subject property and will provide an additional service to customers, and
3. 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.

***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. Wilshaw: Is there any discussion?

Mr. Wilshaw, 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 MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

8. WAIVER PETITION: Planning Commission, re: Petition 2022-03-02-07 submitted by Clover Self Storage requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest  $\frac{1}{4}$  of Section 24.

Mark Taormina, Planning and Economic Development Director, presented the request to Council. He noted that the petitioner was unable to make the meeting.

Councilmember Scott Bahr offered an approving resolution for the Regular agenda.

DIRECTION:

APPROVING

REGULAR



## LETTER TO THE LIVONIA CITY COUNCIL

8.

**Planning**  
**April 14, 2022**

### MEETING DATE

Study Meeting of  
May 2, 2022

### PREPARED BY

Stephanie Reece, Program Supervisor

### AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2022-03-02-07 submitted by Clover Self Storage requesting to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24.

### BACKGROUND

April 14, 2022

Honorable Members of the City Council  
City of Livonia, Michigan

Re: Petition 2022-03-02-07 – Clover Storage

Dear Council Members:

At the 1,186th Public Hearings and Regular Meeting held by the City Planning Commission on April 12, 2022, the following resolution was unanimously adopted:

### RECOMMENDATION

#04-23-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on April 12, 2022, on Petition 2022-03-02-07 submitted by Clover Self Storage 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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24, the Planning Commission does hereby recommend to the City Council that Petition 2022-03-02-07 be approved subject to the following conditions:

1. That the outdoor storage of U-Haul trucks, vans and trailers shall be limited to the following designated areas: a) three (3) spaces located adjacent to the concierge island with a setback of at least 100 feet from the Schoolcraft Road right-of-way, and b) seven (7) spaces in the secured parking lot behind the building.

2. No U-Haul trucks, vans or trailers shall be stored in the parking spaces along the west side of the building. Such spaces shall be reserved and used solely for customers and employees, and any U-Haul trucks, vans or trailers which are returned and parked on the west side of the building after hours shall be promptly moved by 10:00 a.m. to one of the approved designated parking spaces.
3. That the total number of rental trucks, vans and trailers available at this location shall not exceed ten (10).
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.

## FISCAL CONSIDERATION

## ATTACHMENTS

1. 2022-03-02-07\_Clover\_E-COUNCIL Pkt

## APPROVED BY



\_\_\_\_\_  
Mark Taormina, Planning and Economic Development Director

Date: April 14, 2022



\_\_\_\_\_  
Maureen Miller Brosnan, Mayor

Date: April 14, 2022

**Petition 2022-03-02-07 submitted by Clover Self Storage**  
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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24.



**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: 3-9-22 Petition 2022-03-02-07

Site Address: 28900 Schoolcraft Sidwell \_\_\_\_\_ Zoning of Property \_\_\_\_\_

Requesting Approval To U-HAUL

Applicant: JEFF JOHNSON Business/Company: CLOVER SELF STORAGE

Applicant's Address: 2510 Dawes City: Shelby Twp State: MI Zip Code: 48317

Applicant's Phone # (810) 560-2950 Applicant's Email JGID@comcast.net

Contact Person: JEFF JOHNSON Business/Company: Same

Contact's Address: Same City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact's Phone # ( ) Same Contact's Email \_\_\_\_\_

**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](mailto: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

**RECEIVED  
MAR 11 2022  
CITY OF LIVONIA  
PLANNING COMMISSION**

**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 - 700 |
|------------------------------------|-----------------------------|----------------|
| _____ sq. ft. of new construction  | x \$20.00 per 1,000 sq. ft. |                |
| (NOTE: Round off to nearest 1,000) |                             | +              |
| Total Amount Due                   |                             | \$ _____       |

Owner of Property: MICHIGAN PROPERTY GROUP

Owner's Address: 2510 Dawes Ave. City: Shelby Twp State: MI Zip Code: 48317

Owner's Phone # (810) 560-2950 Owner's Email JGID@comcast.net

Signature of Owner: [Signature] Print Name: Anthony Padilla

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

on this 8th day of March 20 22

Signature of Notary: [Signature] My commission expires 11/06/2027

Acting in the County of Wayne

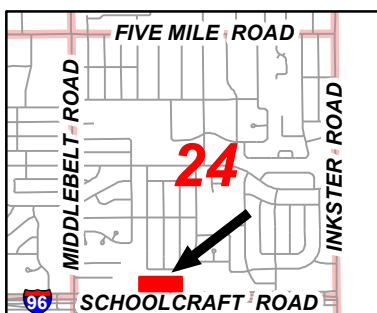
**RECEIVED  
OFFICE OF THE CITY CLERK**

**2022 MAR 10 PM 4:44**

**SYDNE GRAY  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES NOV 6, 2027  
ACTING IN THE COUNTY OF WAYNE**







## Aerial Map

Petition 2022-03-02-07  
Clover Self Storage  
28900 Schoolcraft Road  
to operate a truck and trailer rental business



Not to Scale



City of Livonia  
Planning Department



# PLANNING COMMISSION STAFF NOTES

## PUBLIC HEARING

### ITEM 4

**Petition 2022-03-02-07 submitted by Clover Self Storage** 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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24.

#### **April 5, 2022: Study Meeting:**

This petition seeks waiver use approval to operate a truck and trailer rental facility in conjunction with the Clover Self Storage facility (former Cloverlanes Bowling Alley). Clover Self Storage is an indoor, climate-controlled self-storage facility with adjacent outdoor storage of recreational vehicles (RVs). Waiver use approval was granted on May 16, 2016 (CR #207-16). The subject property is 5.54 acres in area, with 846 feet of frontage along Schoolcraft Road by an average depth of 285 feet. The existing self-storage facility is two-stories in height, approximately 111,500 square feet in total size and contains approximately 375 storage units. The outdoor storage of RVs is provided in the fenced-in parking lots to the west and east of the building. The property is zoned M-1 (Light Manufacturing). Truck and trailers rental facilities require waiver use approval under the provisions set forth in Section 6.58 of The Livonia Vision 21 Zoning Ordinance.

The current minimum parking standard for climate controlled, indoor self-storage facilities was established in 2021 with the adoption of The Livonia Vision 21 Zoning Ordinance—approximately five (5) years after the approval of the Clover Self 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 Clover Self Storage showed a total of nine (9) customer parking spaces along the east side of the building, next to the sales office. The new zoning regulations, on the other hand, now require one (1) parking space for each 1,000 square feet of building floor area. Accordingly, Clover Self Storage, if reviewed today, would require a total of 112 parking spaces. The current site plan shows an overall count of 147 parking spaces, which includes 138 RV storage spaces and nine (9) spaces available for customers and employees.

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 (5<sup>th</sup> Edition), the average rate of parking demand for a mini-warehouse use is 1.36 cars per 100 units. For Clover Self Storage, this translates to approximately five (5) parking spaces ( $375 \div 100 \times 1.36 = 5.10$ ).

Clover Self Storage is proposing to provide seven (7) rental trucks or trailer on site. Parking for the rental trucks and trailers would be allocated in two (2) separate areas of the site. Four (4) spaces would be provided along the Schoolcraft Road right-of-way next to the southeast corner of the building. These spaces are approximately twenty feet (20') back from the traveled portion of Schoolcraft Road. The other three (3) proposed spaces would be located between the entrance gate to the RV storage area, kitty-corner from the sales office, and the concierge island. All seven (7) truck and trailer rental parking spaces would be located outside the fenced-in area, and only one (1) existing parking space, as shown on the original approved site plan, would be eliminated, leaving eight (8) of the original nine (9) spaces available for employees and/or customers of both the U-Haul and Clover Storage businesses.

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.

#### **April 12, 2022: Public Hearing**

After a discussion at the study session, the Petitioner submitted a new plan showing all of the seven (7) parking spaces proposed for the U-Haul trucks and trailers re-located behind the building, along the property's north property line.

**Approving Resolution:** That the request to operate a truck and trailer rental business in conjunction with an existing climate-controlled, indoor self-storage facility and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft 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 the following designated areas: a) three (3) spaces located adjacent to the concierge island with a setback of at least 100 feet from the Schoolcraft Road right-of-way, and b) seven (7) spaces in the secured parking lot behind the building.
2. No U-Haul trucks, vans or trailers shall be stored in the parking spaces along the west side of the building. Such spaces shall be reserved and used solely for customers and employees, and any U-

Haul trucks, vans or trailers which are returned and parked on the west side of the building after hours shall be promptly moved by 10:00 a.m. to one of the approved designated parking spaces.

3. That the total number of rental trucks, vans and trailers available at this location shall not exceed ten (10).
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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft 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 Vision 21 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.

## **PUBLIC HEARING**

### **ITEM 4 Petition 2022-023-02-07 – Clover Self Storage**

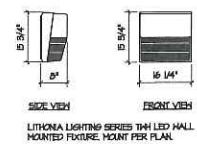
**Page 4**

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.



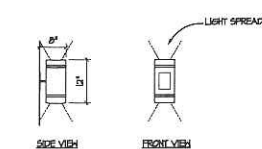
|                         |
|-------------------------|
| JOB NUMBER<br>4181-1015 |
| XXX                     |
| SHEET NO.<br>5-1        |



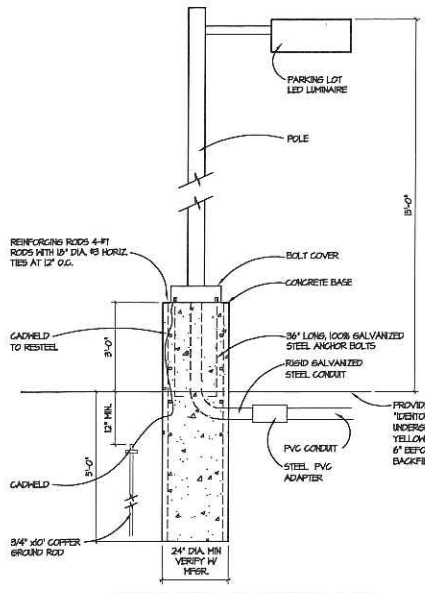


**BUILDING & RV PORT WALL PACK LIGHT DETAIL (WIDE THROW)**

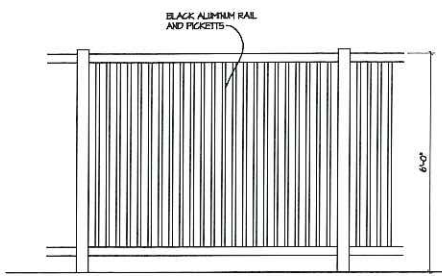
**LIGHTING NOTE:**  
 1. LIGHT FIXTURES SHALL BE SHIELDED SO AS NOT TO SHINE ON ADJACENT PROPERTIES.  
 2. INTENSITY SHALL BE LIMITED TO 10 FOOT CANDLE MAXIMUM AT THE PAVEMENT SURFACE.



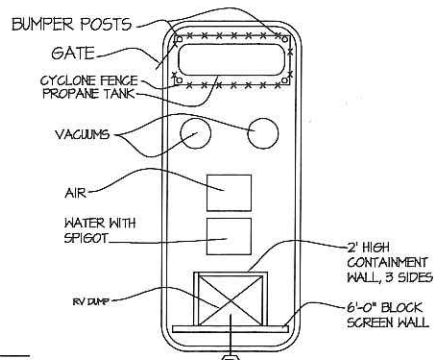
**WALL SCONCE LIGHT DETAIL (UP/DOWN LIGHTING)**



**SITE AND PARKING LOT LIGHTING FIXTURE DETAIL**  
 SCALE: NO SCALE  
 OWNER TO SUBMIT SPEC SHEETS FOR LIGHT FIXTURES.



**ALUMINUM FENCE ELEVATION**



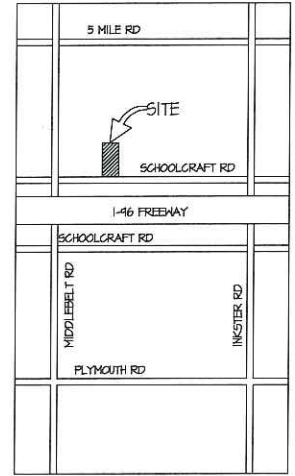
**CONCIERGE ISLAND**

**BUILDING AREA:**  
 FIRST FLOOR: 55,900 S.F.  
 SECOND FLOOR: 55,900 S.F.  
 TOTAL: 111,800 S.F.

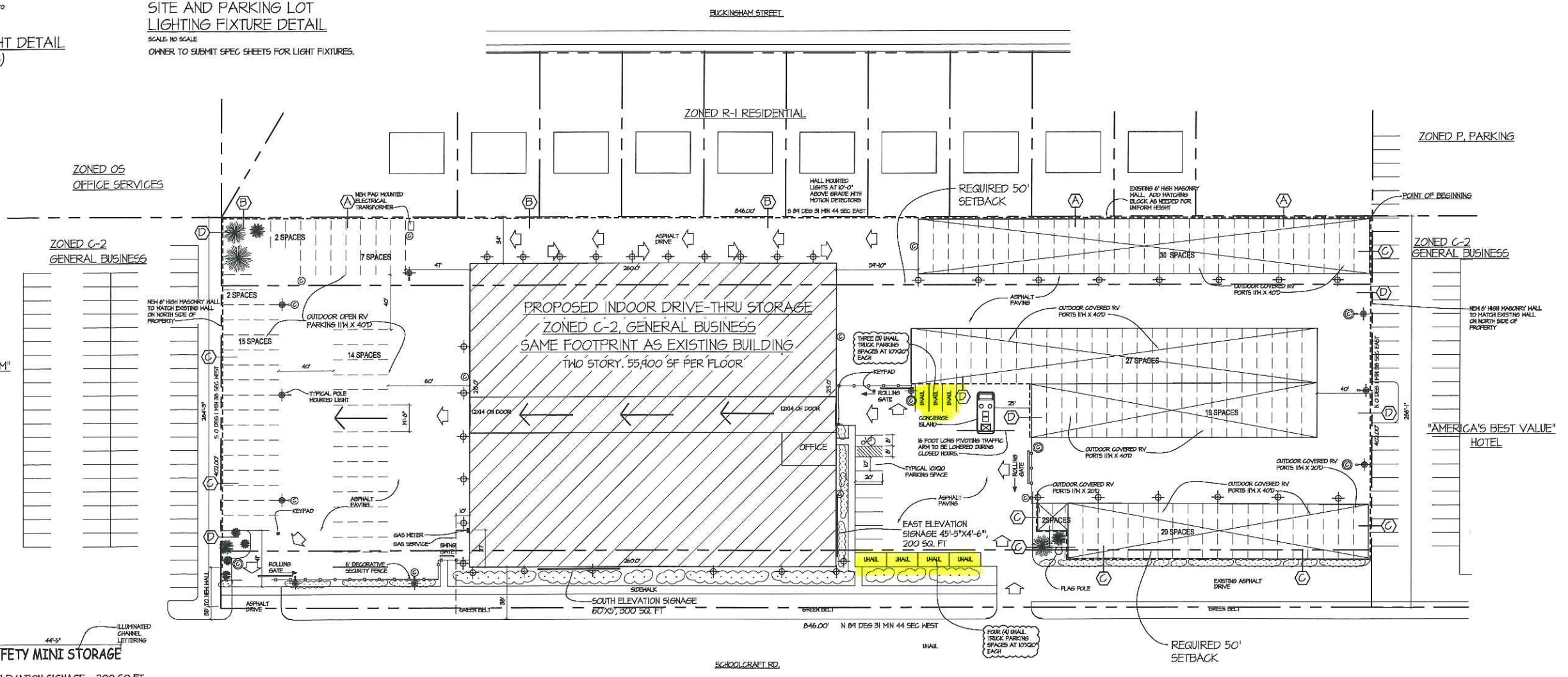
**CUSTOMER PARKING:**  
 9 SPACES  
 (INCLUDES ONE BARRIER-FREE)

**RV STORAGE:**  
 COVERED: 130 SPACES

**LEGAL DESCRIPTION:**  
 LAND IN THE CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, DESCRIBED AS:  
 PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 1 SOUTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE SOUTH LINE OF PROPOSED MAR-GIT SUBDIVISION DISTANT SOUTH 84 DEGREES 31 MINUTES 28 SECONDS EAST 1311.93 FEET ALONG EAST AND WEST LINE AND SOUTH 0 DEGREES 1 MINUTE 38 SECONDS WEST 2231.05 FEET FROM WEST 1/4 CORNER OF SAID SECTION AND PROCEED THENCE SOUTH 84 DEGREES 31 MINUTES 44 SECONDS EAST 846.00 FEET; THENCE SOUTH 0 DEGREES 1 MINUTE 38 SECONDS WEST 846.00 FEET ALONG SOUTH LINE OF SECTION 24; THENCE NORTH 0 DEGREES 1 MINUTE 38 SECONDS EAST 402 FEET TO THE POINT OF BEGINNING, EXCEPTING THE SOUTH 117.75 FEET ON THE WEST LINE AND THE SOUTH 115.90 FEET ON THE EAST LINE THEREOF FOR ROAD.



**LOCATION MAP**  
 NO SCALE



**SITE PLAN**

SCALE: 1" = 40'-0"  
 NOTE: EXISTING SITE INFORMATION BASED ON RECORD DRAWINGS AND INFORMATION PROVIDED BY OTHERS.

- A WALL TYPE (SEE SHEET A4)
- ⊙ POLE MOUNTED CAMERA
- ⊙ WALL MOUNTED CAMERA
- ⊙ POLE MOUNTED LIGHT
- ⊙ WALL MOUNTED LIGHT

**SYMBOL LIST**

**DALE A. STUDNICKA ARCHITECTS, P.C.**  
 7341 Triangle Drive  
 Sterling Heights, MI 48314  
 (586) 803-1410  
 www.dasarchpc.com



| DATE     | DESCRIPTION | BY  | DATE     | DESCRIPTION | BY  |
|----------|-------------|-----|----------|-------------|-----|
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |

| DATE     | DESCRIPTION | BY  | DATE     | DESCRIPTION | BY  |
|----------|-------------|-----|----------|-------------|-----|
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |
| 10/29/20 | 5100 HALLS  | DAS | 10/29/20 | 5100 HALLS  | DAS |

**PROJECT**  
**CLOVER MINI STORAGE**  
 28400 SCHOOLCRAFT ROAD  
 LIVONIA, MI 48150



|            |           |
|------------|-----------|
| JOB NUMBER | 4181-1015 |
| XXX        |           |
| SHEET NO.  | 5-1       |

# CORRESPONDENCE



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

March 14, 2022

Mr. Scott Miller  
Planner IV  
City of Livonia

**Re: Petition 2022-03-02-7 – 28900 Schoolcraft 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 existing parcel is assigned the address of **#28900 Schoolcraft 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.

