

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD OCTOBER 18, 2021**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:35 p.m. by President Kathleen McIntyre. Present: Jim Jolly, Laura Toy, Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic, and President Kathleen McIntyre. Absent: None

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier, City Attorney; Susan M. Nash, City Clerk; LaShawn Thomas, Director of Governmental Affairs; Jacob Rushlow, Assistant Superintendent of Public Works; Doug Moore, Assistant Director of Public Works; and Sara Kasproicz, Manager of Council Office.

Councilmember Laura Toy led the meeting in the Pledge of Allegiance.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1. REQUEST TO PURCHASE CITY-OWNED PROPERTY: Zak Alzught, re: offer to purchase City-owned property at 29660 Gaylord Court.

Zak Alzught, 29656 Schoolcraft Road, presented this request to Council. He stated several months back he was driving through the neighborhood when they were doing working on Schoolcraft Road, you're all familiar with them having construction going on there. So I got lost in the back there, on Gaylord Court, there's actually a nice little cul-de-sac there. And as I drove through there turning back around and coming back out I realized that that actually butts up against the property where we live currently at 29656 Schoolcraft. My father owns the property, we've been there for several years now, we're very happy in Livonia. And it came to mind that I should look into who owns the property and as luck has it, it's the City of Livonia. So it's a little bit more involved than going through the owner obviously and requesting to purchase the property and here we are today. I understand now that this is a process that comes to a resolution where it will be voted on, it comes to the public, etc. All I have to offer at this point is my willingness to bow out should anybody object to it but I believe there are a few things that the City could appreciate and sort of as a benefit to the City. In some respect it is, obviously the property is as per two letters that I submitted to the City initially to purchase the property and then it came to mind that I could potentially even exchange property that my father owns there that abuts the property. Any amalgamation of that property and any breakup of that property and lay out of the property we would be willing to exchange for the property on Gaylord Court, if that makes sense, that might be way out of line. But in terms of the City, obviously the City would have less upkeep and property responsibility there. It is potentially a neighborhood improvement, it's a nice little neighborhood. I think a nice house after we build would be an improvement there. Obviously a resident retention, I don't want to move to Canton or Plymouth or anywhere else for that matter. We do

like it in Livonia and finally, of course, is the property tax revenue. So, in consideration of these things I hope that the City will give this some thought. If there's any questions, please feel free to ask.

Vice President Bahr thanked Alzught for being at the meeting tonight. He stated it wasn't 100% clear to me, so it's your intent when you talk about possibly exchanging the property, your intent would be to move off of your current home and you want to build a new home at this property and Alzught replied we would retain the house on Schoolcraft though as well. Bahr said what I guess I'm ultimately getting at is you want to purchase this property in order to build a new home there, right, and Alzught replied yes. Bahr stated I don't think I have any further questions; I think his request is reasonable and good for you for a creative mind on a walk or a drive in the neighborhood. I've seen this property before and I'm actually a little bit surprised, maybe somebody has asked in the past about this, but I think what's appropriate and this is what's been recommended to us and I think it makes sense, is to refer this to the Administration, Parks & Recreation probably specifically, to just get their opinion on what to do with this. I think your request is totally valid, I just want to look at what the Administration's view would be for that property before we make any big decisions. So I would offer that resolution, to send it to the Administration for recommendation.

Councilmember Donovic stated I think it makes sense, without knowing what the City intended to do with the property, I don't know if anybody is familiar because I Googled it and looked it up and it's just a vacant lot, if I was correct, so I don't understand what the City would necessarily do with this. So I think we have an awesome opportunity to build a new home and keep some Livonia residents while we're doing it. I do have a question and I might not even get an answer, but who determines the asking price, I don't know if that's a question maybe for Mr. Taormina through the Chair.

Attorney Bernier stated you couldn't just directly tell it to this gentleman, if it went up for sale this gentleman may not get the property and it may be somebody else that you may not want to get that property and I should add that I believe it's park land, too.

Donovic said I have one more question, what was there before, was there a home there or has it always been vacant?

Bernier replied we looked at it because I believe I talked to the gentleman, there's several of us from the Law Department that did, and we told him the process to come through. When that was developed, that was like a fill-in subdivision and those lots were never intended, I think it was left intentionally vacant so that there would be open space.

