

MINUTES OF THE ONE THOUSAND NINE HUNDRED FORTY SIXTH**REGULAR MEETING JUNE 27, 2022**

On June 27, 2022, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Councilmember Donovic led the meeting with the Pledge of Allegiance.

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

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

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

#184-22 RESOLVED, that the Minutes of the 1,946th Regular Meeting of the Council held June 6, 2022 are approved as presented.

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

AYES: Donovic, McCullough, and Jolly

NAYS: None

PRESENT: McIntyre

President Jolly declared the resolution adopted.

During Audience Communication, Linda Linder, 19541 Westmore, addressed Council regarding her concerns for a building that has been condemned at 19500 Farmington Road.

David, Livonia resident, spoke regarding his concern for the Pride Flag being raised at City Hall.

Kristin Lee, Livonia resident, spoke regarding her concern for public property and the flagpole at City Hall being used without input from residents.

Lloyd Banks, 18411 W. 12 Mile Road, Lathrup Village, spoke on behalf of Lathrup Village Mayor Kelly Garrett, a candidate for U.S. District 12 in the House of Representatives.

Councilmember McIntyre congratulated all Spree workers and volunteers for their help in running the 70th annual Spree last week. Councilmember McIntyre requested a moment of silence to honor the passing of Livonia resident, Paul Malley, who she stated made great contributions to the community and offered condolences to his family.

Councilmember Donovic echoed Councilmember McIntyre's sentiments about the Spree and thanked all who volunteered for this great event.

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

#185-22 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Councilmember Kathleen McIntyre, at the Regular Meeting held June 27, 2022, the Council does hereby refer the subject matter of vehicle haulers/loaders blocking the center lane of Plymouth Road to the Police Department, Traffic Commission and Department of Law for their reports and recommendations.

Councilmember McCullough wished a Happy belated 8th Birthday to his daughter, Harper, who he stated enjoyed an excellent time at the Spree last week.

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

#186-22 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Rob Donovic, at the Regular Meeting held June 27, 2022, the Council does hereby refer the subject matter of road construction communications with the public to the Capital Outlay and Infrastructure Committee for its report and recommendation.

President Jolly announced there would be an X-item addressed at the end of the Agenda.

President Jolly wished his son, J.D., a Happy 7th Birthday.

A communication from the Department of Finance, dated May 25, 2022, re: forwarding various financial statements of the City of Livonia for the month ending February 28, 2022, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated May 25, 2022, re: forwarding various financial statements of the City of Livonia for the month ending March 31, 2022, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated May 31, 2022, re: forwarding Retirement System Annual Report – Fiscal Year 2021, was received and placed on file for the information of the Council.

A communication from the Office of Government Affairs, dated May 9, 2022, re: Capitol Relations report, was received and placed on file for the information of the Council. (CR 93-22)

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

#187-22 RESOLVED, that having considered an application from Amy Ashton, dated May 15, 2022, requesting permission to close Aloise Street from Plymouth Road South until it dead ends on Saturday, July 2, 2022, from 3:00 p.m. until 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, July 3, 2022, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#188-22 RESOLVED, that having considered an application from Kate Dobson, dated May 11, 2022, requesting permission to close Sherwood Street between Williams and Comstock Streets on Saturday, July 16, 2022, from 12:00 p.m. until 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, July 17, 2022, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#189-22 RESOLVED, that having considered an application from Gena Tucker, dated May 16, 2022, requesting permission to close Ellen Drive from the intersection of Edgewood Street and Gary Lane to the

intersection of Edgewood and Roycroft Streets on Saturday, August 13, 2022, from 1:00 p.m. until 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.

#190-22 RESOLVED, that having considered an email communication and supporting documents from Wafi Barshini, Festival Chairperson, The Basilica of St. Mary Antiochian Orthodox Church, dated May 25, 2022, regarding their St. Mary's Dormition Festival scheduled for Friday, August 12, 2022 through Sunday, August 14, 2022, to include setup on Thursday, August 11, 2022 and take down on Monday, August 15, 2022, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 5:00 p.m. to 11:00 p.m. on Friday, 12:00 p.m. to 12:00 a.m. on Saturday, and 12:00 p.m. to 10:00 p.m. on Sunday, in connection with this event to be held Friday, August 12, 2022 through Sunday, August 14, 2022, in the rear parking lot of the Basilica of St. Mary Antiochian Orthodox Church located at 18100 Merriman Road; provided that the appropriate level of amplified music will be controlled by a church-appointed "sound engineer" who will have total control of the sound system at all times and that the speakers inside the tent will be pointed north (toward the church) and away from neighboring houses in connection with this event.

#191-22 RESOLVED, that pursuant to Section 13.14(2) of the Livonia Vision 21 Zoning Ordinance 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 for a three-year term that expires on July 12, 2025, with all the authority and duties as set forth in the said Zoning Ordinance and Act 110, and further provided that Timothy J. Klisz takes the Oath of Office as required in Chapter X, Section 2 of the City Charter, to be administered by the Office of the City Clerk.