Should the developer need to make revisions to the existing leads, or do any work within the Schoolcraft Road right-of-way, they will need to submit Engineering drawings to this Department to determine if permits will be required.

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](mailto:dlear@livonia.gov) or [tzilincik@livonia.gov](mailto:tzilincik@livonia.gov).

Sincerely,

A handwritten signature in black 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:** Mach 31, 2022  
**TO:** Scott O. Miller, Planner IV  
**FROM:** Livonia Fire Prevention Division  
**SUBJECT:** **Petition 2022-03-02-07 Clover Self Storage**

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:

**Vehicles parked in spaces shall not interfere with the function of the sliding gates.**

**Vehicles parked in spaces shall not obstruct fire department apparatus access to Fire hydrants, Fire Department Connection, or other drive areas where building access is needed.**

**A further detailed plan review will take place when this division receives an official plan set.**

Sincerely,

*Brian Kukla*

Brian Kukla  
Sr. Fire Inspector

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

March 17, 2022

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

RECEIVED  
MAR 17 2022  
CITY OF LIVONIA  
PLANNING COMMISSION

Re: Petitions 2022-03-02-07 - 28900 Schoolcraft Road

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: April 1, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-03-02-07 – 28900 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 BROSNAN**  
MAYOR

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

March 15, 2022

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

Petition 2022-03-02-07 - 28900 Schoolcraft 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

April 11, 2022  
~~April 4, 2022~~

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

Re: Petition 2022-03-02-07

28900 Schoolcraft Road  
Clover Self Storage

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** delinquent taxes due, therefore I have **no** objections to the proposal.

**2021 Real Property Summer and Winter Taxes: Paid in Full**

Taxes due of **\$98,663.40** were paid to the Wayne County Treasurer on 4-8-2022.

~~2021 Real Property Summer and Winter Taxes:~~

~~Summer Bill issued on July 1, 2021 and Winter Bill issued on December 1, 2021~~

~~Good through April 30: \$98,663.40 Payable to 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 Address:** Michigan Property Group, LLC  
34355 GLOUSTER CIRCLE  
FARMINGTON HILLS MI 48331

## Tax Statement

**Number:** 2022 - 91254

**Date:** 04/11/2022



46-46095990005002



17462116

**Livonia Real Property Description:**

**Property Classification: (201) Commerical**

**Parcel ID:** 46095990005002

**SEV Amt:** \$1,543,200 - 2021

**HSTD VAL:** \$0

**Address:** 28900 Schoolcraft

**PRE:** 0%

**NON HSTD VAL:**  
\$1,529,915

Livonia, MI 48154

**Legal Description:**

24BB1A1B1A 2A1 PT OF SW 1/4 SEC 24 T1S R9E BEG AT A PT ON THE S LINE OF PROPOSED MAR-GIT SUB DIS S 89D 31M 28S E 1319.93 FT ALONG E AND W LINE TH S 00D 01M 38S W 2231.05 FT FROM THE W 1/4 COR SAID SEC TH S 89D 31M 44S E 846.0 FT TH S 00D 01M 38S W 402.00 FT TH N 89D 31M 44S W 846.00 FT ALONG S LINE SEC 24 TH N 00D 01M 38S E 402.0 TO POB EXC THE S 117.75 FT ON THE W LINE AND THE S 115.90 FT ON THE E LINE FOR ROAD 5.37 MORE OR LESS

| Tax Year      | Base Tax      | Total Amt Due | Status Description                   |
|---------------|---------------|---------------|--------------------------------------|
| <b>Total:</b> | <b>\$0.00</b> | <b>\$0.00</b> | No outstanding taxes for this parcel |

Created by:3111

Page 1 of 1

# OTHER ITEMS RELATED TO THE PETITION

**From:** [thomaswals9@aol.com](mailto:thomaswals9@aol.com)  
**To:** [Planning](#)  
**Subject:** PETITION 20022 -03-02-07 ZONING WAIVER CITY ZONING ORDINANCE  
**Date:** Wednesday, March 30, 2022 4:29:35 PM

---

As a resident in this neighborhood for over 30 years, and therefore impacted by this proposal I object to the addition of rental business for trucks and trailers.

As I recall this rental business was mentioned in the original proposal and rejected.

Now that the storage business is in place, and construction is completed it is brought up again. The current proposal adds more traffic to the service drive and placement of the equipment on site will clearly be along the wall adjacent to the homes along the barrier wall. This will also require additional "security lighting" not currently installed. Therefore the additional lighting that will be of a height that it will cover above and add more lighting into our backyards along the aforementioned wall. For these reasons I implore the Planning Commission not to approve this waiver. Consider the Families and property of your affected residents. Thank You.

**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF**  
**MAY 16, 2016**

On a motion by Brosnan, supported by Meakin, and unanimously adopted, it was:

**#207-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 20, 2016, approved for submission by the Mayor, which transmits its resolution #04-31-2016, adopted on April 19, 2016, with regard to **Petition 2016-03-02-05, submitted by Michigan Property Group. L.L.C.**, requesting waiver use approval to develop and operate an outdoor storage yard for recreational vehicles, and site plan approval to develop an indoor, climate-controlled self-storage facility located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads (28900 Schoolcraft Road) in the Southwest 1/4 of Section 24, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2016-03-02-05 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan marked Sheet S-1, prepared by DAS Architects P.C., dated April 29, 2016, as revised, is hereby approved and shall be adhered to;
2. That the Landscape Plan prepared by Murphy and Associates, dated May 12, 2016, as revised, is hereby approved and shall be adhered to, except that additional full-size deciduous trees shall be planted along the front of the property subject to approval by the Planning and Engineering Departments;
3. That all disturbed lawn areas shall be sodded in lieu of hydro-seeding, including all areas within the public road right-of-way;
4. 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;
5. That the Exterior Building Elevation Plans marked Sheets A3 and A4, prepared by DAS Architects P.C., dated April 29, 2016, are hereby approved and shall be adhered to;
6. 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;

7. That this site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and shall secure any required permits, including soil erosion and sedimentation control permits;
8. The use of the self-storage facility shall be limited to the storage of personal and business items only, and no unit designed or intended for storage purposes shall be used for operating a business or recreational activity including, but not limited to, repairs, manufacturing, assembly, personal service, hobby, retail or office;
9. Outdoor storage shall be limited to no more than a combined total of 137 recreational vehicles, including motorhomes, travel trailers and boats, and the storage of all RV's shall take place within the spaces designated on the approved site plan. The storage of other types of vehicles or equipment, including work trailers and trucks, is strictly prohibited;
10. That there shall be no outdoor storage of disabled or inoperative equipment and vehicles, scrap material, debris or other similar items;
11. There shall be no storage of flammable, explosive, radioactive, hazardous, toxic, or volatile substances within the self-storage buildings or upon the premises, except that a propane refill station may be permitted as part of the concierge island as approved by the Livonia Fire Marshal and Inspection Department;
12. No overnight occupancy is permitted anywhere on the site, including the interior storage units or the RV's;
13. That the hours of operation for both the outdoor storage yard and indoor climate-controlled self-storage facility shall be limited to 8:00 a.m. to 8:00 p.m.;
14. The entire building and property shall have a camera security system in place and key code access;
15. That all light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded so as to minimize stray light trespassing across property lines and glaring into adjacent roadways;
16. That there shall be no outside dumpster located on the site, and all trash must be contained within the building except on the day trash is scheduled for removal;

17. That the petitioner shall complete a structural analysis of the protective wall between the subject property and the residential properties to the north to determine the soundness of the wall. Where needed, the wall shall be repaired or replaced to the satisfaction of the Inspection Department;
18. 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;
19. Window signs shall only be permitted on the ground floor of the building in accordance with Section 18.50D;
20. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
21. 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;
22. 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
23. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, 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.

## CONDITIONAL REZONING

### STATEMENT OF CONDITIONS

This Statement of Conditions made and entered into this 16<sup>th</sup> day of May, 2016, by and between the City of Livonia ("City"), a Michigan municipal corporation, whose offices are located at 33000 Civic Center Drive, Livonia, Michigan 48154 and Michigan Property Group, LLC ("Developer"), a Michigan limited liability company, whose registered office is located at 34355 Glouster Circle, Farmington Hills, Michigan 48331.

### RECITALS

- A. The City's Zoning Ordinance, as amended by the Michigan Zoning Enabling Act, Sec. 405, MCL 125.3405, empowers the City to approve certain use and development of land as a condition to rezone the land ("Conditional Rezoning"), recognizing there may be certain instances where it would be in the best interest of the City, as well as advantageous to an owner of property, that certain conditions could be voluntarily proposed by the owner or a prospective developer as part of a request for a change in the zoning classification of the respective parcel(s) of property.
- B. Developer, with the knowledge and consent of the Owner, filed an Application for a change of zoning ("Application") (identified by the City as Petition 2015-12-01-13) for a change in the zoning classification from ("C-2") ("General Business") to ("M-1") ("Light Manufacturing") for property commonly known as 28900 Schoolcraft, located on the north side of Schoolcraft between Middlebelt and Cardwell, in the Southwest 1/4 of Section 24, as more particularly described in Exhibit A ("the Property"), which is specifically incorporated by reference into this Statement of Conditions.
- C. This Statement of Conditions is intended to be attached to and incorporated into the Application as a voluntary offer in writing setting forth conditions related to the use and development of the Property for which the conditional rezoning is being requested. Included as a material part of this Statement of Conditions and which are specifically incorporated by reference herein are the site plans ("Plans"), which are attached as **Exhibit B**, which depict the specific proposed use of the Property.
- D. On the 16<sup>th</sup> day of May, 2016, the City Council approved the Application with the conditions provided herein, as well as any additional conditions volunteered by the Developer during the Council's deliberation, if any. The duly adopted minutes of the City Council meeting are attached as Exhibit C and specifically incorporated by reference herein.



- E. Pursuant to MCL 125.3405, the Statement of Conditions applicable to the conditional rezoning is required to be signed by the Developer. By executing this Statement of Conditions, the City, Owner, and Developer desire to set forth and confirm the conditions volunteered by the Developer which the City Council materially relied upon in granting the conditional rezoning.

NOW THEREFORE, the Developer voluntarily agrees:

1. Conditions Running with the Property. This Statement of Conditions covers the Property described in more particular detail on Exhibit A, and shall be a binding burden upon, and inure to the benefit of, the Property, as well as the City, Owner, Developer, their heirs, successors, assigns, and devisees, and shall run with the Property pursuant to recordation in Wayne County Records of this Agreement.
2. Plans. The conditional rezoning granted by the City was and is based upon the site plan presented by the Developer. The Property shall be developed in full conformance with the Plans attached as **Exhibit B**, except to the extent any modifications are specifically approved by the City Council, in its sole discretion. Otherwise, the failure of the Developer or Owner, their assigns, successors, heirs, devisees or agents to fully comply with the Site Plan shall be deemed as a material breach of the conditions provided herein and a waiver of the conditional rezoning. If the breach is not cured within 30 days of receiving notice thereof, the Developer or Owner, their assigns, successors, heirs, devisees or agents hereby voluntarily and irrevocably consent to the withdrawal and dissolution of the conditional rezoning and the imposition of the Underlying Zoning Classification of the Property. The final development of the Property shall be consistent with the Plans and subject to the other applicable ordinance requirements, including any requirements for a waiver or conditional use approval, variances or site plan approval.
3. List of Conditions. The conditional rezoning was granted and shall remain valid based upon the satisfaction of the conditions voluntarily offered by the Owner and Developer as follows:
  - i. The Property shall be developed in full conformance with the Plan dated May 12, 2016 and attached as Exhibit B as provided above herein, except as modified below. The Developer specifically acknowledges that said development in compliance with the referenced Plan and Conditions shall be completed on or before December 31, 2017, or the Property shall revert to C-2 zoning pursuant to MCL 125.3405(2). Further, the Developer waives any alleged right to construct any more buildings or a building with greater square footage than depicted on the Site Plan regardless of any implications or entitlements of the zoning classification of M-1.
  - ii. The building to be constructed will be used as a Climate Controlled indoor storage facility only.

- iii. Outdoor storage on site will be limited to Recreational Vehicles only (no construction equipment, no materials stored).
  - iv. Outdoor storage will be based on leases not exceeding one year in length. No longer term storage arrangement or agreement is permitted.
  - v. No occupancy will be permitted in outdoor storage vehicles (RV's, campers) on the Property.
  - vi. The entire building and Property will have a camera security system in place and key code access.
  - vii. Hours of operation: 8 am to 8 pm, with management on site during these hours. Existing customers may access the site after 8:00 p.m. in case of emergency, but only with management present.
  - viii. Lighting on site will be controlled, so as not to shine or reflect light into neighbors' yards.
  - ix. This facility will be a Class A facility, inside and outside.
  - x. No storage will be allowed of explosive, radio-active, hazardous or any volatile substances within the storage building or on the Property.
  - xi. The use of the Property will be limited to storage only and the Property will not use same for operation of any other business, repairing of vehicles, hobbies or any other purpose than storage of personal or business items.
  - xii. If the property is approved for M1 zoning and sold in the future for any other purpose than self storage, then the zoning will revert back from M1 to C2.
  - xiii. For property tax purposes the Property will be treated as having C2 zoning even though zoned M1.
  - xiv. The Developer and Owner will cooperate with the City as necessary to effectuate the terms and conditions of this Statement of Conditions, acknowledging it is intended to serve as a binding enforceable contractual agreement ("Agreement"), and the City will likewise cooperate with the Developer and Owner.
4. Developer Acknowledgment. Developer and Owner acknowledge that they voluntarily offered and consented to the provisions contained in this Statement of Conditions. Developer and Owner agree that the conditions contained herein are fair, reasonable and equitable requirements and conditions; agrees that the Statement of Conditions does not constitute a taking of property for any purpose or violation of any constitutional right; and agrees to be bound by each and every

provision of this Statement of Conditions. Furthermore, it is agreed and acknowledged that any improvements and undertakings described herein are necessary and roughly proportional to the burden imposed by the conditional rezoning, and are necessary to ensure that public services and facilities will be capable of accommodating the development and the increased service of facility loads caused by the development; to protect the natural environment and conserve natural resources; to ensure compatibility with adjacent uses of land; to promote use of the Property in a socially and economically desirable manner; and to achieve other legitimate objectives authorized by law.

5. Authority to Execute. This Statement of Conditions has been authorized by all necessary actions of Developer and Owner, and Developer and Owner acknowledge that they are the only parties which have an interest in the Property, and that they have the authority to execute this Statement of Conditions and bind the Property to the terms and conditions set forth herein.
6. Obligation to Obtain Other Approvals. Developer and Owner acknowledge that any use or development approved by the conditional rezoning that may require a waiver or conditional use, a variance, or site plan approval under the terms of the Zoning Ordinance or Wayne County ordinances or regulations, may only be commenced if such waiver or conditional use, variance, and/or site plan approval is ultimately granted in accordance with the terms of the Zoning Ordinance or Wayne County Ordinances.
7. Amendment. This Statement of Conditions may only be amended by a written agreement signed by all parties hereto and approved by the City Council of the City.
8. Compliance with Statement of Conditions. Developer shall continuously operate and maintain the development and/or use of the Property in full compliance with all the conditions set forth in the Statement of Conditions. Any failure to comply fully with the conditions contained with the Statement of Conditions shall constitute a violation of the Zoning Ordinance. Any such violation shall be deemed a nuisance per se and subject to judicial abatement and injunction as provided by law, and the City shall recover, as additional damages, its attorney fees and costs.
9. Time Period for Developing Property. The approved development and/or use of the Property pursuant to the building and other required permits, must be commenced upon the Property within eighteen (18) months after the effective date by publication of the conditional rezoning action, and must thereafter proceed diligently to completion. If the development and/or use of the rezoned land does not occur within this time frame, Developer and Owner acknowledge that the Property shall immediately revert to its former zoning classification, and the City may initiate a rezoning of the Property to complete this reversion process.

Permits must be obtained and construction must commence within the 18 month time period.

10. City Right to Rezone. Developer and Owner acknowledge that nothing in the Statement of Conditions shall be deemed to prohibit the City from rezoning all or any portion of the Property subject to the Statement of Conditions to another zoning classification.

IN WITNESS WHEREOF, the parties have caused this Conditional Rezoning Statement of Conditions to be executed on the day and year recited above.

City of Livonia  
A Michigan municipal corporation

By: *Dennis K. Wright*  
Dennis K. Wright  
Its: Mayor

By: *Susan N. Nash*  
Susan N. Nash  
Its: City Clerk

APPROVED AS TO FORM  
DEPARTMENT OF LAW

BY: *Michael E. Gish*  
DATE: 6/8/2016

Michigan Property Group, LLC

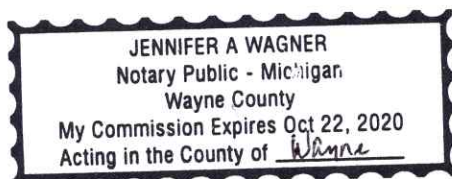
By: *Emre D. Acik*  
Its: Developer

#### ACKNOWLEDGMENT

STATE OF MICHIGAN     )  
                                          )ss  
COUNTY OF WAYNE     )

The foregoing Agreement was acknowledged before me by Dennis K. Wright, the duly authorized Mayor of the City of Livonia, and Susan N. Nash, the fully authorized City Clerk for the City of Livonia, on the 8th day of 2016, 2016.

*Jennifer A. Wagner*  
Jennifer A. Wagner, Notary Public  
Wayne County, acting in Wayne County, Michigan  
My Commission Expires: 10/22/2020



ACKNOWLEDGMENT

STATE OF MICHIGAN     )  
                                  Oakland     )ss  
COUNTY OF ~~WAYNE~~     )

The foregoing Agreement was acknowledged before me by Emie D'Oseery  
Michigan Property Group, LLC, a \_\_\_\_\_, on the 2nd day  
of May, 2016.

Laurelee Parolo

Laurelee Parolo, Notary Public  
Wayne County, acting in Oakland County, Michigan  
My Commission Expires: 6/16/2020

P:\Agreements\Conditional Rezoning\Michigan Property Group Conditional Rezoning Version 2.docx

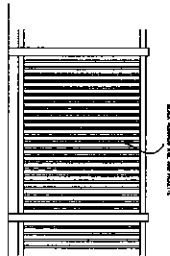
Laurelee Parolo  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 06/16/2020  
Acting in the County of

## **Exhibit A**

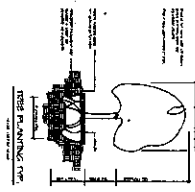
Land in the City of Livonia, Wayne County, Michigan described as: Part of the Southwest  $\frac{1}{4}$  of Section 24, Town 1 South, Range 9 East, described as follows: Beginning at a point on the south line of proposed Mar-Git Subdivision distant South 89 degrees 31 minutes 28 seconds East 1319.93 feet along east and west line and South 0 degrees 1 minute 38 seconds West 2231.05 feet from west  $\frac{1}{4}$  corner of said section and proceed thence South 89 degrees 31 minutes 44 seconds East 846.00 feet; thence South 0 degrees 1 minute 38 seconds West 846.00 feet along south line of Section 24; thence North 0 degrees 1 minute 38 seconds East 402 feet to the point of beginning, excepting the south 117.75 feet on the west line and the south 115.90 feet on the east line thereof for road.