Taormina stated I think the proper course, first step would be to refer to the Parks Commission, I believe that was suggested although you had said refer it to the Administration, but the Parks Commission. Normally this would go before the Planning Commission for the disposition of any City-owned property, however,

because this is Public Land, it should first go to Parks and then I guess the question to Council would then be, depending on the recommendation from the Parks Commission, if it would go directly to the Planning Commission to hold a public hearing or would it first come back to the Council before you made that decision, so it depends on what happens at the Parks Commission.

Bahr stated he would modify his resolution to refer to the Parks & Rec Commission.

Councilmember Jolly said I don't want to go in an opposite direction necessarily here but the fact that this is zoned Park Land currently, I think my voting for this would be very unlikely. I think the residents, although it's open space right now, the residents who purchased their houses understand that it was park land and probably relied upon that. As a City we also have a situation with there are certain grants out there that determine funding for our Parks system. Because of things we've done with our park land in the past, we are below where we used to be in terms of acreage with our park lands, and further selling off Park Land would continue to go in the negative direction as opposed to coming back in the positive direction. So I just want to be very clear to you and let you know that I probably would not be in support of it and I think it's probably a bad policy to sell park land when it's been understood by other residents to be park land.

Councilmember McCullough asked the Petitioner if he had reached out to any of the neighbors on Gaylord Court and Alzught replied I have not, I've been a little hesitant about doing that.

McCullough then said I, too, share exactly what my colleague Mr. Jolly is bringing up is with it being park land and you have a cul-de-sac there, I don't think I would be in support of changing this either. I value the opportunity that you bring and I think it's a great idea, but I'll tell you what if I was one of the homeowners on that cul-de-sac, I think I would enjoy the public land and that might have been a stipulation, but I don't think I'd be in favor as well, sorry.

Councilmember Toy asked Taormina on a site when it's City-owned like this, before it goes to Parks & Rec, do we require a sign up there that it – or after it goes to Parks & Rec, you know what I'm saying, to say that it might be for sale or it might be up for whatever so that residents know that? I don't think we do, do we?

Taormina replied no, I don't believe a sign is required to be posted until such time that there would be a change of zoning or a lot split under certain conditions. I do know, however, that if the end result is to put the property out for bid, that surrounding property owners are notified, any abutting property owner is given the opportunity to consider bidding on the property.

Attorney Bernier stated Mark is completely right, it's the property owners that are touching it. But this is an interesting one because it would also require, if it goes up for sale, it will require a rezoning. So, it's a complicated transaction and I'm pretty sure because I went down there and looked at it myself, I'm pretty sure that you would

probably get a protest petition and the two houses that are next door would be enough to probably do it, it's a complicated one. And I think when we talked, we didn't hold out a great deal of hope, we explained the process but didn't hold out, it's not our vote clearly, the Law Department, but we didn't hold out a great deal of hope that this might happen. Because the conversations we had is that the Parks Department, like Mr. Jolly said, the Parks & Rec Commission doesn't really want to give up land.

Toy then stated so that brings up the point, it begs the point, if it's City property then if indeed it was identified as being sellable or whatever, would this gentleman as well as anybody that touches it then have the first right of – I know at one point when we looked at some property, it was because we were adjacent to it, we had the first right or honors or whatever. It's fuzzy, but you know what I mean, I'm trying to remember it. Is that true still?

Taormina replied it would be a bidding process. It is a very unique circumstance, the bidding process, regarding the sale of City-owned land.

Councilmember Donovic I didn't know this was park land. Looking at it from an aerial perspective it looks like a cul-de-sac and I just assumed that either at one point there were homes there or the homes had never been built. I did not know it as park land, so contingent upon what the Parks Commission would say, I'm not inclined to support selling park land off with the exception if the Parks Commission says it's not a utilized park and they're okay with that, they're the experts in Parks and Recreation, but I imagine through some of the comments made tonight, I would imagine that the residents that move in next door to that park, assumed it would stay a park and it's City-owned but I don't have a lot of intimate knowledge about those lots right there, again, I just assumed it was just lots that were never finished or built when the cul-de-sac was there, but I'd be interested to see what the Parks Commission says on this particular parcel.

Alzught replied I'd be interested to see that as well. I would also be interested in seeing whether the residents that do touch as Mr. Bernier mentioned, whether they would object to it and obviously like I said at the beginning if there is an objection I would withdraw that. And I do understand the argument for retaining park land, that is clearly a good thing. Thank you all.