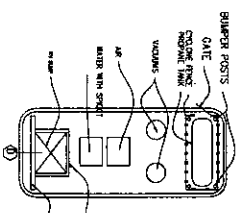


ALUMINUM FENCE ELEVATION



**Notes:**  
 1. All trees to be 1" - 2" of trunk.  
 2. All trees to be 1" - 2" of trunk.  
 3. All trees to be 1" - 2" of trunk.  
 4. All trees to be 1" - 2" of trunk.  
 5. All trees to be 1" - 2" of trunk.  
 6. All trees to be 1" - 2" of trunk.  
 7. All trees to be 1" - 2" of trunk.  
 8. All trees to be 1" - 2" of trunk.  
 9. All trees to be 1" - 2" of trunk.  
 10. All trees to be 1" - 2" of trunk.

- Plant Material List:**
- 1. 1" - 2" of trunk
  - 2. 1" - 2" of trunk
  - 3. 1" - 2" of trunk
  - 4. 1" - 2" of trunk
  - 5. 1" - 2" of trunk
  - 6. 1" - 2" of trunk
  - 7. 1" - 2" of trunk
  - 8. 1" - 2" of trunk
  - 9. 1" - 2" of trunk
  - 10. 1" - 2" of trunk



CONCIERGE ISLAND

**BUILDING AREA:**  
 1. 11,000 SF  
 2. 11,000 SF  
 3. 11,000 SF  
 4. 11,000 SF  
 5. 11,000 SF  
 6. 11,000 SF  
 7. 11,000 SF  
 8. 11,000 SF  
 9. 11,000 SF  
 10. 11,000 SF

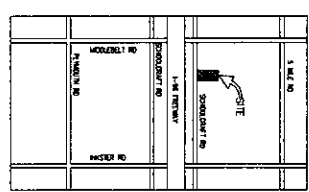
**CUSTOMER PARKING:**  
 1. 11,000 SF  
 2. 11,000 SF  
 3. 11,000 SF  
 4. 11,000 SF  
 5. 11,000 SF  
 6. 11,000 SF  
 7. 11,000 SF  
 8. 11,000 SF  
 9. 11,000 SF  
 10. 11,000 SF

**RV STORAGE:**  
 1. 11,000 SF  
 2. 11,000 SF  
 3. 11,000 SF  
 4. 11,000 SF  
 5. 11,000 SF  
 6. 11,000 SF  
 7. 11,000 SF  
 8. 11,000 SF  
 9. 11,000 SF  
 10. 11,000 SF

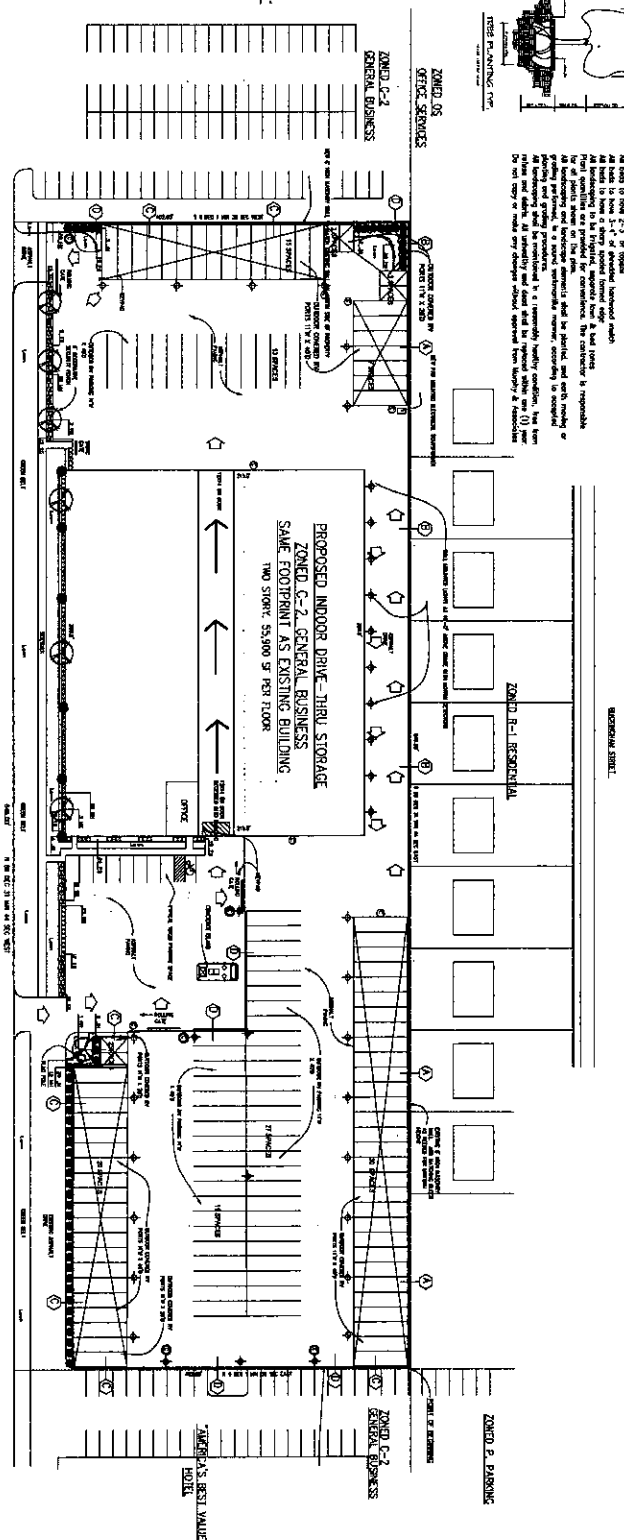
**LANDSCAPE CALCULATIONS:**  
 1. 11,000 SF  
 2. 11,000 SF  
 3. 11,000 SF  
 4. 11,000 SF  
 5. 11,000 SF  
 6. 11,000 SF  
 7. 11,000 SF  
 8. 11,000 SF  
 9. 11,000 SF  
 10. 11,000 SF

**LEGAL DESCRIPTION:**  
 1. 11,000 SF  
 2. 11,000 SF  
 3. 11,000 SF  
 4. 11,000 SF  
 5. 11,000 SF  
 6. 11,000 SF  
 7. 11,000 SF  
 8. 11,000 SF  
 9. 11,000 SF  
 10. 11,000 SF

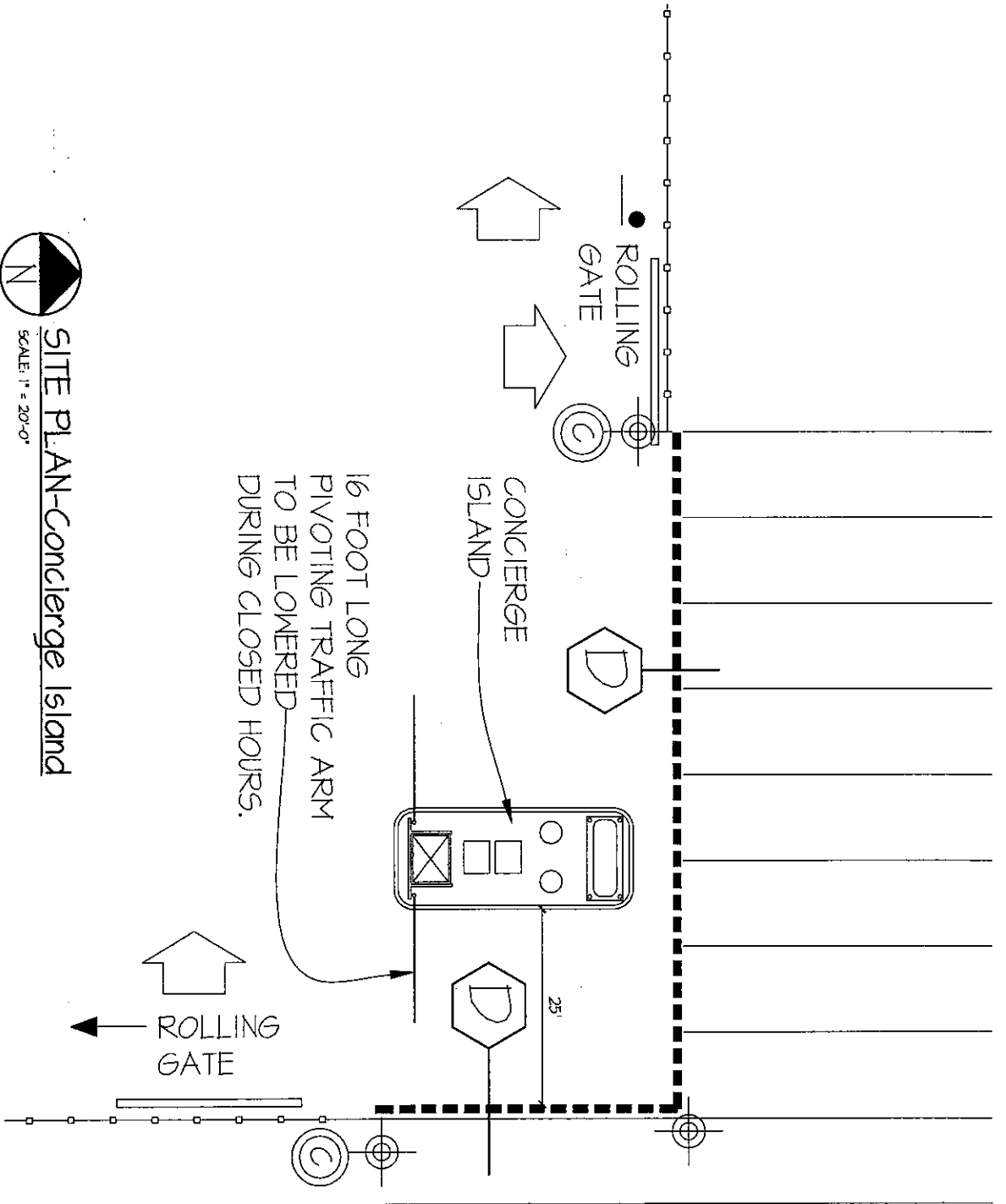
- SYMBOL LIST:**
- 1. 1" - 2" of trunk
  - 2. 1" - 2" of trunk
  - 3. 1" - 2" of trunk
  - 4. 1" - 2" of trunk
  - 5. 1" - 2" of trunk
  - 6. 1" - 2" of trunk
  - 7. 1" - 2" of trunk
  - 8. 1" - 2" of trunk
  - 9. 1" - 2" of trunk
  - 10. 1" - 2" of trunk



LOCATION MAP



Landscape Plan  
 SCALE: 1" = 40'-0"

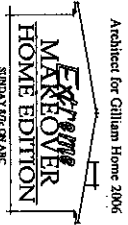


# SITE PLAN-Concierge Island

SCALE: 1" = 20'-0"



DALE A. STUDNICKA  
ARCHITECTS, P.C.  
7341 Triangle Drive  
Sterling Heights, MI 48314  
(586)803-1410



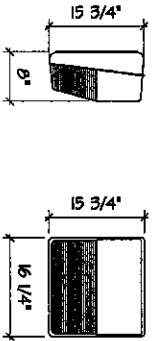
Architect for Gilliam Home 2006

PROJECT  
**SAFETY MINI STORAGE**  
28400 SCHOOLCRAFT ROAD  
LIVONIA MI 48150

DATE  
04/18/16

JOB NUMBER  
4181-1015

ISSUED FOR  
..  
SHEET NO.



**SIDE VIEW**  
LITHONIA LIGHTING SERIES TMA LED WALL MOUNTED FIXTURE, MOUNT PER PLAN.

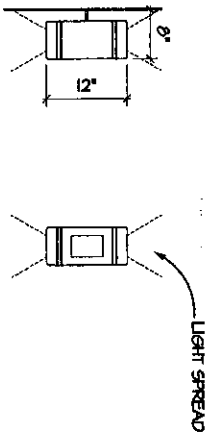
**FRONT VIEW**

ALL EXTERIOR LIGHTS TO BE CONTROLLED BY PHOTOCELL.

## BUILDING & RV PORT WALL PACK LIGHT DETAIL (WIDE THROW)

### LIGHTING NOTE:

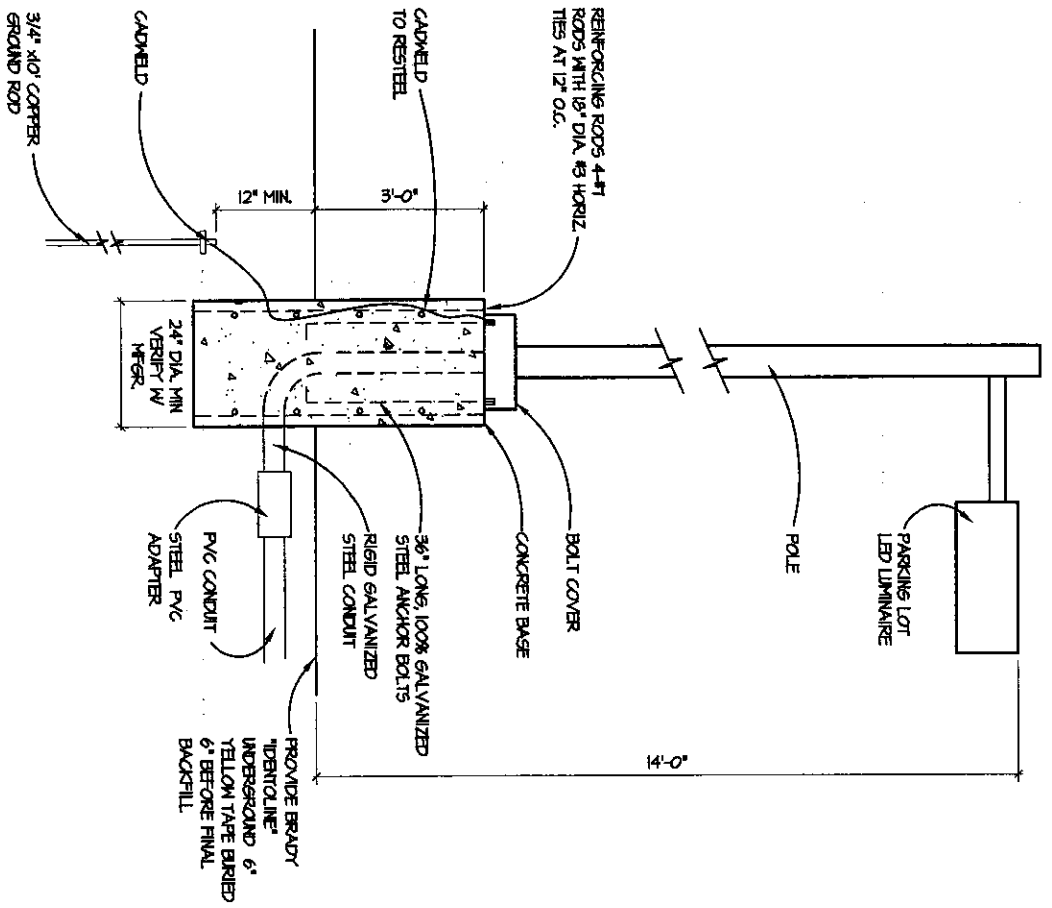
1. SIGHT LIGHTING SHALL BE SHIELDED SO AS NOT TO SHINE ON ADJACENT PROPERTIES.
2. INTENSITY SHALL BE LIMITED TO 10 FOOT CANDLE MAXIMUM AT THE PAVEMENT SURFACE.



**SIDE VIEW**  
LED WALL MOUNTED FIXTURE, OWNER TO SPECIFY, MOUNT PER PLAN.

**FRONT VIEW**

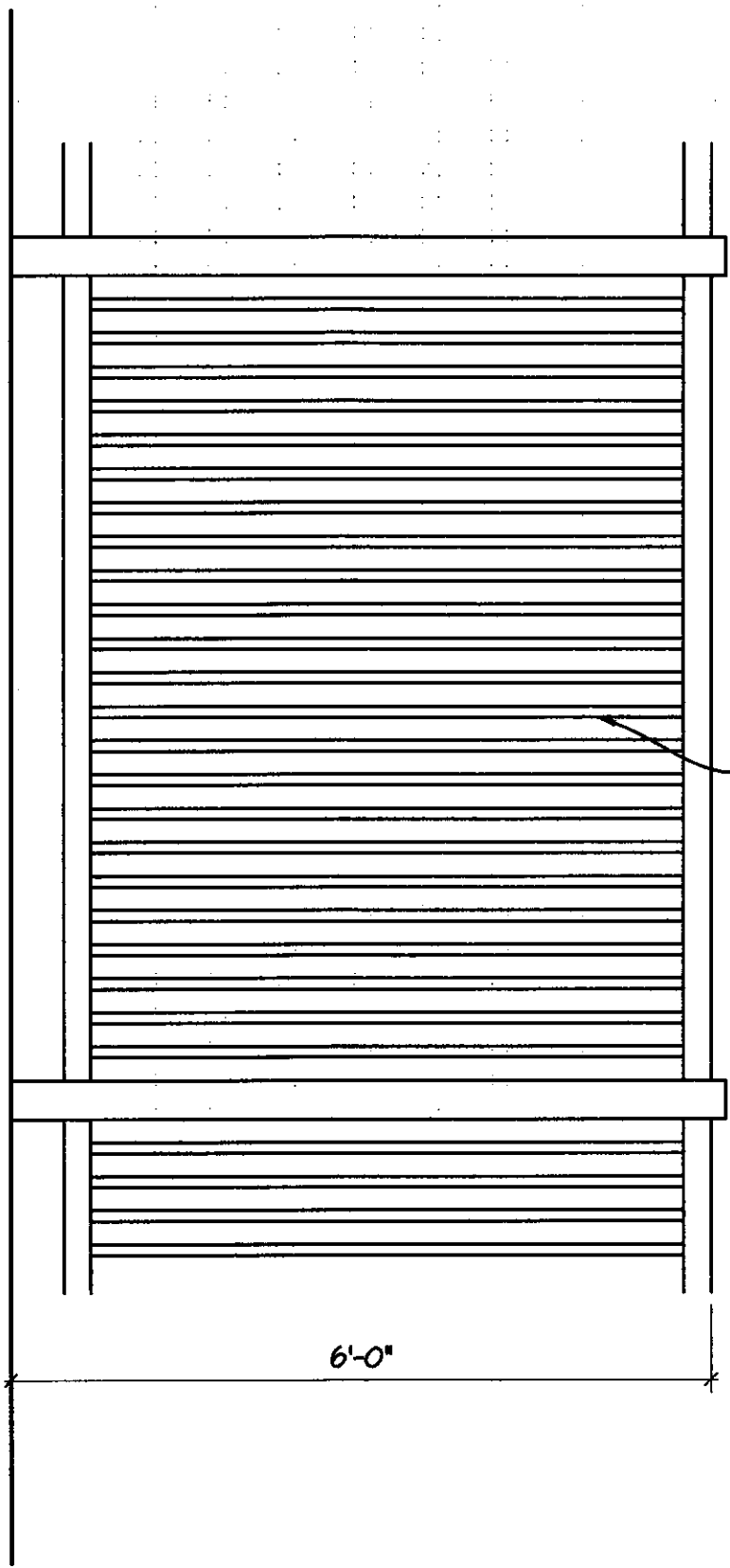
## WALL SCONCE LIGHT DETAIL (UP/DOWN LIGHTING)



## SITE AND PARKING LOT LIGHTING FIXTURE DETAIL

SCALE: NO SCALE

BLACK ALUMINUM RAIL  
AND PICKETTS



6'-0"

ALUMINUM FENCE ELEVATION

21ED

DO NOT SCALE DRAWINGS.  
DO NOT SCALE DIMENSIONS ONLY.  
THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR  
WORK THAT DEVIATES FROM THESE DOCUMENTS. ALL  
SUBCONTRACTORS SHALL OBTAIN A COMPLETE SET  
OF CONSTRUCTION DOCUMENTS TO MANAGE THEIR  
WORK. CONTRACTORS SHALL NOTIFY ARCHITECT OF  
ANY DISCREPANCIES IN THESE DOCUMENTS BEFORE  
PROCEEDING WITH ANY RELATED WORK.



**MAKEOVER**  
**HOME EDITION**

PROJECT  
PROJECT  
SAFETY MINI STORAGE  
28900 SCHOOLCRAFT ROAD  
LIVONIA, MI 48150

---

| DATE      | FILL SETS NEEDED FOR | BY  |
|-----------|----------------------|-----|
| CARTRIDGE | SFC                  | JHB |
|           |                      |     |
|           |                      |     |
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**DALE A. STUDNICKA**  
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(586)803-1410  
[www.dasarchpc.com](http://www.dasarchpc.com)

DO NOT SCALE DRAWINGS  
OR REUSE DIMENSIONS ONLY.

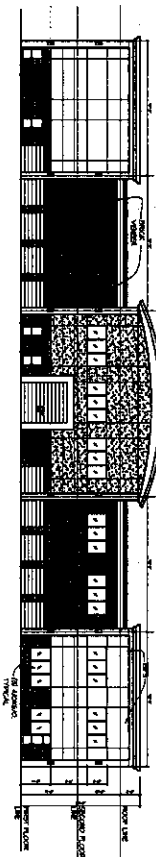


PROJECT  
PROJECT  
SAFETY MINI STORAGE  
28400 SCHOOLCRAFT ROAD  
LIVONIA, MI 48150

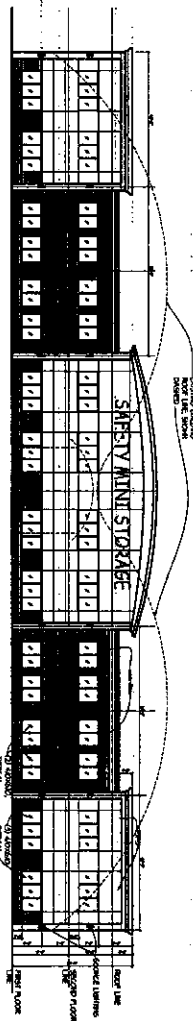
| DATE     | CALL SETS USED FOR | BY |
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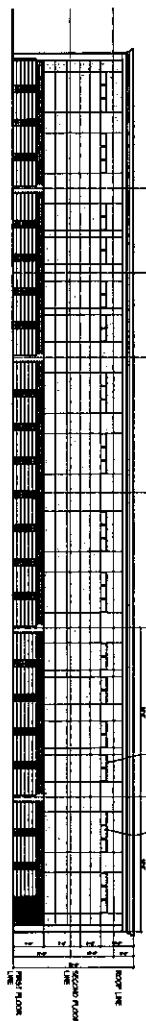
**DALE A. STUDNICKA  
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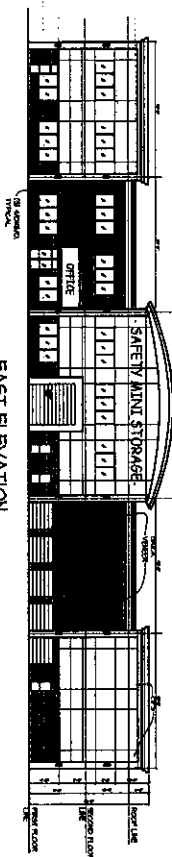
WEST ELEVATION  
SCALE: 1/8" = 1'-0"



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



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



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

|         |      |    |
|---------|------|----|
| 419-105 | DATE | BY |
| 4/19/05 | DATE | BY |
| A3      | DATE | BY |



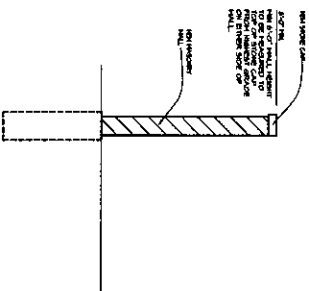
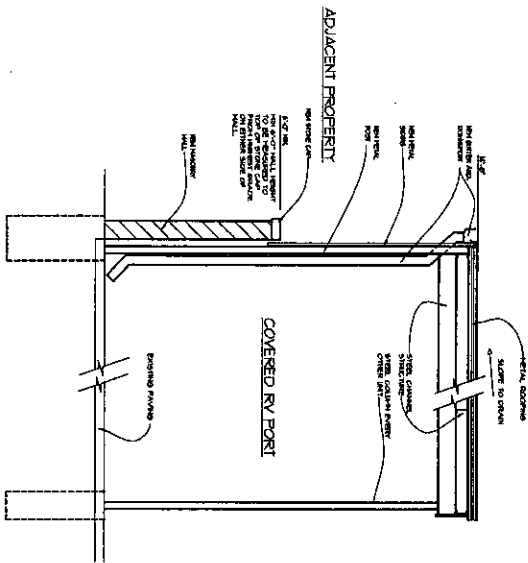
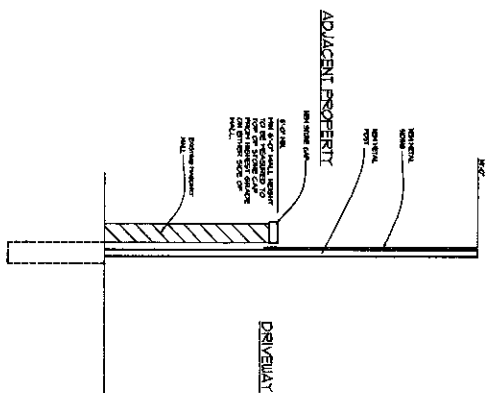
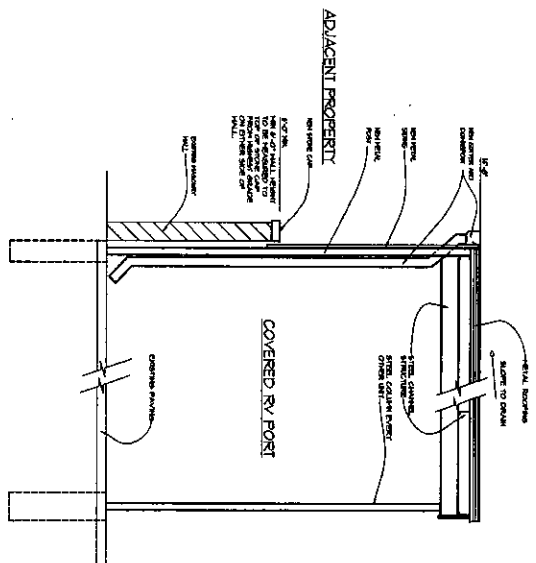
PROJECT  
SAFETY MINI STORAGE  
25400 SCHOOLCRAFT ROAD  
LIVONIA, MI 48150

| DATE    | DESCRIPTION                | BY |
|---------|----------------------------|----|
| 4/19/05 | FINAL SET FOR CONSTRUCTION | DA |
| 4/19/05 | FINAL SET FOR CONSTRUCTION | DA |
| 4/19/05 | FINAL SET FOR CONSTRUCTION | DA |

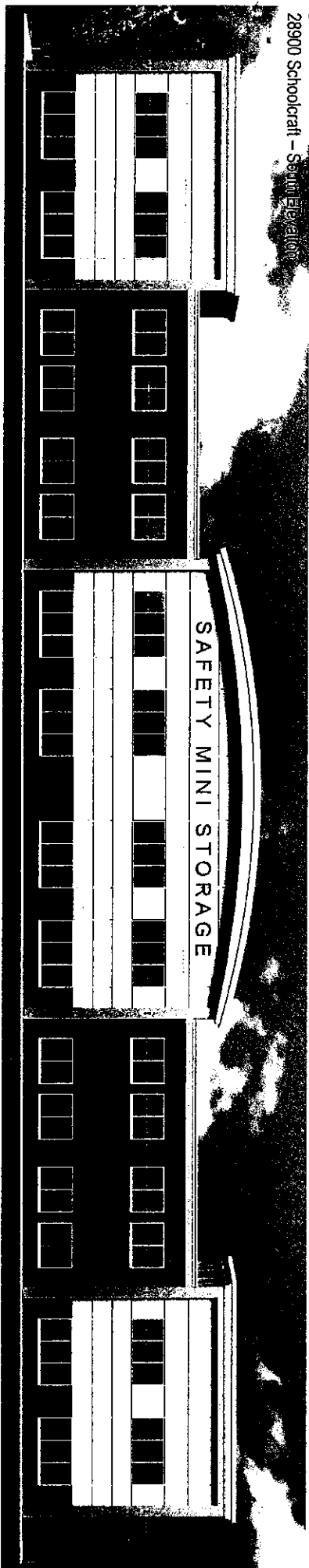


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28900 Schoolcraft - South Elevation



**MINUTES OF THE ONE THOUSAND EIGHT HUNDRED AND FIRST**

**REGULAR MEETING OF MAY 16, 2016**

On May 16, 2016 the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by President McIntyre at 7:00 p.m. Councilmember Bahr led the meeting in the Pledge.

Roll was called with the following result: Scott Bahr, Brian Meakin, Brandon Kritzman, Maureen Miller Brosnan, Jim Jolly, Cathy White and Kathleen McIntyre. Absent: None.

Elected and appointed officials present: Mark Taormina, Director of Economic Development and Planning; Todd Zilincik, City Engineer; Don Knapp, City Attorney; Susan M. Nash, Clerk; Judy Priebe, Director of Legislative Affairs; Lynda Scheel, Treasurer; and Mayor Dennis Wright.

On a motion by Jolly, supported by Brosnan, it was:

**#194-16** RESOLVED, that the Minutes of the 1,800th Regular Meeting of the Council held May 4, 2016 are hereby approved as submitted.

Councilmember White indicated that earlier in the year St. Mary's Health Systems had expressed an interest in forming a partnership with the City in promoting their Healthy Livonia Community Initiative with a delegate being chosen by City Council to serve on the committee. She asked that the matter be referred to the Committee of the Whole to help facilitate the process.

On a motion by White, supported by Meakin, and unanimously adopted, it was:

**#195-16** RESOLVED, that having considered a request from Councilmember Cathy K. White, and supported by Councilmember Brian Meakin, the Council does hereby refer the subject of St.

*Regular Meeting Minutes of May 16, 2016*

Mary Mercy Hospital Healthy Living Community to the Committee of the Whole for its report and recommendation.

On a motion by White, supported by Brosnan, and unanimously adopted, it was:

**#196-16** RESOLVED, that having considered a request from Councilmembers Cathy K. White and Maureen Miller Brosnan, the Council does hereby refer the subject of City Council's role in promoting business among different cultures within the Livonia Community, along with the Livonia Chamber of Commerce, to the Committee of the Whole for its report and recommendation.

President McIntyre invited everyone to attend the Memorial Day Event being held on Saturday, May 28<sup>th</sup>, 2016 at 9:00 a.m. to pay tribute to our veterans.

She then announced there will be a Public Hearing being held on Wednesday, June 1<sup>st</sup>, 2016 at 7:00 p.m. in the Auditorium of City Hall, 33000 Civic Center Drive, Livonia, MI 48154 on the following:

Proposed Special Assessment Street Lighting Project for the Churchill Manor Site Condominiums, located west of Newburgh Road and north of Joy Road, in the Southeast ¼ of Section 31.  
Establishment of the Assessment Roll, including two (2) outlots.

She indicated there is new data on Items 13, 15, and 16 and two X-items on tonight's agenda.

She then thanked St. Aidan's for the Blue Mass they held this past Sunday honoring all police and first responders, retired and active, followed by a breakfast at the Knights of Columbus, Monaghan Hall.

Happy birthday wishes were sent to Chief Caid on his upcoming birthday.

During Audience Communication Josie Smith, 33648 Lyndon, commended the Police and Fire Departments of the City for the fine work they do.

A communication from the Department of Finance, dated April 20, 2016, re: forwarding various financial statements of the City of Livonia, was received and placed on file for the information of the Council.

On a motion by Jolly, supported by White, it was:

**#197-16** RESOLVED, that having considered an application from Derrick Rodriguez, 32421 Allen Court, dated April 18, 2016, requesting

*Regular Meeting Minutes of May 16, 2016*

permission to close Allen Court, at the entrance on Hubbard, on Sunday, June 26, 2016, from 12:00 p.m. to 10:00 p.m. for the purpose of conducting a block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

**#198-16** RESOLVED, that having considered a letter from Alan Maliszewski, St. Michael's Catholic Church, dated April 19, 2016, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to allow a car show with a DJ to be held in the parking lot at 11441 Hubbard Road on Saturday, July 16, 2016, from 9:00 a.m. to 3:00 p.m., the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 9:00 a.m. and 3:00 p.m. in connection with this event to be held on Saturday, July 16, 2016.

**#199-16** RESOLVED, that having considered a letter from Jeannie Maciejewski, dated April 22, 2016, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to hold a graduation party at her home located at 36145 Jay Street on Saturday, July 23, 2016, ending at 1:00 a.m. on Sunday, July 24, 2016, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances in connection with this event to be held on Saturday, July 23, 2016, ending at 1:00 a.m. on Sunday, July 24, 2016.

**#200-16** RESOLVED, that having considered a letter from Laura Turner, Livonia Franklin Band Booster President, dated April 14, 2016, the Council does hereby take this means to indicate that Livonia Franklin Band Boosters is recognized as a Non-Profit Organization operating in the community, and the action herein being taken for the purpose of affording the Livonia Franklin Band Boosters the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

A Letter of Resignation dated April 26, 2016 from Sam Caramagno, re: his resignation from the Zoning Board of Appeals, was received and placed on file for the information of the Council.

**#201-16** RESOLVED, that pursuant to Section 21.02 of the Zoning Ordinance of the City of Livonia, Ordinance No. 543, as amended, and Section 601 of Act 110 of the Public Acts of Michigan of 2006, as amended, Timothy J. Klisz, 18210 Manor Lane, Livonia, MI 48152, is hereby appointed to the Zoning Board of Appeals to fill the unexpired term of office of Sam Caramagno, which will

*Regular Meeting Minutes of May 16, 2016*

expire July 12, 2016, and to a full three-year term thereafter, which will expire July 12, 2019, provided that Mr. Klisz take 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.

The Plymouth Road Development Authority (PRDA) 2015 Annual Report, dated April 18, 2016, was received and placed on file for the information of the Council.

**#202-16** RESOLVED, that having considered a communication from the Review Committee, dated April 6, 2016, submitted pursuant to CR 275-15 (and CR 457-07), which bears the signature of the Mayor, to which is attached a report and recommendation from The Bogdahn Group, dated March 17, 2016, regarding the selection of a Plan Provider for the City of Livonia's Defined Contribution (401) and Deferred Compensation (457) Retirement Plans, the Council does hereby authorize the Administration to negotiate a contract with Empower Retirement, 8515 East Orchard Road, Greenwood Village, CO 80111, to provide retirement plan services for the City's Defined Contribution (401) and Deferred Compensation (457) retirement plans in accordance with their proposal dated December 15, 2015; FURTHER, the Council does hereby authorize the use of the investment options proposed in the Bogdahn Group's March 2016 Defined Contribution Fund Menu Report; and the Mayor and City Clerk are hereby authorized to execute an agreement, 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 things necessary or incidental to the full performance of this resolution.

**#203-16** RESOLVED, that having considered the report and recommendation of the Director of Inspection, dated April 25, 2016, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) 2017 Ford Escape SUV, from Gorno Ford, 22025 Allen Road, Woodhaven, MI 48183, for a total cost not to exceed \$24,680.00, to replace one (1) 2005 Ford Taurus, for use by the Inspection Department, the same to be expended from funds already budgeted for this purpose in Account No: 101-371-985-000; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price under Contract No. 071-B13-00009; Spec No. 3905-0018B; 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 Director of Inspection is hereby authorized to approve minor adjustments as required.

**#204-16** RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 18, 2016, which bears the signature of the Director of Finance, is approved by the Director of Public Works and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of D'Angelo Brothers, Inc., P.O. Box 531330, Livonia, MI 48153, for completing all work required in connection with the 2016-2017 Sidewalk and Pavement Replacement Program - Water Main Breaks (Contract 16-F) for the estimated total cost of \$291,237.50 or \$145,618.75 per year (Phase I - \$210,765.00 or \$105,382.50 per year and Phase II - \$80,472.00 or \$40,236.00 per year), based upon the Engineering Division's estimate of units involved, and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, said estimated cost and unit prices having been in fact the lowest bid received for this item; FURTHER, the Council does hereby appropriate and authorize a not-to-exceed expenditure in the amount of \$291,237.50 for the 2016/2017 Sidewalk and Pavement Replacement Program - Water Main Breaks from the Water and Sewer Construction in Progress Account No. 592-158-000 for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary; and the Mayor and City Clerk are hereby authorized to execute a two (2) year 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.