Vice President Bahr stated I do want to send this to Parks & Rec like I said just to get their formal recommendation on it but just to your last comment about I don't know the neighbors would say, just having spent more than a decade on the Planning Commission and City Council, I have yet, this is a true statement, I have yet to see a development of any kind that the neighbors like, so I'm just telling you what's coming from that standpoint. But I would be interested to hear and my resolution would still stand, to get the formal feedback from them.

DIRECTION: REFER TO PARKS & REC COMMISSION

2. REAPPOINTMENT OF KEN HARB TO THE LIVONIA BROWNFIELD REDEVELOPMENT AUTHORITY: Office of the Mayor, re: for a term which will expire on November 24, 2024.

LaShawn Thomas, Director of Governmental Affairs, presented this request to Council. She stated it is her pleasure to request the reappointment of Ken Harb to the Livonia Brownfield Redevelopment Authority. Ken Harb is no stranger to the Livonia community. A resident for 30-plus years, he has served as past member of the Livonia Human Relations Commission and the Livonia Zoning Board of Appeals. He is also a former board member of both the Michigan State Police Retirement Board and Basilica of St. Mary's. Ken's professional career with Wells Fargo Advisors spans three decades. He holds a bachelor's degree from the University of Michigan Dearborn in business, economics and finance. He has been married to his wife Cathy for thirty-three years and I believe that Ken would like to say something.

Ken Harb came to the podium and stated it's really overwhelming and if he had to say anything, he'd like to thank the Mayor, Mayor Brosnan, for the reappointment and I appreciate the Council's consideration to serve the City.

Councilmember Toy stated since he went to the University of Michigan, she would ask for his reappointment and concur with the Administration.

Councilmember Donovic stated I'm happy to see you're being reappointed, you've been a very active member of our society and community, and it's good to know that good folks like you are helping out and doing good things in the community, so thank you.

DIRECTION:

APPROVING

CONSENT

3. REAPPOINTMENT OF DILLON BREEN TO THE LIVONIA BROWNFIELD REDEVELOPMENT AUTHORITY: Office of the Mayor, re: for a term which will expire on November 24, 2024.

LaShawn Thomas, Director of Governmental Affairs, presented this request to Council. She stated it is again her pleasure to request the reappointment of Dillon Breen to the Livonia Brownfield Redevelopment Authority. Dillon Breen has been a member of the Brownfield Redevelopment Authority since 2019. He has previously served on the Human Relations Commission and the Local Officers Compensation Commission. Dillon earned his bachelor's degree of science in geology from Calvin College with a minor in geography. Additionally he holds an Environmental Analyst Certificate and a land resources Analyst Certificate from the Au Sable Institute of Environmental Studies. He also holds an associate in arts from Schoolcraft College where he currently serves as a member of the College's Board of Trustees. Dillon is an active member in the Southeast Michigan Council of Government, SEMCOG,

where he serves as a member of the Executive Committee, Regional Review Committee, and as a General Assembly Delegate. He's also a member of the Wayne County Apportionment Commission.

Dillon Breen came to the podium and stated I appreciate the opportunity to be able to serve again and I appreciate the confidence of Mayor Brosnan for nominating me for reappointment.

Vice President Bahr offered an approving resolution for the Consent Agenda.

Councilmember Donovic congratulated Breen on the great job and is looking forward to his continued service to the community and thanks for continuing to serve.

Councilmember Jolly stated it's not often we get a Schoolcraft Board of Trustee member here so I feel I cannot leave the opportunity, although this is your moment here to bring up the bumper sticker on the side of the soccer dome. Just wanted to let you know that is something on my radar and I'd appreciate it if in your position at Schoolcraft, to look into it.

Breen thanked Jolly and stated I'll make sure that I bring that up to the other Trustees, it has been discussed and just so you know, something is in the works.

Councilmember Toy commented that Dillon has been a true asset to our community and you were one of the younger ones and now Rob, of course, is trying to steal your life, I'm only joking. But in all seriousness, Dillon has done some fabulous things and we are so glad you came back from college and decided to stay here and we can use your intellect and your learned experiences, we appreciate it so much.