**#205-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 7, 2016, which transmits its resolution #04-27-2016, adopted on April 5, 2016, with regard to Petition 2016-03-LS-04, submitted by the City of Livonia Housing Commission, to determine whether or not to dispose of City-owned property located on the west side of Santa Anita Avenue between Jamison Avenue and Five Mile Road (15175 Santa Anita Avenue) in the Northeast 1/4 of Section 24, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2016-03-LS-04 is hereby approved and granted, subject to adopted policies and ordinances involving such transactions; FURTHER, that the property be posted with a "For Sale" sign for 60 days prior to taking bids, and that the Director of Housing prepare specifications and obtain competitive bids with a minimum bid price bid of \$34,000.00, which bids shall be opened in the Office of the City Clerk, 33000 Civic Center Drive, Livonia, Michigan 48154, at 2:00 p.m. on July 26, 2016, with notice of same to be published in the City's official newspaper at least seven (7) days prior to the bid opening; FURTHER, all such bids shall be accompanied by a deposit in the form of a money order or certified check which is equal to five (5%) percent of the bid price or \$500.00, whichever is greater, and in the event of a default, the deposit is subject to forfeiture

*Regular Meeting Minutes of May 16, 2016*

or liquidated damages, and all competitive bids shall thereafter be submitted to Council for consideration.

**#206-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 7, 2016, which transmits its resolution #04-28-2016, adopted on April 5, 2016, with regard to Petition 2016-03-LS-08, submitted by the City of Livonia Housing Commission, to determine whether or not to dispose of City-owned property located on the west side of Middlebelt Road between Joy Road and Dover Avenue (8875 Middlebelt Road) in the Southeast 1/4 of Section 35, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2016-03-LS-08 is hereby approved and granted, subject to adopted policies and ordinances involving such transactions; FURTHER, that the property be posted with a "For Sale" sign for 60 days prior to taking bids, and that the Director of Housing prepare specifications and obtain competitive bids with a minimum bid price bid of \$34,200.00, which bids shall be opened in the Office of the City Clerk, 33000 Civic Center Drive, Livonia, Michigan 48154, at 2:00 p.m. on July 26, 2016, with notice of same to be published in the City's official newspaper at least seven (7) days prior to the bid opening; FURTHER, all such bids shall be accompanied by a deposit in the form of a money order or certified check which is equal to five (5%) percent of the bid price or \$500.00, whichever is greater, and in the event of a default, the deposit is subject to forfeiture or liquidated damages, and all competitive bids shall thereafter be submitted to Council for consideration.

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

AYES: Bahr, Meakin, Kritzman, Brosnan, Jolly, White and McIntyre

NAYS: None

The President declared the resolutions adopted.

A communication from the Department of Law, dated April 5, 2016, re: proposed amendment to Livonia Code of Ordinances, was received and filed for the information of the Council.

Brosnan gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 240 OF TITLE 10, CHAPTER 21 (TRAFFIC VIOLATIONS) TO AMEND TOWING AND STORAGE FEES.



*Regular Meeting Minutes of May 16, 2016*

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.

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

**AN ORDINANCE VACATING THE USE OF PORTIONS  
OF STREET, ALLEY AND PUBLIC GROUND.**

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

**AYES:** Bahr, Meakin, Krtizman, Brosnan, Jolly, White and  
McIntyre

**NAYS:** None

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

A communication from the Department of Law, re: Petition 2015-12-01-13, Michigan Property Group, LLC Conditional Rezoning Agreement, was received and placed on file for the information of the Council.

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

**AN ORDINANCE AMENDING SECTION 24 OF THE  
ZONING MAP OF THE CITY OF LIVONIA AND  
AMENDING ARTICLE III OF ORDINANCE NO. 543, AS  
AMENDED, KNOWN AND CITED AS "THE CITY OF  
LIVONIA ZONING ORDINANCE" BY ADDING SECTION  
3. \_\_\_\_\_THERE TO.**

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

**AYES:** Bahr, Meakin, Kritzman, Brosnan, Jolly, White and  
McIntyre

NAYS: None

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

A proposed site plan marked Sheet S-1 dated April 29, 2016 and proposed elevation plans marked Sheets A3 and A4, dated April 29, 2016, submitted by DAS Architects, P.C., re: Petition 2016-03-02-05, was received and placed on file for the information of the Council.

A proposed landscape plan dated May 12, 2016 from Murphy & Associates, re: Petition 2016-03-02-05, was received and placed on file for the information of the Council.

On a motion by Brosnan, supported by Meakin, and unanimously adopted, it was:

**#207-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 20, 2016, approved for submission by the Mayor, which transmits its resolution #04-31-2016, adopted on April 19, 2016, with regard to Petition 2016-03-02-05, submitted by Michigan Property Group. L.L.C., requesting waiver use approval to develop and operate an outdoor storage yard for recreational vehicles, and site plan approval to develop an indoor, climate-controlled self-storage facility located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads (28900 Schoolcraft Road) in the Southwest 1/4 of Section 24, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2016-03-02-05 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan marked Sheet S-1, prepared by DAS Architects P.C., dated April 29, 2016, as revised, is hereby approved and shall be adhered to;
2. That the Landscape Plan prepared by Murphy and Associates, dated May 12, 2016, as revised, is hereby approved and shall be adhered to, except that additional full-size deciduous trees shall be planted along the front of the property subject to approval by the Planning and Engineering Departments;

*Regular Meeting Minutes of May 16, 2016*

3. That all disturbed lawn areas shall be sodded in lieu of hydro-seeding, including all areas within the public road right-of-way;
4. 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;
5. That the Exterior Building Elevation Plans marked Sheets A3 and A4, prepared by DAS Architects P.C., dated April 29, 2016, are hereby approved and shall be adhered to;
6. 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;
7. That this site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and shall secure any required permits, including soil erosion and sedimentation control permits;
8. The use of the self-storage facility shall be limited to the storage of personal and business items only, and no unit designed or intended for storage purposes shall be used for operating a business or recreational activity including, but not limited to, repairs, manufacturing, assembly, personal service, hobby, retail or office;
9. Outdoor storage shall be limited to no more than a combined total of 137 recreational vehicles, including motorhomes, travel trailers and boats; and the storage of all RV's shall take place within the spaces designated on the approved site plan. The storage of other types of vehicles or equipment, including work trailers and trucks, is strictly prohibited;
10. That there shall be no outdoor storage of disabled or inoperative equipment and vehicles, scrap material, debris or other similar items;
11. There shall be no storage of flammable, explosive, radioactive, hazardous, toxic, or volatile substances within the self-storage buildings or upon the premises, except that a propane refill station may be permitted as part of the concierge island as approved by the Livonia Fire Marshal and Inspection Department;
12. No overnight occupancy is permitted anywhere on the site, including the interior storage units or the RV's;

*Regular Meeting Minutes of May 16, 2016*

13. That the hours of operation for both the outdoor storage yard and indoor climate-controlled self-storage facility shall be limited to 8:00 a.m. to 8:00 p.m.;
14. The entire building and property shall have a camera security system in place and key code access;
15. That all light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded so as to minimize stray light trespassing across property lines and glaring into adjacent roadways;
16. That there shall be no outside dumpster located on the site, and all trash must be contained within the building except on the day trash is scheduled for removal;
17. That the petitioner shall complete a structural analysis of the protective wall between the subject property and the residential properties to the north to determine the soundness of the wall. Where needed, the wall shall be repaired or replaced to the satisfaction of the Inspection Department;
18. 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;
19. Window signs shall only be permitted on the ground floor of the building in accordance with Section 18.50D;
20. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
21. 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;
22. 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
23. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, 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 Brosnan, supported by Jolly, it was:

*Regular Meeting Minutes of May 16, 2016*

RESOLVED, that having considered a communication from the City Planning Commission, dated April 8, 2016, which transmits its resolution #04-29-2016, adopted on April 5, 2016, with regard to a Sign Permit Application, Petition 2016-03-SN-01, submitted by CU Solutions Group, requesting approval of an additional wall sign for the four-story office building (Seven Mile Crossing) located on the south side of Seven Mile Road between Haggerty Road and the I-275/96 Expressway (38695 Seven Mile Road) in the Northwest 1/4 of Section 7, the Council does hereby reject the recommendation made by the City Planning Commission and Petition 2016-03-SN-01 is hereby denied for the following reasons:

1. That the applicant has failed to comply with all the requirements outlined in Section 18.50G of the Zoning Ordinance;
2. That the applicant has not justified the need for excessive signage for this location;
3. That approving this signage request would set an undesirable precedent for the Seven Mile Crossing complex and surrounding area; and
4. Approving this application would not be aesthetically in the City's best interest.

Following discussion by Council, the original motion was withdrawn and the following substitute motion was made by Brosnan, supported by Jolly, as follows:

**#208-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 8, 2016, which transmits its resolution #04-29-2016, adopted on April 5, 2016, with regard to a Sign Permit Application, Petition 2016-03-SN-01, submitted by CU Solutions Group, requesting approval of an additional wall sign for the four-story office building (Seven Mile Crossing) located on the south side of Seven Mile Road between Haggerty Road and the I-275/96 Expressway (38695 Seven Mile Road) in the Northwest 1/4 of Section 7, the Council does hereby request that this item be sent to the Committee of the Whole for their report and recommendation.

with the following result:

AYES: Bahr, Kritzman, Brosnan, Jolly, White and McIntyre

NAYS: Meakin

The President declared the resolution adopted.

*Regular Meeting Minutes of May 16, 2016*

A final approval site plan dated May 12, 2016, from Neumann Smith Architecture, re: Petition 2016-03-02-04, was received and placed on file for the information of the Council.

On a motion by Kritzman, supported by Brosnan, and unanimously adopted, it was:

**#209-16** RESOLVED, that having considered a communication from the City Planning Commission, dated April 7, 2016, approved for submission by the Mayor, which transmits its resolution #04-26-2016, adopted on April 5, 2016, with regard to Petition 2016-03-02-04, submitted by Colliers International, on behalf of Zeal Credit Union, requesting waiver use approval to operate a credit union branch and offices located on the east side of Newburgh Road between Six Mile Road and Bennett Avenue (17250 Newburgh Road) in the Southwest 1/4 of Section 8, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2016-03-02-04 is hereby approved and granted, subject to the following conditions:

1. That the architectural site plan marked Sheet A050 dated May 12, 2016, as revised, prepared by Neumann Smith Architecture, is hereby approved and shall be adhered to;
2. That no less than 17 parking spaces located nearest the customer branch entrance shall be a minimum of ten feet (10') in width;
3. That the landscape plan marked Sheet No. L2 dated May 12, 2016, as revised, prepared by Nowak & Fraus Engineers, is hereby approved and shall be adhered to;
4. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
5. That underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
6. That the exterior elevation plans marked Sheet A400 dated May 12, 2016, as revised, prepared by Neumann Smith Architecture, are hereby approved and shall be adhered to; except that the petitioner shall consider incorporating minor changes that have the effect of improving the appearance of the building such as adding support columns and or muting or changing the color of the fascia and canopy;

*Regular Meeting Minutes of May 16, 2016*

7. 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;
8. That the three walls of the trash dumpster area shall be constructed out of building materials that shall complement that of the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass. The trash dumpster area shall be maintained and when not in use closed at all times;
9. That the enclosure of the generator area shall be constructed out of building materials that shall complement that of the building;
10. That all light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded so as to minimize stray light trespassing across property lines and glaring into adjacent roadways;
11. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
12. That no LED lightband or exposed neon shall be permitted on the site including, but not limited to, the building or around the windows;
13. 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
14. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, 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 Meakin, supported by Jolly, and unanimously adopted, it

was:

**#210-16** RESOLVED, that having considered a communication from the City Planning Commission, dated march 16, 2016, which sets forth its resolution 03-22-2016 adopted on March 15, 2016, with regard to Petition 2016-02-06-02, submitted by the City Planning Commission, pursuant to Section 23.01(b) of the Livonia Zoning Ordinance No. 543, as amended, proposing to remove Section 13.03(d) of Article XIII, P District Regulations, to eliminate confusion regarding the construction of parking

*Regular Meeting Minutes of May 16, 2016*

decks and other structures designed for parking vehicles, and the Council having conducted a public hearing with regard to this matter on Monday, April 25, 2016, the Council does hereby approve Petition 2016-02-06-02 for preparation of the ordinance for submission to Council; and the Department of Law is requested to prepare an ordinance amending Ordinance No. 543, as amended, in accordance with this resolution.

On a motion by White, supported by Jolly, and unanimously adopted, it

was:

**#211-16** WHEREAS, pursuant to due and proper notice published and mailed to all property owners in Special Assessment District No. 430, more particularly described in Council Resolution 99-16, adopted on March 9, 2016, as required by the provisions of the City Charter and Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, the City Council has duly met and reviewed the special assessments levied in the special assessment roll prepared by the City Assessor to cover the district in which to determine necessity for the installation of two (2) new LED streetlights, Lexington Style-14 Feet, on Colonial post top poles, in the Richfield Park Estates Site Condominiums, located West of Newburgh Road, between Ann Arbor Trail and Joy Road, in the Southeast ¼ of Section 31 in said Special Assessment District No. 430.

NOW, THEREFORE, BE IT RESOLVED, that the said Council does hereby determine necessity for the installation of two (2) new LED streetlights, Lexington Style-14 Feet, on Colonial post top poles, and that the assessments set forth in said Special Assessment District No. 430 Roll are fair and equitable and based upon benefits derived in said district, in accordance with the plans of the City Engineer and resolutions of the City Council; said Special Assessment Roll No. 430 based on the installation of two (2) new LED streetlights, Lexington Style-14 Feet, on Colonial post top poles, is hereby approved and confirmed in all respects; pursuant to the provisions of Section 3.08.130 of the Livonia Code of Ordinances, as amended, the City Clerk shall endorse the date of confirmation on the Assessment Roll, and the assessment roll shall then be immediately transmitted to the City Treasurer who shall take such further action as set forth in Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized to execute a Municipal Street Lighting Agreement as provided by Detroit Edison for this purpose; and further, a sum not to exceed \$1,364.00 is hereby authorized to be expended from the cash payments posted by or collected from the developer in Richfield Park Estates Site Condominiums in order to defray the Detroit Edison contribution-in-aid costs connected with this street lighting installation project; FURTHER, the Council does hereby authorize the Mayor and City Clerk for and on behalf of the City of Livonia to do all other things necessary or incidental to the full performance of this resolution.



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

**#212-16** RESOLVED, that the City Engineer having filed with the City Clerk a statement dated March 17, 2016, on all matters required by Sections 3.08.060 and 3.08.140 of the Livonia Code of ordinances, as amended, and a first public hearing having been held thereon on April 25, 2016, after due notice as required by Section 3.08.070 of said Code, and careful consideration having been given to all such matters, the Council does hereby, pursuant to Section 3.08.080 of said Code:

1. accept and approve said statement in all respects;
2. determine to include two (2) out lots for Churchill Manor Site Condominiums located west of Newburgh Road and north of Joy Road, City of Livonia, Wayne County, Michigan, as described in said statement; and defray the cost of such improvement by special assessment upon the property especially benefited in proportion to the benefits derived or to be derived;
3. approve the plans and specifications for the improvements as set forth in said statement dated March 17, 2016;
4. determine that the cost of such improvement shall be paid by special assessment upon the property especially benefited;
5. determine that the assessment made for such improvement shall be paid in annual installments, according to said statement;
6. designate the assessment district, describing the land and premises upon which special assessments shall be levied as follows:

Lots 1 to 31, both inclusive, of the Churchill Manor Site Condominiums, as recorded in the Wayne County Condo Plan No. 902, Liber 44234, Pages 74-100, Wayne County Records, said development being part of the S.E. ¼ of Section 31, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan and also Parcel Numbers: 124-99-0005-005 and 124-99-0008-001;

7. direct the City Assessor to prepare a special assessment roll in accordance with the Council's determination on said statement as prepared by the City Engineer dated March 17, 2016; and

*Regular Meeting Minutes of May 16, 2016*

8. that upon completion of said roll, the City Assessor shall attach thereto the certificate required by the provisions of Section 3.08.100 of the Livonia Code of Ordinances, as amended, and file the same with the City Clerk, who thereupon is directed to present the same to the City Council prior to the holding of the second public hearing thereon pursuant to Title 3, Chapter 8, of the Livonia Code of Ordinances.

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

**#213-16** RESOLVED, that having considered a communication from the Department of Law, dated April 26, 2016, approved for submission by the Mayor, transmitting for Council acceptance of a Grant of Easement executed by Peter Ventura, Partner for University Park, LLC, for a 12-foot wide public utility easement in connection with the water main line constructed at 36650 Five Mile Road in the Southwest 1/4 of Section 17, more particularly described as:

**12-foot Wide Public Water Main Easement**

A centerline description of a water main easement located in the Southwest ¼ of Section 17, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, more particularly described as follows:

Commencing at the South ¼ corner of said Section 17 and proceeding along the North-South ¼ line N. 00°12'30" W. 60.00 feet; thence N. 89°51'30" W. 43.00 feet to the West right of way line of Levan Road (43' wide, ½ width), point also being the Southeast corner of Outlot 'A' of "Kingsbury Heights Subdivision", as recorded in Liber 84, Pages 35, 36 and 37, Wayne County Records; thence along the North right of way line of Five Mile Road (60' wide, ½ width), N. 89°51'30" W. 574.94 feet to the point of beginning of said easement centerline; thence N. 00°25'28" E. 12.35 feet; thence N. 46°20'38" E. 19.98 feet; thence N. 00°02'30" E. 251.96 feet to Point 'A'; thence S. 89°57'30" E. 14.92 feet to a point of ending; thence from said Point 'A', N. 00°02'30" E. 94.17 feet; thence S. 89°43'11" E. 63.48 feet to the point of ending of said easement.

the Council does hereby, for and in 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.

On a motion by Brosnan, supported by Kritzman and unanimously adopted, it was:

*Regular Meeting Minutes of May 16, 2016*

**#214-16** RESOLVED, that the Council does hereby suspend their rules for procedure as outlined in Council Resolution 574-82 so as to permit consideration of items that do not appear on the Agenda.

On a motion by Meakin, supported by White, it was:

**#215-16** RESOLVED, that having considered a communication from the Department of Law, dated May 12, 2016, approved for submission by the Mayor, to which is attached a proposed Mediation Settlement Agreement, and for the reasons discussed in the closed Committee of the Whole meeting held on May 9, 2016, the Council does hereby authorize the Department of Law to resolve the claims brought on behalf of the City of Livonia against Discount Pool & Spa, Inc., Wayne County Circuit Court Case No: 14-015200-CK; and Home-Owners Insurance Company v Discount Pool & Spa, Inc., et al; Wayne County Circuit Court Case No.: 15-001133-CB; as outlined in the aforesaid settlement agreement, and the Department of Law is hereby authorized to do all 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: Bahr, Meakin, Kritzman, Brosnan, Jolly, White and McIntyre

NAYS: None.

The President declared the resolution adopted.

On a motion by Meakin, supported by White, and unanimously adopted, it was:

**#216-16** RESOLVED, that having considered a communication from Joanna G. Hardesty, Planning & Marketing Director, Wade Shows, Inc., dated May 16, 2016, wherein it is requested that Council Resolution 163-16 be amended to reflect the start date of the carnival to one day earlier, Thursday, May 19, 2016, due to the equipment being delivered earlier than expected, the Council does hereby amend and revise Council Resolution 163-16 so as to read as follows:

RESOLVED, that having considered a communication from the City Planning Commission, dated March 16, 2016, approved for submission by the Mayor, which transmits its resolution #03-20-2016, adopted on March 15, 2016, with regard to Petition 2016-02-02-02, submitted by Wade Shows, Inc., requesting waiver use approval to conduct a carnival in the parking lot of Sears, sponsored by the Rotary Club of Livonia,

*Regular Meeting Minutes of May 16, 2016*

consisting of amusement rides, games and food concessions from May 19, 2016 through May 30, 2016, inclusive, on property located on the northwest corner of Seven Mile Road and Middlebelt Road (29500 Seven Mile Road) in the Southeast 1/4 of Section 2, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2016-02-02 is hereby approved and granted, subject to the following conditions:

1. That the carnival shall be limited to the dates as specified by Wade Shows, Inc., which are May 19, 2016 through May 30, 2016, inclusive;
2. That the proposed carnival operation shall be confined to the area as illustrated on the aerial layout plan submitted as received by the Planning Commission on February 8, 2016;
3. That all rides, food concessions, booths and all other equipment and apparatus relating to the operation of the carnival shall be located at least 60 feet distant from the Seven Mile and Middlebelt Roads right-of-way lines;
4. That the temporary housing and storage of other trucks and equipment associated with the carnival shall be parked or stored within the extreme southwestern portion of the Sears parking lot, but no closer than 60 feet from the Seven Mile Road right-of-way line;
5. That the hours of operation shall be limited to the following: Monday through Friday from 4:00 p.m. to 11:00 p.m.; and on the weekends, Saturday and Sunday, from 12:00 p.m. to 11:00 p.m.; and
6. That access to fire hydrants is provided for the Fire Department.

On a motion by Kritzman, supported by Brosnan and unanimously adopted, it was:

**#217-16** RESOLVED, that having considered a request from Councilmember Brandon M. Kritzman, the Council does hereby refer the subject of enforcing the site plan conditions to the Economic Development, Community Outreach and Strategic Planning Committee for its report and recommendation.

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

*Regular Meeting Minutes of May 16, 2016*

On a motion by Brosnan, supported by Jolly, and unanimously adopted, this 1,801st Regular Meeting of the Council of the City of Livonia was adjourned at 7:48 p.m. on May 16, 2016.

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Susan M. Nash  
City Clerk

# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,186<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, April 12, 2022, the City Planning Commission of the City of Livonia held its 1,186<sup>th</sup> Public Hearing and Regular Meetings 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: Sam Caramagno      Glen Long      Betsy McCue  
Carol Smiley      Ian Wilshaw

Members absent: David Bongero      Peter Ventura

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 #4      PETITION 2022-03-02-07      Clover Self Storage**

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2022-03-02-07 submitted by Clover Self Storage 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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24.

Mr. Taormina: This is a request to operate the U-Haul truck and trailer rental business in conjunction with Clover Storage, which is on the north side of Schoolcraft just east of Middle Belt Road. This property is about 5.5 acres with 846 feet of frontage on Schoolcraft Road and an average depth of 285 feet. The zoning is M-1 (Light Manufacturing). Waiver use approval was granted to Clover Storage in 2016. The existing facility is two stories in height and totals approximately 112,000 square feet. Outdoor storage of RVs is provided in the fenced in parking lots, which are to the west and the east of the existing building. Truck and trailer rental facilities require separate waiver use approval under the provisions set forth in Section 6.58 of the zoning ordinance. The revised site plan shows seven (7) parking spaces for seven (7) U-Haul vehicles, which would be along the north property line directly behind the building. The distance from the rear of the building to the screen wall is approximately 34 feet. Parking for the trucks and trailers would require approximately 10 feet which would leave 24 feet for the two-way drive aisle. The proposed U-Haul storage spaces are located within the secured part of the site not currently used for parking. Space for approximately three (3) trucks is also available adjacent to the concierge island, which is on the east side of the building. for vehicles that are returned after hours. No existing parking spaces designated for either customers or employees would be affected by the U-Haul operation, and no other site changes or improvements, including to the elevation of the building or the site's landscaping, are proposed as part of this petition .With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated March 14, 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 existing parcel is assigned the address of #28900 Schoolcraft 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. Should the developer need to make revisions to the existing leads, or do any work within the Schoolcraft Road right-of-way, they will need to submit Engineering drawings to this Department to determine if permits will be required."* The letter is signed by

David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated March 31, 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: Vehicles parked in spaces shall not interfere with the function of the sliding gates. Vehicles parked in spaces shall not obstruct fire department apparatus access to Fire hydrants, Fire Department Connection, or other drive areas where building access is needed. A further detailed plan review will take place when this division receives an official plan set."* The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated March 17, 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 April 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 March 15, 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 April 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 no delinquent taxes due, therefore I have no objections to the proposal. 2021 Real Property Summer and Winter Taxes: Paid in Full Taxes due of \$98,663.40 were paid to the Wayne County Treasurer on 4-8-2022."* The letter is signed by Lynda Scheel, Treasurer. Lastly, we received an email from [Thomaswals9@aol.com](mailto:Thomaswals9@aol.com), dated March 30, 2022, which reads: *"As a resident in this neighborhood for over 30 years, and therefore impacted by this proposal I object to the addition of rental business for trucks and trailers. As I recall this rental business was mentioned in the original proposal and rejected. Now that the storage business is in place, and construction is completed it is brought up again. The current proposal adds more traffic to the service drive and placement of the equipment on site will clearly be along the wall adjacent to the homes along the barrier wall. This will also require additional "security*



## **UNAPPROVED MINUTES**

4

*lighting" not currently installed. Therefore the additional lighting that will be of a height that it will cover above and add more lighting into our backyards along the aforementioned wall. For these reasons I implore the Planning Commission not to approve this waiver. Consider the Families and property of your affected residents. Thank You."* That is the extent of the correspondence.

- Mr. Wilshaw: Are there any questions of the Planning Director? Mr. Long?
- Mr. Long: Mr. Taormina, according to the resident, this was brought up previous or when we initially approved this. I don't recall U-Haul being contemplated.
- Mr. Taormina: You know, when we received this email, which I failed to mention was on March 30, I read it. I did look at the minutes and did not see any discussion regarding this type of operation.
- Mr. Long: Okay. I didn't recall anything there. Thank you.
- Mr. Wilshaw: Good question. Thank you. Any other questions for our planning staff?
- Ms. Smiley: Yes, I see that there's no parking out in front now. The U-Haul trucks are in the back.
- Mr. Taormina: Yes. So, the new plan shows all of the U-Haul parking spaces behind the building. This is adjacent to the wall as was indicated. I've also highlighted this area near the concierge island as being the best location for returning vehicles. It was originally shown as a location for the storage of some of the vehicles, so on a temporary basis, this would probably be a good spot for those vehicles when they are returned, and when there's no other spaces available along the side of the building.
- Ms. Smiley: And then my second question is, is there a lot of additional lighting in the back now?
- Mr. Taormina: They're not showing any additional lighting as part of this proposal. How the existing lighting affects the neighbors to the north, I'm not aware of any issues.
- Ms. Smiley: So, I guess my question is that it is just basically moving the seven trucks to the back of the storage unit.

Mr. Taormina: That's correct.

Ms. Smiley: And it should not have any impact on the residence behind there that you know of?

Mr. Taormina: You'll recall that in addition to the five- to seven-foot-high masonry screen wall...I believe this area continues an extended screen. Does that include the area directly behind the building? I'm looking at the petitioner. I'll let him respond when his time is due. I do know that there are areas of the site where we extended the screen up much higher than just the missing wall and this might be one of those areas. I don't know if it extended all the way across the back or not.

Kelly Denha, 4263 Sedgemoor Lane, Bloomfield Hills, MI. Mark also there are U-Haul vans and if you see them, they're lower and the impact...average storage company gets one customer a day. A very low impact. They approached us because of the visibility and because of the access to the freeway and our customers use U-Haul to bring their belongings there and it's very good for them to rent it there. So, U-Haul approached us. We had no intention of U-Haul, but we had so many U-Haul people asking us and the customers, it made a lot of sense, and so you will average one...the traffic, it'd be one customer a day, one and they said that's high volume. We get one customer a day average. Storage customers about 30 a month average. So, it's so low impact. There's plenty of parking, and there will be absolutely no disturbance whatsoever.

Mr. Wilshaw: And can we just get your name and address for our record?

Mr. Wilshaw: Thank you, Mr. Denha. We just want to make sure that we know who we're speaking to.

Mr. Denha: Thank you.

Mr. Wilshaw: Thank you. And you did hear a question that was asked specifically regarding the height of the wall. Is that true that there's...

Mr. Denha: I don't...I can't honestly ask...I can't answer that. I don't know exactly, but I can tell you that a lot of them are Vans, which are very low and it's below. Now there is some trucks that are higher. And I don't know if they're visible, but, you know, I mean if they want, we could put a few of the higher ones in the front, but we approached Mark and Mark...we gave him two plans. Do

you want them up front? And to our preference, our preference is upfront, because we want customers at Schoolcraft to see U-Haul vans and say hey, I can rent a U-Haul there. But Mark...and we thought it's fine. We were going to get a little sign and web brochures and put them in the back so that they're not visible from the road.

Mr. Wilshaw: Okay, thank you for answering that. Is there any other questions from any commissioners for our petitioner now that he has been introduced? No questions. Mr. Caramagno?

Mr. Caramagno: What is the total amount of vehicles? How many?

Mr. Denha: Seven.

Mr. Caramagno: Seven U-Haul vehicles. How many vans? How many trucks?

Mr. Denha: You know, I can't answer that. I can tell you what...they told me that it's half and half, three and three and four, because a lot of people don't...I saw the vans were...you can...there's no way you can see the vans. But there is some trucks but they're not semi-trucks. They are, you know, they're larger than the vans.

Mr. Caramagno: And I would think that the vans are probably more popular than anything these days.

Mr. Denha: Much more popular. They're so easy to drive. Everyone's not intimidated by driving them. That's exactly right.

Mr. Caramagno: Sure. Okay, thank you. Thank you, Mr. Chairman.

Mr. Wilshaw: Any other questions for our petitioner? If not, is there anyone in the audience wishing to speak for or against this item? I don't see anybody rushing forward. I have to offer that. Mr. Denha, is there anything else that you want to add before we make our decision?

Mr. Denha: I thank you for your consideration.

Mr. Wilshaw: Thank you. sir. With that I will close the public hearing and a motion is in order.

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

**#04-23-2022**     **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on April 12, 2022, on

Petition 2022-03-02-07 submitted by Clover Self Storage 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 and an outdoor storage yard for recreational vehicles at 28900 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster and Middlebelt Roads in the Southwest ¼ of Section 24, the Planning Commission does hereby recommend to the City Council that Petition 2022-03-02-07 be approved subject to the following conditions:

1. That the outdoor storage of U-Haul trucks, vans and trailers shall be limited to the following designated areas: a) three (3) spaces located adjacent to the concierge island with a setback of at least 100 feet from the Schoolcraft Road right-of-way, and b) seven (7) spaces in the secured parking lot behind the building.
2. No U-Haul trucks, vans or trailers shall be stored in the parking spaces along the west side of the building. Such spaces shall be reserved and used solely for customers and employees, and any U-Haul trucks, vans or trailers which are returned and parked on the west side of the building after hours shall be promptly moved by 10:00 a.m. to one of the approved designated parking spaces.
3. That the total number of rental trucks, vans and trailers available at this location shall not exceed ten (10).
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.

Mr. Wilshaw: Is there any discussion?

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

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  
PHONE: (734) 466-2900  
FAX: (734) 466-2679

MAUREEN MILLER BROSNAN  
MAYOR

EDWARD DAVIS  
SUPERINTENDENT



May 6, 2022

Honorable Council  
City of Livonia

Re: Fitness Equipment replacement

Honorable Members of Council:

At the May 2, 2022, Council Study Meeting, Councilman McCullough and Bahr requested additional information regarding the Precor and Octane fitness equipment pricing and the surcharge listed on the Octane invoice.

Attached for your review are the quotations for both companies and the Sourcewell 2022 pricing list for Precor equipment. From the attached pricing list, we are receiving better than national pricing from our local vendor.

Octane responded to our request for clarification on the surcharge listed in our quote. "TRUE will be extending container surcharge. Price increases and the shortage of containers have significantly impacted the cost of inbound freight of our products."

Respectfully submitted.

Edward Davis  
Superintendent

ED  
attachments



Fitness Things  
35539 Schoolcraft Rd  
Livonia MI 48150  
United States

The Single Source Solution for  
Fitness Equipment, Delivery,  
Installation, and Service

Invoicing and Shipping Address:  
LIVONIA PARKS & RECREATION, TOM MURPHY/  
SCOTT SPARR  
15100 HUBBARD  
LIVONIA MI 48154  
United States

LIVONIA PARKS & RECREATION  
15100 HUBBARD  
LIVONIA MI 48154  
United States  
734-466-2900

## Quotation # 19882

Quotation Date:  
02/25/2022

Expiration:  
03/27/2022

Salesperson:  
Burny Mitchem

| Description                                                                          | Quantity         | Unit     |              |
|--------------------------------------------------------------------------------------|------------------|----------|--------------|
|                                                                                      |                  | Price    | Amount       |
| [8019092] XT4700 - Base (Requires Standard Console 8019097 or Smart Console 8019437) | 2.000<br>Unit(s) | 3,850.00 | \$ 7,700.00  |
| [8019097] XT4700 - Standard Console                                                  | 2.000<br>Unit(s) | 980.00   | \$ 1,960.00  |
| [TRADE IN] TRADE IN 4700 octane elliptical                                           | 2.000<br>Unit(s) | -800.00  | \$ -1,600.00 |
| [112250-001] xR6000 w/ Swivel - Base                                                 | 2.000<br>Unit(s) | 3,650.00 | \$ 7,300.00  |
| [8019441] xR6000 - Standard Console (Standard or Swivel Seat)                        | 2.000<br>Unit(s) | 980.00   | \$ 1,960.00  |
| [TRADE IN] TRADE IN x ride                                                           | 1.000<br>Unit(s) | -600.00  | \$ -600.00   |
| surcharge                                                                            | 1.000<br>Unit(s) | 1,496.30 | \$ 1,496.30  |
| Freight and delivery per piece is                                                    | 4.000<br>Unit(s) | 225.00   | \$ 900.00    |
| Subtotal                                                                             |                  |          | \$ 19,116.30 |
| Taxes                                                                                |                  |          | \$ 0.00      |
| Total                                                                                |                  |          | \$ 19,116.30 |

(734) 455-8790 @ sales@fitnessthings.com http://www.fitnessthings.com

All credit cards may be subject to a 3% fee. Terms are available with the completion of a credit application and approved credit terms. Change orders or returns may result in a restocking fee of up to 25%. Price are subject to change

**DIRECT  FITNESS SOLUTIONS**

600 Tower Road . Mundelein . IL 60060  
Tel: 847-680-9300 . Fax: 847-680-8906 . Service: 800-838-2819

**SALES PROPOSAL**

Quote: 00038997  
Date: 4/5/2022  
Expires: 5/5/2022

**Customer Information**

**Sold To:**

City of Livonia  
33000 Civic Center Drive  
Livonia, Michigan 48154

**Ship To:**

City of Livonia  
15100 Hubbard Road  
Livonia, Michigan 48154

**Direct Fitness Sales Team:**

Mark Kwiatkowski- Regional Sales Manager  
Ph: (248) 755-5748  
Fax: (847) 278-4588  
markk@directfitnesssolutions.com

**Billing Point of Contact:**

Scott Spahr  
Ph: (734) 466-2912  
sspahr@ci.livonia.mi.us

**Delivery Point of Contact:**

Scott Spahr  
Ph: (734) 466-2912  
sspahr@ci.livonia.mi.us

Andrew Miller- Inside Sales  
Ph: (847) 680-9300  
Fax: (847) 278-4588  
salesorders@directfitnesssolutions.com

**CARDIO**

| Quantity | Product Code             | Product Description                                                                                                                             | Line Item Description | List Price   | Sales Price | Total Price  |
|----------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------|-------------|--------------|
| 2.00     | PRE TRM 835.P31.MHZ (BG) | PRECOR TRM 835 Treadmill - P31 Console with advanced LED display & 915 MHZ Receiver (PHRCT835BG321132EN) - Black Pearl                          |                       | \$ 10,044.00 | \$ 6,395.00 | \$ 12,790.00 |
| 2.00     | PRE EFX 835.P31.MHZ (BG) | PRECOR EFX 835 Elliptical - Converging CrossRamp; P31 Console with advanced LED display & 915 MHZ receiver (PHRCE835BG326032EN) - Black Pearl   |                       | \$ 8,794.00  | \$ 5,795.00 | \$ 11,590.00 |
| 1.00     | PRE AMT 835.P31.MHZ (BG) | PRECOR AMT 835 Adaptive Motion Trainer Open Stride; P31 Console with advanced LED display & 915 MHZ receiver (PHRCA835BG326032EN) - Black Pearl |                       | \$ 10,444.00 | \$ 6,695.00 | \$ 6,695.00  |
| 1.00     | PRE RBK 635.P31 (BG)     | PRECOR RBK 635 Recumbent Cycle - P31 Console with advanced LED display (PHRCB635BG307030EN) - Black Pearl                                       | with 900mhz           | \$ 3,095.00  | \$ 2,295.00 | \$ 2,295.00  |
| 1.00     | PRE UBK 635.P31 (BG)     | PRECOR UBK 635 Upright Cycle - P31 Console with advanced LED display (PHRCB635BG309030EN) - Black Pearl                                         |                       | \$ 2,845.00  | \$ 2,195.00 | \$ 2,195.00  |

**TRADE IN**

| Quantity | Product Code | Product Description | Line Item Description | List Price | Sales Price   | Total Price   |
|----------|--------------|---------------------|-----------------------|------------|---------------|---------------|
| 1.00     | TRADE CARDIO | DFS Trade-In Cardio |                       | \$ 0.00    | (\$ 3,500.00) | (\$ 3,500.00) |