DIRECTION:

APPROVING

CONSENT

4. REQUEST TO EXTEND CONTRACT WITH HAVENER TECH, INC.: Department of Public Works, re: for as-needed repairs for the catch basin, storm sewer and concrete slab stabilization program, in an amount not to exceed \$50,000 annually for two years, from budgeted funds. (CR 290-18)

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He stated in July 2018 Council approved a contract between the City of Livonia and Havener Tech for the as-needed catch basins, storm sewer and concrete slab stabilization repair program. At that time a two-year contract was approved with the option for an additional two years. Havener Tech has agreed to a two-year extension with no increase in their current pricing. The Department of Public Works has worked with this company over the last two years on the repair of around 100 catch basins, using their quick trenchless technology for rehabilitating those structures and we've also been very impressed with their capabilities to perform these services on catch basins as well as on large culverts and concrete slab stabilization that we had them do on another project. Funding for this project is budgeted within the Road

Maintenance Fund and will greatly improve our ability to quickly stabilize failing catch basins and storm sewers while saving money for the City through this program. With that, the DPW is requesting a not-to-exceed amount of \$50,000.00 per year to make the necessary repairs in infrastructure system improvement.

Councilmember Jolly said you mentioned that it was a two-year contract with a two-year renewal and Rushlow replied correct. Jolly asked if the contract automatically renewed for the second two years without coming to Council and Rushlow replied it did not. It was approved in 2018 through the process of getting contractual documentation signed and approved, we didn't actually start work with them until 2019 when the agreement was – the contract was signed. So, the first year we did work with them was in 2019, so we worked with them for two years, '19 and '20; here in '21, we're looking for their renewal to continue through what's left with this year, which in talking with the owner of the company he can still come in and do repairs for us this year on our list that we prepare every year for those fifty catch basins that we have planned and then he'll do another fifty catch basin repairs for us next year as well.

Jolly asked so we're talking about the second two years here and Rushlow replied we're in the second two years right now, '21 and '22 would be the two years. Jolly confirmed that's what's coming before us now and Rushlow replied correct. Jolly then asked should this have been before us earlier or not, I'm just trying to understand the years here. Rushlow replied it definitely could have, my fault or not in bringing it to you sooner, but it was up for renewal this year. With everything else that we had going on, this one kind of fell to the back burner of really nice program technique where we can quickly rehab structures. We are preparing a list throughout the year and then came to the realization that well, we need to get approval before we can do this year's program through an extension, we need to do that right now so we can do that before the weather changes which is why we're here in front of you late.

Jolly offered an approving resolution for the Consent Agenda. He then asked if we had paid them on the second two years and Rushlow replied we have not paid them on the second two years yet.

DIRECTION:

APPROVING

CONSENT

5. REQUEST TO APPROVE FIVE YEAR EXTENSION OF THE LEASE OF FIVE (5) ACRES OF CITY OWNED PROPERTY LOCATED AT 32000 GLENDALE AVENUE: Department of Public Works, re: Mid-Michigan Recycling, L.C., for wood processing and disposal service. (CR 71-17)

Doug Moore, Assistant Superintendent of Public Works, presented this request to Council. He stated I'm here to talk about the Mid-Michigan Wood Waste Recycling Yard. It was first approved by Council in 2009, extended in 2014 and 2017; we are asking Council to consider a five-year contract renewal with an optional extension of five years with the consent of each party. The yard first started in Plymouth Township in 2004 or '05 and moved to the Glendale site in 2009 as a response to the

devastation caused by the Emerald Ash Bore. The chips are hauled to the Genesee Power Co-Generation Plant in Flint where they are burned for electricity. Enough electricity is produced to power 2,161 houses a year. City contractors using the benefit come from the Forestry Section of the Department of Public Works. This would be the tree trimming, the removal and the planting contractors, the three City-owned golf courses, the Engineering road projects, the Housing Department and Inspection Department when the City has to remove a dangerous private tree. Livonia receives \$44,309.00 annually or \$221,545.00 over the five-year lease on the site. In addition, Livonia residents and contractors under contract for City projects receive the added benefit of dumping wood generated material for free. Over the last two years this benefit was costed at \$51,750.00 a year or \$4,312.50 a month in a free service. The Department is asking Council to approve the five-year contract renewal with a possible five-year extension with Mid-Michigan Wood Recycling Yard on vacant City-owned land atop the Glendale property and I will say that watching Farmington Road at times today it was truck after truck; they were either hauling them out or trucks were hauling them in to dump them. Wood chips are dumped for free; the cost is in the logs and the limbs from trucks that get hauled in.