## 2022 Commercial Products Price List - Sourcewell

| Model                                                    | Description                                      | Material Number    |                    | List Price       | Discount% | Sourcewell |
|----------------------------------------------------------|--------------------------------------------------|--------------------|--------------------|------------------|-----------|------------|
| Experience™ Series Cardio                                |                                                  |                    |                    |                  |           |            |
| 880 Line                                                 |                                                  | Storm Grey (GG)    |                    | Black Pearl (BG) |           |            |
| P82 console with Preva® - 15" Touchscreen/USB/audio      |                                                  |                    |                    |                  |           |            |
| TRM 885.P82                                              | TRM 885 Treadmill                                | PHRCT885GG3611EN   | PHRCT885BG3611EN   | \$13,095         | 30%       | \$9,167    |
| EFX® 885.P82                                             | EFX® 885 Converging CrossRamp®, moving arms      | PHRCE885GG3660EN   | PHRCE885BG3660EN   | \$11,845         | 30%       | \$8,292    |
| EFX® 883.P82                                             | EFX® 883 Converging CrossRamp®, fixed arms       | PHRCE883GG3640EN   | PHRCE883BG3640EN   | \$10,845         | 30%       | \$7,592    |
| AMT® 885.P82                                             | AMT® 885 Adaptive Motion Trainer® - Open Stride™ | PHRCA885GG3660EN   | PHRCA885BG3660EN   | \$13,495         | 30%       | \$9,447    |
| RBK 885.P82                                              | RBK 885 Recumbent Cycle                          | PHRCB885GG3670EN   | PHRCB885BG3670EN   | \$7,875          | 30%       | \$5,513    |
| UBK 885.P82                                              | UBK 885 Upright Cycle                            | PHRCB885GG3690EN   | PHRCB885BG3690EN   | \$7,565          | 30%       | \$5,296    |
| TRM 885.P82.220/240V                                     | TRM 885 Treadmill (220/240V)                     | PHRCT885GG3612EN   | PHRCT885BG3612EN   | \$13,095         | 30%       | \$9,167    |
| P82 console w/ Media Adapter - 15" touchscreen/USB/audio |                                                  |                    |                    |                  |           |            |
| TRM 885.P82.Media                                        | TRM 885 Treadmill                                | PHRCT885GG7611EN   | PHRCT885BG7611EN   | \$13,445         | 30%       | \$9,412    |
| EFX® 885.P82.Media                                       | EFX® 885 Converging CrossRamp®, moving arms      | PHRCE885GG7660EN   | PHRCE885BG7660EN   | \$12,195         | 30%       | \$8,537    |
| EFX® 883.P82.Media                                       | EFX® 883 Converging CrossRamp®, fixed arms       | PHRCE883GG7640EN   | PHRCE883BG7640EN   | \$11,195         | 30%       | \$7,837    |
| AMT® 885.P82.Media                                       | AMT® 885 Adaptive Motion Trainer® - Open Stride™ | PHRCA885GG7660EN   | PHRCA885BG7660EN   | \$13,845         | 30%       | \$9,692    |
| RBK 885.P82.Media                                        | RBK 885 Recumbent Cycle                          | PHRCB885GG7670EN   | PHRCB885BG7670EN   | \$8,225          | 30%       | \$5,758    |
| UBK 885.P82.Media                                        | UBK 885 Upright Cycle                            | PHRCB885GG7690EN   | PHRCB885BG7690EN   | \$7,915          | 30%       | \$5,541    |
| TRM 885.P82.Media.220/240V                               | TRM 885 Treadmill (220/240V)                     | PHRCT885GG7612EN   | PHRCT885BG7612EN   | \$13,445         | 30%       | \$9,412    |
| 860 Line                                                 |                                                  | Storm Grey (GG)    |                    | Black Pearl (BG) |           |            |
| P62 console with Preva® - 10" Touchscreen/USB/audio      |                                                  |                    |                    |                  |           |            |
| TRM 865.P62                                              | TRM 865 Treadmill                                | PHRCT865GG3611EN   | PHRCT865BG3611EN   | \$12,095         | 35%       | \$7,862    |
| EFX® 865.P62                                             | EFX® 865 Converging CrossRamp®, moving arms      | PHRCE865GG3660EN   | PHRCE865BG3660EN   | \$10,845         | 35%       | \$7,049    |
| EFX® 863.P62                                             | EFX® 863 Converging CrossRamp®, fixed arms       | PHRCE863GG3640EN   | PHRCE863BG3640EN   | \$9,845          | 35%       | \$6,399    |
| AMT® 865.P62                                             | AMT® 865 Adaptive Motion Trainer® - Open Stride™ | PHRCA865GG3660EN   | PHRCA865BG3660EN   | \$12,495         | 35%       | \$8,122    |
| RBK 865.P62                                              | RBK 865 Recumbent Cycle                          | PHRCB865GG3670EN   | PHRCB865BG3670EN   | \$6,875          | 35%       | \$4,469    |
| UBK 865.P62                                              | UBK 865 Upright Cycle                            | PHRCB865GG3690EN   | PHRCB865BG3690EN   | \$6,565          | 35%       | \$4,267    |
| TRM 865.P62.220/240V                                     | TRM 865 Treadmill (220/240V)                     | PHRCT865GG3612EN   | PHRCT865BG3612EN   | \$12,095         | 35%       | \$7,862    |
| P62 console w/ Media Adapter - 10" touchscreen/USB/audio |                                                  |                    |                    |                  |           |            |
| TRM 865.P62.Media                                        | TRM 865 Treadmill                                | PHRCT865GG7611EN   | PHRCT865BG7611EN   | \$12,445         | 35%       | \$8,089    |
| EFX® 865.P62.Media                                       | EFX® 865 Converging CrossRamp®, moving arms      | PHRCE865GG7660EN   | PHRCE865BG7660EN   | \$11,195         | 35%       | \$7,277    |
| EFX® 863.P62.Media                                       | EFX® 863 Converging CrossRamp®, fixed arms       | PHRCE863GG7640EN   | PHRCE863BG7640EN   | \$10,195         | 35%       | \$6,627    |
| AMT® 865.P62.Media                                       | AMT® 865 Adaptive Motion Trainer® - Open Stride™ | PHRCA865GG7660EN   | PHRCA865BG7660EN   | \$12,845         | 35%       | \$8,349    |
| RBK 865.P62.Media                                        | RBK 865 Recumbent Cycle                          | PHRCB865GG7670EN   | PHRCB865BG7670EN   | \$7,225          | 35%       | \$4,696    |
| UBK 865.P62.Media                                        | UBK 865 Upright Cycle                            | PHRCB865GG7690EN   | PHRCB865BG7690EN   | \$6,915          | 35%       | \$4,495    |
| TRM 865.P62.Media.220/240V                               | TRM 865 Treadmill (220/240V)                     | PHRCT865GG7612EN   | PHRCT865BG7612EN   | \$12,445         | 35%       | \$8,089    |
| 830 Line                                                 |                                                  | Storm Grey (GG)    |                    | Black Pearl (BG) |           |            |
| P31 console with advanced LED display                    |                                                  |                    |                    |                  |           |            |
| TRM 835                                                  | TRM 835 Treadmill                                | PHRCT835GG301130EN | PHRCT835BG301130EN | \$9,795          | 35%       | \$6,367    |
| EFX® 835                                                 | EFX® 835 Converging CrossRamp®, moving arms      | PHRCE835GG306030EN | PHRCE835BG306030EN | \$8,545          | 35%       | \$5,554    |
| EFX® 833                                                 | EFX® 833 Converging CrossRamp®, fixed arms       | PHRCE833GG304030EN | PHRCE833BG304030EN | \$7,545          | 35%       | \$4,904    |
| AMT® 835                                                 | AMT® 835 Adaptive Motion Trainer® - Open Stride™ | PHRCA835GG306030EN | PHRCA835BG306030EN | \$10,195         | 35%       | \$6,627    |
| SCL 835                                                  | SCL 835 StairClimber                             | PHRCS835GG30NA30EN | PHRCS835BG30NA30EN | \$8,995          | 35%       | \$5,847    |
| RBK 835                                                  | RBK 835 Recumbent Cycle                          | PHRCB835GG307030EN | PHRCB835BG307030EN | \$4,575          | 35%       | \$2,974    |
| UBK 835                                                  | UBK 835 Upright Cycle                            | PHRCB835GG309030EN | PHRCB835BG309030EN | \$4,265          | 35%       | \$2,772    |
| TRM 835.220/240V                                         | TRM 835 Treadmill (220/240V)                     | PHRCT835GG301231EN | PHRCT835BG301231EN | \$9,795          | 35%       | \$6,367    |
| P31 console w/advanced LED display and Pro:Idiom PVS     |                                                  |                    |                    |                  |           |            |
| TRM 835.Pro:Idiom                                        | TRM 835 Treadmill                                | PHRCT835GG301149EN | PHRCT835BG301149EN | \$12,344         | 35%       | \$8,024    |
| EFX® 835.Pro:Idiom                                       | EFX® 835 Converging CrossRamp®, moving arms      | PHRCE835GG306049EN | PHRCE835BG306049EN | \$11,094         | 35%       | \$7,211    |
| EFX® 833.Pro:Idiom                                       | EFX® 833 Converging CrossRamp®, fixed arms       | PHRCE833GG304049EN | PHRCE833BG304049EN | \$10,094         | 35%       | \$6,561    |
| AMT® 835.Pro:Idiom                                       | AMT® 835 Adaptive Motion Trainer® - Open Stride™ | PHRCA835GG306049EN | PHRCA835BG306049EN | \$12,744         | 35%       | \$8,284    |
| SCL 835.Pro:Idiom                                        | SCL 835 StairClimber                             | PHRCS835GG30NA49EN | PHRCS835BG30NA49EN | \$11,544         | 35%       | \$7,504    |
| RBK 835.Pro:Idiom                                        | RBK 835 Recumbent Cycle                          | PHRCB835GG307049EN | PHRCB835BG307049EN | \$7,124          | 35%       | \$4,631    |
| UBK 835.Pro:Idiom                                        | UBK 835 Upright Cycle                            | PHRCB835GG309049EN | PHRCB835BG309049EN | \$6,814          | 35%       | \$4,429    |
| 780 Line                                                 |                                                  | Storm Grey (GG)    |                    | Black Pearl (BG) |           |            |
| P82 console with Preva® - 15" Touchscreen/USB/audio      |                                                  |                    |                    |                  |           |            |
| TRM 781.P82                                              | TRM 781 Treadmill                                | PHRCT781GG3611EN   | PHRCT781BG3611EN   | \$11,445         | 30%       | \$8,012    |
| TRM 781.P82.220/240V                                     | TRM 781 Treadmill (220V/240V)                    | PHRCT781GG3612EN   | PHRCT781BG3612EN   | \$11,445         | 30%       | \$8,012    |
| P82 console w/ Media Adapter - 15" touchscreen/USB/audio |                                                  |                    |                    |                  |           |            |
| TRM 781.P82.Media                                        | TRM 781 Treadmill                                | PHRCT781GG7611EN   | PHRCT781BG7611EN   | \$11,795         | 30%       | \$8,257    |
| TRM 781.P82.Media.220/240V                               | TRM 781 Treadmill (220/240V)                     | PHRCT781GG7612EN   | PHRCT781BG7612EN   | \$11,795         | 30%       | \$8,257    |
| 760 Line                                                 |                                                  | Storm Grey (GG)    |                    | Black Pearl (BG) |           |            |
| P62 console with Preva® - 10" Touchscreen/USB/audio      |                                                  |                    |                    |                  |           |            |
| TRM 761.P62                                              | TRM 761 Treadmill - P62 with Preva®              | PHRCT761GG3611EN   | PHRCT761BG3611EN   | \$10,445         | 30%       | \$7,312    |
| TRM 761.P62.220/240V                                     | TRM 761 Treadmill - P62 with Preva® (220/240V)   | PHRCT761GG3612EN   | PHRCT761BG3612EN   | \$10,445         | 30%       | \$7,312    |
| P62 console w/ Media Adapter - 10" touchscreen/USB/audio |                                                  |                    |                    |                  |           |            |
| TRM 761.P62.Media                                        | TRM 761 Treadmill                                | PHRCT761GG7611EN   | PHRCT761BG7611EN   | \$10,795         | 30%       | \$7,557    |
| TRM 761.P62.Media.220/240V                               | TRM 761 Treadmill (220/240V)                     | PHRCT761GG7612EN   | PHRCT761BG7612EN   | \$10,795         | 30%       | \$7,557    |



## 2022 Commercial Products Price List - Sourcewell

| Model                      | Description                                                                                                  | Material Number    |                    | List Price | Discount% | Sourcewell |
|----------------------------|--------------------------------------------------------------------------------------------------------------|--------------------|--------------------|------------|-----------|------------|
| 730 Line                   |                                                                                                              | Storm Grey (GG)    | Black Pearl (BG)   |            |           |            |
| TRM 731                    | P31 console with advanced LED display<br>TRM 731 Treadmill                                                   | PHRCT731GG301130EN | PHRCT731BG301130EN | \$8,145    | 30%       | \$5,702    |
| EFX* 731                   | EFX* 731 - Fixed Ramp, Moving Arms<br>(Discontinued - Limited availability)                                  | PHRCE731GG308030EN | PHRCE731BG308030EN | \$6,295    | 30%       | \$4,407    |
| TRM 731.220/240V           | TRM 731 Treadmill (220/240V)                                                                                 | PHRCT731GG301231EN | PHRCT731BG301231EN | \$8,145    | 30%       | \$5,702    |
| TRM 731.Pro:Idiom          | P31 console w/advanced LED display and Pro:Idiom PVS<br>TRM 731 Treadmill                                    | PHRCT731GG301149EN | PHRCT731BG301149EN | \$10,694   | 30%       | \$7,486    |
| EFX* 731.Pro:Idiom         | EFX* 731 - Fixed Ramp, Moving Arms<br>(Discontinued - Limited availability)                                  | PHRCE731GG308049EN | PHRCE731BG308049EN | \$8,844    | 30%       | \$6,191    |
| TRM 731.Pro:Idiom.220/240V | TRM 731 Treadmill (220/240V)                                                                                 | PHRCT731GG301249EN | PHRCT731BG301249EN | \$10,694   | 30%       | \$7,486    |
| 680 Line                   |                                                                                                              | Storm Grey (GG)    | Black Pearl (BG)   |            |           |            |
| TRM 681.P82                | P82 console with Preva* - 15" Touchscreen/USB/audio<br>TRM 681 Treadmill                                     | PHRCT681GG3611EN   | PHRCT681BG3611EN   | \$9,495    | 35%       | \$6,172    |
| EFX* 685.P82               | EFX* 685 - Adjustable CrossRamp*, moving arms                                                                | PHRCE685GG3690EN   | PHRCE685BG3690EN   | \$9,695    | 35%       | \$6,302    |
| RBK 685.P82                | RBK 685 Recumbent Cycle                                                                                      | PHRCB685GG3670EN   | PHRCB685BG3670EN   | \$6,295    | 35%       | \$4,092    |
| UBK 685.P82                | UBK 685 Upright Cycle                                                                                        | PHRCB685GG3690EN   | PHRCB685BG3690EN   | \$6,045    | 35%       | \$3,929    |
| TRM 681.P82.220/240V       | TRM 681 Treadmill (220V/240V)                                                                                | PHRCT681GG3612EN   | PHRCT681BG3612EN   | \$9,495    | 35%       | \$6,172    |
| TRM 681.P82.Media          | P82 console w/ Media Adapter - 15" touchscreen/USB/audio<br>TRM 681 Treadmill                                | PHRCT681GG7611EN   | PHRCT681BG7611EN   | \$9,845    | 35%       | \$6,399    |
| EFX* 685.P82.Media         | EFX* 685 - Adjustable CrossRamp*, moving arms                                                                | PHRCE685GG7690EN   | PHRCE685BG7690EN   | \$10,045   | 35%       | \$6,529    |
| RBK 685.P82.Media          | RBK 685 Recumbent Cycle                                                                                      | PHRCB685GG7670EN   | PHRCB685BG7670EN   | \$6,645    | 35%       | \$4,319    |
| UBK 685.P82.Media          | UBK 685 Upright Cycle                                                                                        | PHRCB685GG7690EN   | PHRCB685BG7690EN   | \$6,395    | 35%       | \$4,157    |
| TRM 681.P82.Media.220/240V | TRM 681 Treadmill (220/240V)                                                                                 | PHRCT681GG7612EN   | PHRCT681BG7612EN   | \$9,845    | 35%       | \$6,399    |
| 660 Line                   |                                                                                                              | Storm Grey (GG)    | Black Pearl (BG)   |            |           |            |
| TRM 661.P62                | P62 console with Preva* - 10" Touchscreen/USB/audio<br>TRM 661 Treadmill - P62 with Preva*                   | PHRCT661GG3611EN   | PHRCT661BG3611EN   | \$8,495    | 35%       | \$5,522    |
| EFX* 665.P62               | EFX* 665 - Adjustable CrossRamp*, moving arms                                                                | PHRCE665GG3690EN   | PHRCE665BG3690EN   | \$8,695    | 35%       | \$5,652    |
| RBK 665.P62                | RBK 665 Recumbent Cycle                                                                                      | PHRCB665GG3670EN   | PHRCB665BG3670EN   | \$5,295    | 35%       | \$3,442    |
| UBK 665.P62                | UBK 665 Upright Cycle                                                                                        | PHRCB665GG3690EN   | PHRCB665BG3690EN   | \$5,045    | 35%       | \$3,279    |
| TRM 661.P62.220/240V       | TRM 661 Treadmill - P62 with Preva* (220/240V)                                                               | PHRCT661GG3612EN   | PHRCT661BG3612EN   | \$8,495    | 35%       | \$5,522    |
| TRM 661.P62.Media          | P62 console w/ Media Adapter - 10" touchscreen/USB/audio<br>TRM 661 Treadmill                                | PHRCT661GG7611EN   | PHRCT661BG7611EN   | \$8,845    | 35%       | \$5,749    |
| EFX* 665.P62.Media         | EFX* 665 - Adjustable CrossRamp*, moving arms                                                                | PHRCE665GG7690EN   | PHRCE665BG7690EN   | \$9,045    | 35%       | \$5,879    |
| RBK 665.P62.Media          | RBK 665 Recumbent Cycle                                                                                      | PHRCB665GG7670EN   | PHRCB665BG7670EN   | \$5,645    | 35%       | \$3,669    |
| UBK 665.P62.Media          | UBK 665 Upright Cycle                                                                                        | PHRCB665GG7690EN   | PHRCB665BG7690EN   | \$5,395    | 35%       | \$3,507    |
| TRM 661.P62.Media.220/240V | TRM 661 Treadmill (220/240V)                                                                                 | PHRCT661GG7612EN   | PHRCT661BG7612EN   | \$8,845    | 35%       | \$5,749    |
| 630 Line                   |                                                                                                              | Storm Grey (GG)    | Black Pearl (BG)   |            |           |            |
| TRM 631                    | P31 console with advanced LED display<br>TRM 631 Treadmill                                                   | PHRCT631GG301130EN | PHRCT631BG301130EN | \$6,295    | 35%       | \$4,092    |
| EFX* 635                   | EFX* 635 - Adjustable CrossRamp*, moving arms                                                                | PHRCE635GG309030EN | PHRCE635BG309030EN | \$6,495    | 35%       | \$4,222    |
| RBK 635                    | RBK 635 Recumbent Cycle                                                                                      | PHRCB635GG307030EN | PHRCB635BG307030EN | \$3,095    | 35%       | \$2,012    |
| UBK 635                    | UBK 635 Upright Cycle                                                                                        | PHRCB635GG309030EN | PHRCB635BG309030EN | \$2,845    | 35%       | \$1,849    |
| TRM 631.220/240V           | TRM 631 Treadmill (220/240V)                                                                                 | PHRCT631GG301231EN | PHRCT631BG301231EN | \$6,295    | 35%       | \$4,092    |
| TRM 631                    | P31 console w/advanced LED display and Pro:Idiom PVS<br>TRM 631 Treadmill                                    | PHRCT631GG301149EN | PHRCT631BG301149EN | \$8,844    | 35%       | \$5,749    |
| EFX* 635                   | EFX* 635 - Adjustable CrossRamp*, moving arms                                                                | PHRCE635GG309049EN | PHRCE635BG309049EN | \$9,044    | 35%       | \$5,879    |
| RBK 635                    | RBK 635 Recumbent Cycle                                                                                      | PHRCB635GG307049EN | PHRCB635BG307049EN | \$5,644    | 35%       | \$3,669    |
| UBK 635                    | UBK 635 Upright Cycle                                                                                        | PHRCB635GG309049EN | PHRCB635BG309049EN | \$5,394    | 35%       | \$3,506    |
| TRM 631.220/240V           | TRM 631 Treadmill (220/240V)                                                                                 | PHRCT631GG301249EN | PHRCT631BG301249EN | \$8,844    | 35%       | \$5,749    |
| Peloton Bike               |                                                                                                              |                    |                    |            |           |            |
| Bike                       | Peloton Bike, 3-year Warranty, a Mat, and a Pair of Dumbbells 1                                              |                    |                    | \$1,995    | 0%        | \$1,995    |
| Subscription               | year Subscription                                                                                            |                    |                    | \$468      | 0%        | \$468      |
| Subscription               | 3 year Subscription                                                                                          |                    |                    | \$1,404    | 0%        | \$1,404    |
| Additional Cardio Options  |                                                                                                              |                    |                    |            |           |            |
| Floor Mats                 | Upright Cycle, Climber; 36" x 48" x 3/8"                                                                     | PHTCL0347000XX     |                    | \$75       | 0%        | \$75       |
| Floor Mats                 | Treadmill, EFX*, AMT* & Recumbent Cycle; 36" x 90" x 1/8"                                                    | PHTCL0377020XX     |                    | \$135      | 0%        | \$135      |
| Cable Cover Kits           | Assurance™ & Experience™ Series Cable Management Covers (per machine)                                        | PHTCLR04810XX      |                    | \$125      | 0%        | \$125      |
| Cable Cover Kits/Media     | Set-Top-Box Media Adapter Cable Management Covers (per machine)                                              | PHTCLR05010XX      |                    | \$249      | 0%        | \$249      |
| Daisy Chain                | Optional Kit, Daisy Chain Power, P80 & P82 consoles only                                                     | PHTCLDCP0000XX     |                    | \$150      | 0%        | \$150      |
| P8X/P6X Options            | LG Set-Top Box                                                                                               | PNFLGSTBIRC101     |                    | \$399      | 0%        | \$399      |
| P8X/P6X Options            | LG Setup Remote ( 1 required per location)                                                                   | PNFLGSTB6500RM101  |                    | \$29       | 0%        | \$29       |
| PREVA* Token               | Preva* Token Kit with Sleeves 1 box of tokens (100 ea.)                                                      | PPPO00000302397106 |                    | \$180      | 0%        | \$180      |
| Asset Management           | P31 Preva*Sync Network Card<br>(Available for products with P31 console. Qty 1 per cardio unit.)             | PHKCLINM7600XX     |                    | \$99       | 0%        | \$99       |
| Asset Management           | P30 Preva*Sync Network Card<br>(Available for 630 and 830 products with P30 console. Qty 1 per cardio unit.) | PHKCLXM7700XX      |                    | \$99       | 0%        | \$99       |
| Smart Watch Connector      | Smart Watch Connector Kit P82<br>(Available for all products with P82 console. Qty 1 per cardio unit.)       | PHKCLSWC7800XX     |                    | \$199      | 0%        | \$199      |
| Entertainment              |                                                                                                              |                    |                    |            |           |            |
| P31 PVS                    | Personal Viewing System<br>P31 Integrated PVS (Digital/Analog) Screen & Accessories                          | PHTCLCAP36MY31102  |                    | \$2,199    | 30%       | \$1,539    |
| P30 PVS                    | P30 Integrated PVS (Digital/Analog) Screen & Accessories<br>Pro:Idiom Personal Viewing System                | PHTCLCAP36MY31101  |                    | \$2,199    | 30%       | \$1,539    |
| P31 Pro:Idiom PVS          | P31 Integrated PVS ( Digital/Analog) Screen & Accessories                                                    | PHTCLCAP49MY31102  |                    | \$2,549    | 30%       | \$1,784    |
| P30 Pro:Idiom PVS          | P30 Integrated PVS ( Digital/Analog) Screen & Accessories                                                    | PHTCLCAP49MY31101  |                    | \$2,549    | 30%       | \$1,784    |

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

10. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Octane fitness equipment, from budgeted funds.

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

Councilmember Scott Bahr asked if there are other brands to look at. Ted Davis stated that there are other brands, but his staff specified this brand is what they are requesting. Scott noted that if there is another brand that is less, what is the reason for not going with that brand. Ted stated that he wants the best brand for the members.

Councilmember Scott Morgan asked if the equipment has a warranty. Ted Davis indicated they have a two-year warranty.

Councilmember Brandon McCullough stated that there is a trade-in value and asked if the units to trade in would be the same brand. Ted Davis replied that he was unsure. Brandon stated that he trusts the brand requested and offered an approving resolution for the Regular agenda.

Councilmember Rob Donovic asked what the surcharge of \$1496.30 on the quote was for. Ted Davis stated that he was unsure of what that was for and would find out.

Councilmember Scott Bahr stated that a quick Google search of the equipment and what it is available for didn't give him confidence they need to approve the higher prices.

Council President Jim Jolly asked that Ted Davis indicate the difference between commercial and residential equipment. Ted Davis stated that the difference is mostly the load and warranty that goes on the equipment.

Councilmember Brandon McCullough pointed out that Sourcewell has a cooperative purchasing agreement and would forward the information to Ted Davis for competitive pricing.

DIRECTION:

APPROVING

REGULAR



## LETTER TO THE LIVONIA CITY COUNCIL

10.

### Parks and Recreation April 13, 2022

#### MEETING DATE

Study Meeting of  
May 2, 2022

#### PREPARED BY

Ann Cox, Program Supervisor

#### AGENDA ITEM

REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Octane fitness equipment, from budgeted funds.

#### BACKGROUND

The Department of Parks and Recreation is requesting Council approval for the purchase of the following fitness equipment from All Pro Fitness Things, 35539 Schoolcraft Road, Livonia, MI 48150.

| <u>Quantity</u> | <u>Product Description</u>     | <u>Unit Price</u> |
|-----------------|--------------------------------|-------------------|
| 2               | Octane XT4700 adj. ellipticals | \$9,660           |
| 2               | Octane XR6000 w/swivel         | \$9,260           |
|                 | Freight/delivery               | \$900             |

The total price for these four pieces of fitness equipment from All Pro Fitness Things is \$19,116.30. This total price reflects the additional discounts from the 3 pieces that will be traded in.

#### RECOMMENDATION

It is recommended that Council authorize this purchase without competitive bidding in as much as All Pro Fitness Things is the only authorized dealer for Octane commercial products for the State of Michigan and no advantage to the City would result from competitive bidding, per the attached authorization letters from Octane and Cybex.

#### FISCAL CONSIDERATION

Sufficient funds are budgeted in capital outlay accounts 208.755.971.000 and 208.755.987.000.

#### ATTACHMENTS

1. 2022 Octane Sole Source

#### APPROVED BY



Date: April 14, 2022

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Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 19, 2022

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Michael Slater, Finance Director



Date: April 21, 2022

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Maureen Miller Brosnan, Mayor





865 Hoff Road, St. Louis, MO 63366  
T 1.636.980.4300 / F 1.636.980.7148  
TRUEFITNESS.COM  
OCTANEFITNESS.COM

February 25, 2022

Dear Valued Customer,

This letter is to advise you that All Pro/FitnessThings is the sole authorized provider of OCTANE FITNESS products for Vertical Markets and Non-Dues Paying facilities in the state of Michigan. Authorized dealers of OCTANE FITNESS products across the country and the world are the most highly trained commercial fitness equipment providers available.

The OCTANE FITNESS authorized dealer network is prepared to assist you with both product education and purchase as well as any after sale needs. To insure you receive the correct product for your application at a competitive price and support after the sale, we fully support only our authorized dealers.

Please feel free to call me at 617-216-3572 or e-mail me at [msullivan@octanefitness.com](mailto:msullivan@octanefitness.com) with any questions or concerns.

Sincerely,

**Mike Sullivan**  
**Sales Manager – Dealer and Key Accounts**

1.617.216.3572  
865 Hoff Road  
St. Louis, MO 63366



Fitness Things  
35539 Schoolcraft Rd  
Livonia MI 48150  
United States

The Single Source Solution for  
Fitness Equipment, Delivery,  
Installation, and Service

**Invoicing and Shipping Address:**

LIVONIA PARKS & RECREATION, TOM MURPHY/  
SCOTT SPARR  
15100 HUBBARD  
LIVONIA MI 48154  
United States

LIVONIA PARKS & RECREATION  
15100 HUBBARD  
LIVONIA MI 48154  
United States  
734-466-2900

## Quotation # 19882

**Quotation Date:**  
02/25/2022

**Expiration:**  
03/27/2022

**Salesperson:**  
Burny Mitchem

| Description                                                                          | Quantity         | Unit     |                     |
|--------------------------------------------------------------------------------------|------------------|----------|---------------------|
|                                                                                      |                  | Price    | Amount              |
| [8019092] XT4700 - Base (Requires Standard Console 8019097 or Smart Console 8019437) | 2.000<br>Unit(s) | 3,850.00 | \$ 7,700.00         |
| [8019097] XT4700 - Standard Console                                                  | 2.000<br>Unit(s) | 980.00   | \$ 1,960.00         |
| [TRADE IN] TRADE IN 4700 octane elliptical                                           | 2.000<br>Unit(s) | -800.00  | \$ -1,600.00        |
| [112250-001] xR6000 w/ Swivel - Base                                                 | 2.000<br>Unit(s) | 3,650.00 | \$ 7,300.00         |
| [8019441] xR6000 - Standard Console (Standard or Swivel Seat)                        | 2.000<br>Unit(s) | 980.00   | \$ 1,960.00         |
| [TRADE IN] TRADE IN x ride                                                           | 1.000<br>Unit(s) | -600.00  | \$ -600.00          |
| surcharge                                                                            | 1.000<br>Unit(s) | 1,496.30 | \$ 1,496.30         |
| Freight and delivery per piece is                                                    | 4.000<br>Unit(s) | 225.00   | \$ 900.00           |
| <b>Subtotal</b>                                                                      |                  |          | <b>\$ 19,116.30</b> |
| <b>Taxes</b>                                                                         |                  |          | <b>\$ 0.00</b>      |
| <b>Total</b>                                                                         |                  |          | <b>\$ 19,116.30</b> |

☎ (734) 455-8790 @ sales@fitnessthings.com 🌐 <http://www.fitnessthings.com>

All credit cards may be subject to a 3% fee. Terms are available with the completion of a credit application and approved credit terms. Change orders or returns may result in a restocking fee of up to 25%. Price are subject to change

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD MAY 2, 2022**

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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, Kathleen McIntyre. Absent: Laura Toy.

Elected and appointed officials present: City Clerk, Susan Nash, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Mike Fisher; Assistant City Attorney, Jerome Hanna, Director of Inspection and Ordinance, Ted Davis, Superintendent of Public Works, and LaShawn Thomas, Director of Government Affairs.

11. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Precor fitness equipment, from budgeted funds.

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

Councilmember Brandon McCullough offered an approving resolution for the Regular agenda.

Council President Jim Jolly asked that Ted Davis do the same homework for this item as the last. Ted agreed to do so.

DIRECTION:

APPROVING

REGULAR





## LETTER TO THE LIVONIA CITY COUNCIL

11.

### Parks and Recreation April 13, 2022

#### MEETING DATE

Study Meeting of  
May 2, 2022

#### PREPARED BY

Ann Cox, Program Supervisor

#### AGENDA ITEM

REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to replace well-worn fitness equipment with Precor fitness equipment, from budgeted funds.

#### BACKGROUND

The Department of Parks and Recreation is requesting Council approval for the purchase of the following fitness equipment from Direct Fitness Solutions, 600 Tower Road, Mundelein, IL 60060.

| <u>Quantity</u> | <u>Product Description</u>     | <u>Unit Price</u> |
|-----------------|--------------------------------|-------------------|
| 2               | Precor TRM 835 Treadmill       | \$12,790          |
| 2               | Precor EFX 835 Elliptical      | \$11,590          |
| 1               | Precor AMT 733                 | \$6,695           |
| 1               | Precor RBK 635 Recumbent Cycle | \$2,295           |
| 1               | Precor UBK 635 Upright Cycle   | \$2,195           |

The total price for these six pieces of fitness equipment from Direct Fitness Solutions is \$32,065. This total price reflects the additional discounts from the 7 pieces that will be traded in.

#### RECOMMENDATION

It is recommended that Council authorize this purchase without competitive bidding in as much as Direct Fitness Solutions is the only authorized dealer for Precor commercial products for the State of Michigan and no advantage to the City would result from competitive bidding, per the attached authorization letter from Precor.

#### FISCAL CONSIDERATION

Sufficient funds are budgeted in accounts 208.755.987.000 and 208-755-971-000.

#### ATTACHMENTS

1. 2022 Precor Sole Source

#### APPROVED BY



Date: April 14, 2022

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Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: April 14, 2022

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Michael Slater, Finance Director



Date: April 14, 2022

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Maureen Miller Brosnan, Mayor



February 16, 2022

Scott Sphar  
City of Livonia  
15100 Hubbard Road  
Livonia, MI 48154

Re: Authorized Dealership

**Direct Fitness Solutions has been authorized by Precor Incorporated to advertise, display, distribute and service Precor commercial products for 2022.**

To ensure Precor customers receive the quality service they deserve, we select Authorized Dealers and Servicers whom we believe share our vision of quality and service. Most of Precor's products are equipped with features that require proper installation and set-up. Precor provides training to its Authorized Dealers for proper installation and maintenance. We expect our Dealers to provide pre-delivery and post-delivery service and to maintain trained service personnel.

By purchasing Precor products from an Authorized Dealer, our customers can be secure that they will get the most from their investment. Please accept this letter as confirmation that **Direct Fitness Solutions** is our assigned Authorized Dealer and Servicer of our commercial products for the state of Michigan.

Kind Regards,

A handwritten signature in black ink, appearing to read "Sean Kearney". The signature is stylized with a large, sweeping initial "S" and a horizontal line extending to the right.

Sean Kearney  
Director of Commercial Distribution

# DIRECT FITNESS SOLUTIONS

600 Tower Road . Mundelein . IL 60060  
Tel: 847-680-9300 . Fax: 847-680-8906 . Service: 800-838-2819

## SALES PROPOSAL

Quote: 00038997  
Date: 4/5/2022  
Expires: 5/5/2022

### Customer Information

#### Sold To:

City of Livonia  
33000 Civic Center Drive  
Livonia, Michigan 48154

#### Ship To:

City of Livonia  
15100 Hubbard Road  
Livonia, Michigan 48154

#### Direct Fitness Sales Team:

Mark Kwiatkowski- Regional Sales  
Manager  
Ph: (248) 755-5748  
Fax: (847) 278-4588  
markk@directfitnesssolutions.com

#### Billing Point of Contact:

Scott Spahr  
Ph: (734) 466-2912  
sspahr@ci.livonia.mi.us

#### Delivery Point of Contact:

Scott Spahr  
Ph: (734) 466-2912  
sspahr@ci.livonia.mi.us

Andrew Miller- Inside Sales  
Ph: (847) 680-9300  
Fax: (847) 278-4588  
salesorders@directfitnesssolutions.com

### CARDIO

| Quantity | Product Code             | Product Description                                                                                                                             | Line Item Description | List Price   | Sales Price | Total Price  |
|----------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------|-------------|--------------|
| 2.00     | PRE TRM 835.P31.MHZ (BG) | PRECOR TRM 835 Treadmill - P31 Console with advanced LED display & 915 MHZ Receiver (PHRCT835BG321132EN) - Black Pearl                          |                       | \$ 10,044.00 | \$ 6,395.00 | \$ 12,790.00 |
| 2.00     | PRE EFX 835.P31.MHZ (BG) | PRECOR EFX 835 Elliptical - Converging CrossRamp; P31 Console with advanced LED display & 915 MHZ receiver (PHRCE835BG326032EN) - Black Pearl   |                       | \$ 8,794.00  | \$ 5,795.00 | \$ 11,590.00 |
| 1.00     | PRE AMT 835.P31.MHZ (BG) | PRECOR AMT 835 Adaptive Motion Trainer Open Stride; P31 Console with advanced LED display & 915 MHZ receiver (PHRCA835BG326032EN) - Black Pearl |                       | \$ 10,444.00 | \$ 6,695.00 | \$ 6,695.00  |
| 1.00     | PRE RBK 635.P31 (BG)     | PRECOR RBK 635 Recumbent Cycle - P31 Console with advanced LED display (PHRCB635BG307030EN) - Black Pearl                                       | with 900mhz           | \$ 3,095.00  | \$ 2,295.00 | \$ 2,295.00  |
| 1.00     | PRE UBK 635.P31 (BG)     | PRECOR UBK 635 Upright Cycle - P31 Console with advanced LED display (PHRCB635BG309030EN) - Black Pearl                                         |                       | \$ 2,845.00  | \$ 2,195.00 | \$ 2,195.00  |

### TRADE IN

| Quantity | Product Code | Product Description | Line Item Description | List Price | Sales Price   | Total Price   |
|----------|--------------|---------------------|-----------------------|------------|---------------|---------------|
| 1.00     | TRADE CARDIO | DFS Trade-In Cardio |                       | \$ 0.00    | (\$ 3,500.00) | (\$ 3,500.00) |



600 Tower Road . Mundelein . IL 60060  
Tel: 847-680-9300 . Fax: 847-680-8906 . Service: 800-838-2819

## SALES PROPOSAL

Quote: 00038997  
Date: 4/5/2022  
Expires: 5/5/2022

|                  |              |
|------------------|--------------|
| SubTotal         | \$ 32,065.00 |
| Estimated<br>Tax |              |
| Grand<br>Total   | \$ 32,065.00 |

Notes