Vice President Bahr said what you're saying is that otherwise vacant City land where someone who is doing a service for us that we would otherwise have to provide, is bringing this stuff and it powers 2,161 houses per year with electricity and we make money for this and Moore replied yes. Bahr then offered an approving resolution for the Consent Agenda.

Councilmember Donovic stated I've been to this site a few times; I know residents drop off stumps and other logs and what not to have as residents which I think is a great service for the community and my favorite part is the free wood chip pile that you can drive up there and grab some free wood chips for your house. So I think it's awesome, I'm waiting for Councilwoman Laura Toy to ask me to go pick up some wood chips for her landscaping, so thanks for what everyone does there. I think it's a great service to our residents and like Councilman Bahr said, the City actually generates revenue from this piece of property.

Moore stated if we did not have the wood yard, we would be paying to have our wood chips hauled out.

Vice President Bahr asked Moore if he could make it more of a habit of coming to us with requests for us to make money instead of spending money.

Councilmember Toy said to Moore, I know there's some environmental stuff that can be done with wood as far as the logs and other things that are kind of inventive if you will as we move on. Wood tends to be rather popular these days with this generation of people. I know our Fire Chief has a beautiful wood table in his conference room over there that one of them does some gorgeous work over there. So, there's other things I think that we could repurpose some wood, too, as we move on and we open our minds to perhaps looking at other ventures and other kinds of things environmentally. Our Environmental Committee had a preview of that a bit and while

it may not be feasible right now, I would hope in the future we could look at that kind of repurposing of wood.

DIRECTION:

APPROVING

CONSENT

6. REQUEST TO AUTHORIZE ADDITIONAL APPROPRIATION AND EXPENDITURE: Department of Public Works, re: for the additional scope of work through change order on the Cavell Street water main replacement project and provide payment to D&D Water and Sewer, Inc. in an amount not to exceed \$43,752.59 for these services, from budgeted funds of the Water and Sewer Fund. (CR 180-21)

Jacob Rushlow, Assistant Director of Public Works, presented this request to Council. He said this item is in relation to the Cavell water main replacement project that was awarded to D & D Water and Sewer per Council Resolution 180-21. During the installation of this new water main we discovered there were adjacent underground utilities too close to the planned pipe location and the new water main had to be moved from that location which was in the greenbelt of the right of way between the sidewalk and the curb; we had to move it further away from the road and directly under the sidewalk was our only clear path to install this new main. Unfortunately by doing so, that necessitated the need to remove and replace a significant amount of sidewalk to complete the water main installation. In addition to that, there was a previously unknown 3-inch diameter water service line that was discovered within the project and it had to be replaced with the new installation of the new main which was not planned. All that combined, our consulting engineer doing the construction administration had prepared a change order in the amount of \$43,752.59, that would need to be approved for additional funds to proceed with payment for these additional scope items from budgeted funds of the Water and Sewer Fund.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

7. SITE PLAN PETITION: Planning Commission, re: Petition 2021-08-08-05 submitted by Hellyer Lewis requesting to remodel the exterior of the Citizens Bank at 37307 Six Mile Road, located on the south side of Six Mile Road between Levan and Newburgh Roads in the Northwest ¼ of Section 17.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is an after the fact request involving changes to the Citizens Bank located on Six Mile Road just east of Newburgh Road. This is before you for the simple reason that the building is located within a vicinity controlled zone so any changes, exterior modifications to the building first have to be approved by the Planning Commission and City Council. The work that was done on this building was done without knowledge of the process so the Petitioner is here before you seeking your approval after the fact as I indicated. This is the building, the way it appeared, before the changes were made. And afterwards you can see the color scheme

completely changed on the bank. This included squaring off the main central or entrance tower, replacing the brick that was on that with a new material, in this case composite, painting the EIFS green and painting all of the brick on the building white. So, the other piece of New Data that you have before you is actually from the prior owner of this property, which Mr. Frankel, it's a communication. He did retain some type of covenant or restriction regarding the architecture of the building. He has actually indicated that he has approved the elevation on the bottom of this so that would require some changes to the painting scheme on the upper façade of the building. He has not yet approved the tower element the way you see it here. That's something that's ongoing apparently, I'll let Mr. K describe the communication that they've had. But the Planning Commission has approved this, but subject to that maintenance plan that you referenced earlier. What their main concern is now that the brick is painted, how is it going to be maintained and that was the reason for the plan that was presented to you.

Councilmember Jolly stated I live right over there, I see this building quite often, it looks better, it's a big improvement, but I have some concerns not in regard to this particular building but I'm curious how often this happens and at what point the City finds out that unauthorized work has been done. And if and when this happens, and I'm not looking to fine you or anything like that, is there any recourse from the City against those contractors who do work and complete work on projects without going through the appropriate process?

Taormina replied well, this is the recourse at this point, so, it's requiring him to go through the process he would normally have to follow.

Jolly said it's like a day late and a dollar short, though, and honestly, it's probably easier to convince somebody to let you do something after you've already done it and not towards you but in the grand scheme of things, that seems a little backwards. And I think we can kind of understand why, right, because you can't say no when something is already done.

Taormina replied when it comes to the fees, I know Inspection can apply double fees for work that is done without a permit; in this case that would involve modifications to that tower element, the painting of something that typically doesn't require any permit per se but there were no fines or anything with that issue here. I mean the risk that he runs is having to go back and spend another 50 to \$75,000.00 to bring it back to its original condition if you decide it's not something that you want to live with.

Jolly said I hope that there's some kind of process within City Hall or with the Inspectors out there in the field to look for sites like this and make sure that the appropriate process has been followed initially so that there aren't issues that are kind of skating under the radar to get away from us. With that being said, in regard to this particular project, if you are waiting for Mr. Frankel to give his approval for this tower element, why are you here before us now? Wouldn't you wait until he approves it so that we can approve it and move on the road here.

Paul Gagel, project manager for Citizens Bank, came to the podium. He stated my work address is 27777 Franklin Road, Southfield, Michigan 48034. What got us here today, a little back story, is we submitted our plans showing the exterior work to the City for review. We received comments back for some interior things and our architect through their due diligence did not catch the ordinance and when we received the comments back there were no specific comments, Mr. Jolly, to just the exterior work, that we had to go through Planning and Zoning, so it was not flagged on either side. So, it was a combined miss between the City and between our architect for that, that's how we got here. And then when we submitted a plan for additional signage for a variance, during that Planning Commission meeting it was identified and discovered that hey, by the way they did exterior work, we issued an interior building permit which we assumed was a building permit for everything, so we just went full blast at it. So, that's how we got to where we're at now. Now, we are actually sitting on a ground lease with Mr. Frankel. We own the building. So, during the course of approvals and things like that for the sign packages as owner of the building, we signed off on the applications or for the applications to get that. During our due diligence of the lease, Mr. Frankel had certain comments about the easements of the property which are up to our curb. But there is one thing in the lease that the elements, the design elements should match the building. But it's my understanding based on previous meetings that that's not an enforceable act or it's not enforceable by our lease is my understanding. So I have been discussing this with Mr. Frankel, we talked about the color of green, part of your new package should have a couple options of the renderings with the green that we did that was just submitted this morning, we didn't get it in Friday, we got it in first thing this morning. And my conversation with Mr. Frankel on Friday was he likes the green on the lower band but he asked if we could do a rendering, he just threw this at me last week. I didn't get a chance to do any rendering, I'm still working on it with our design team, and that's why I included in the package today, that was submitted today, we have a couple other locations, this has now become our corporate image and we're doing this throughout our entire footprint from here out to the East coast when we renovate a property. So that's why I wanted you folks to have that in your package today to see that we are doing this, we just did it in Royal Oak and we did it in Dearborn Heights.

Jolly said thank you for all of that information, it was very useful. He then offered an approving resolution for the Regular Agenda so you can come back in two weeks and show us the final piece before we actually approve it.

Councilmember Toy thanked Gag for investing in the Livonia community. While you may have missed a few steps here, and that's important as has been pointed out to you, but seriously in this day and age for small businesses, whether it's a bank, or a bakery or a restaurant or whatever, flower shop, too, but in all seriousness there's a lot of challenges out there today, you know, with the Covid, the economy, etc., and small businesses, they used to say are the backbone of our nation, I'm beginning to wonder about that because we need to treat them with the utmost care and the utmost understanding when it comes to things. And you know, again, maybe the Chamber can help out on this by saying if you've got a project you're doing in your business, you might want to visit the City, before you start things, because some

people just don't know, they're naïve to some of this. I know when we revamped out building, it was a long process and we weren't real sure and I've been in government, it's like what do you do, what permits do I need, what kinds of things between the County and the State and you know everybody else, so it gets a little confusing at times. This Council has been great with people in understanding and Mark Taormina and his team and just our whole City and Paul and not to name names, but everybody has just been very cooperative and Todd, you know, you can't ask for better, so thank you.

Gagel said thank you for that and I agree. I've been before the Council before on other projects the bank has done, we have other branches here in Livonia as well. But Mr. Jolly, just to clarify something here, my conversation with Mr. Frankel was come back, see if you come back with something. If ultimately the internal design team says this is our design element, this is our corporate image, much like when I spoke with Mr. Frankel I mentioned to him about the red on the Big Boy, it doesn't match anything in the center either, he owns that building but he stated it goes towards their corporate image. If this is our corporate image and internally we can't make a change or not, I don't know where we'll be at at that point in time.

Jolly said I think you've done a great job clarifying everything that's gone on, I have nothing but positive thoughts in regard to what you've presented here tonight. One way or another we're going to take the final vote on this at the next meeting. This is only a study meeting so we can't give you a final approval tonight. Because it's undetermined what you will have to present as a final project at that point, we'll take the vote after looking at that. Otherwise we would have to take it as a consent item and as a consent item we don't typically vote on something when there's not a determined elevation and all that kind of stuff. So, make sure that we get the final product of whatever it is you're proposing, I don't anticipate it being a problem, not for me anyways, I can't speak for everybody else but I can't imagine it would be. I think you're in good standing, I would presume.

Gagel said I appreciate that and then based on that statement our other package today shows that we still have to install an awning above the front door and we put that on hold when we started coming to these meetings, but because of the time of year and what not, if that would not have a negative impact, I'd like to go head and proceed and get that awning in before the weather changes too much. It's below the brown, it's above the front door, there's a drawing in the package.

Jolly replied I think I speak for everybody where I said I think we'd all prefer you do it all at once.

Councilmember McCullough asked building permit wise, are you finaled on everything else and Gagel replied yes, we filed, we've got full building inspections, Certificate of Occupancy, fire. McCullough asked if there were any outstanding issues and Gagel replied I've got some minor punch list items to do on the interior but no, nothing outstanding other than the awning I mentioned on the exterior. McCullough said you guys knocked that renovation out in what, six weeks? Gagel replied we had four

weeks to do it, that's typically our rate when we do a renovation like this, we shut down and try to get open as quickly as possible to minimize the impact of customer loss. McCullough then asked and you did the parking lot, too, and Gagel replied yes, we did, we did the parking lot as well.

DIRECTION:

APPROVING

REGULAR

At the direction of the Chair, Item No. 8 was moved to the November 8, 2021 meeting of Council.

8. **WAIVER PETITION:** Planning Commission, re: Petition 2021-08-02-16 submitted by Mellodie Hastings requesting to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.

9. REQUEST TO APPROVE THE SIXTH AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF LIVONIA AND NEW CINGULAR WIRELESS PCS, LLC., d/b/a AT&T WIRELESS PCS, LLC: Department of Law, re: to accommodate request to move and upgrade the equipment on the tower. (CR 20-21, 241-20, 406-18, CR 29-12, CR 120-98, and CR 18-97)

Paul Bernier, City Attorney, presented this request to Council. He stated this is just an upgrade to the Tower, they're going to add some more items to it and we're going to charge them some more money for that use.

President McIntyre then asked if we're limited as to what we can charge and Bernier replied absolutely.

Councilmember Donovic offered an approving resolution for the Consent Agenda.

Councilmember White asked if the upgrade had to do with the 5G and Bernier replied do we have to even mention 5G, and then stated that Mr. Fisher took care of that, I don't think it does, I think they're just adding more capabilities, but I don't think it's 5G. I think it's too far to another 5G tower to make it.

DIRECTION:

APPROVING

CONSENT

AUDIENCE COMMUNICATION None heard.

As there were no further questions or comments, President McIntyre adjourned the Study Session at 9:24 p.m. on Monday, October 18, 2021.

For the 1932nd Regular Meeting of November 8, 2021

DATED: October 21, 2021

SUSAN M. NASH, City Clerk