#192-22 RESOLVED, that having considered a communication from the City Planning Commission, dated May 20, 2022, approved for submission by the Mayor, which transmits its resolution #05-25-2022, adopted on May 17, 2022, with regard to Petition 2022-03-02-08 submitted by Tiseo Architects, Inc. on behalf of TrueHeal Veterinarian Clinic, requesting waiver use approval to operate a veterinary clinic at 27488 Five Mile Road, located on the north side of Five Mile Road between Inkster Road and Foch Avenue in the Southeast ¼ of Section 13, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-03-02-08 is hereby approved and granted, subject to the following conditions:

1. That the Site & Floor Plans, Elevations identified as Sheet No. P1, dated March 25, 2022, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to;
2. That the landscaping shown on the approved plan shall be installed to the satisfaction of the Inspection Department;
3. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding;
4. That the operation of the subject use shall not include the overnight boarding or care of animals;
5. 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;
6. That all animal remains, medical and animal waste shall be properly disposed of;
7. That adequate soundproofing shall be installed to the extent necessary to insure the elimination of all noise from the building;
8. That the use of open or outdoor runways, kennels or pens are prohibited;
9. 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;
10. That no LED light band or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
11. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
12. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, 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.

#193-22 RESOLVED, that having considered a communication from the City Planning Commission, dated May 20, 2022, approved for submission by the Mayor, which transmits its resolution #05-29-2022, adopted on May 17, 2022, with regard to Petition 2022-04-02-13 submitted by Wade Shows, Inc., requesting waiver use approval to conduct a carnival

in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games and food concessions from July 14, 2022 through July 24, 2022, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-04-02-13 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 from July 14, 2022, through July 24, 2022, 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 April 18, 2022;
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 sixty feet (60') 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 sixty feet (60') 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 the issues as outlined in the correspondence dated May 9, 2022, from the Fire Marshal, including maintaining proper ingress/egress points for rescue personnel and access to fire hydrants, shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.

#194-22 RESOLVED, that having considered a communication from the City Planning Commission, dated May 23, 2022, which transmits its resolution #05-30-2022, adopted on May 17, 2022, with regard to Petition 2022-03-08-01 submitted by MA Designers Inc., requesting to construct an addition and remodel the interior and exterior of the retail center at 34800 Plymouth Road, located on the north side of Plymouth Road between Stark and Wayne Roads in the Southwest ¼ of Section 28, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2022-03-08-01 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as Sheet No. SP-1 dated January 4, 2022, prepared by MA Designers Group Inc., is hereby approved and shall be adhered to;
2. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department;
3. That bumper blocks or other type of barrier approved by the Inspection Department shall be installed in the parking spaces immediately in front of the building so that vehicles do not encroach over the storefront walkway;
4. The Landscape Plan identified as Sheet No. SP-2 dated April 5, 2022, as revised, prepared by MA Designers Group Inc., is hereby approved and shall be adhered to;
5. That the Petitioner shall work with staff and the Plymouth Road Development Authority (PRDA) on plans to install additional landscaping and other streetscape improvements (i.e., brick piers and fencing) along Plymouth Road;
6. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding;
7. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
8. The Exterior Building Elevation Plan identified as Sheet No. A-3 dated May 2, 2022, as revised, prepared by MA Designers Group Inc., is hereby approved and shall be adhered to;
9. 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;
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 the three walls of the trash dumpster area shall be constructed out of the same brick used in the construction of the building or in the event a poured wall is substituted, the wall's design, texture and color shall match that of the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass;

12. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals;

13. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;

14. 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;

15. 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

16. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, 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.

#195-22 RESOLVED, that having considered a communication from the Human Resources Director, dated May 25, 2022, which bears the signatures of the Finance Director and the City Attorney and is approved for submission by the Mayor, and which sets forth Resolution No. 22-91, adopted by the Civil Service Commission on May 18, 2022, wherein it is recommended to approve an hourly rate and holiday pay increase for the classification of Seasonal Laborers within the Department of Public Works, the Council does hereby concur in and approve the recommendation of the Civil Service Commission regarding those changes as outlined in the aforementioned communication and attachments thereto, to be effective the first pay period after City Council approval.

#196-22 RESOLVED, that having considered a communication from the Human Resources Director, dated May 25, 2022, which bears the signatures of the Finance Director and the City Attorney and is approved for submission by the Mayor, and which sets forth Resolution No. 22-93, adopted by the Civil Service Commission on May 18, 2022, wherein it is recommended to approve an increase in compensation for the classification of Administrative Assistant to be in the same classification range as other Administrative Assistants in comparable communities, the Council does hereby concur in and approve the recommendation of the Civil Service Commission and the increase in compensation for the classification of Administrative Assistant is hereby approved and authorized as outlined in the aforementioned communication and attachments thereto, to be effective the first pay period after City Council approval.

#197-22 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated May 23, 2022, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the quote of Ritter GIS, 143 Cadycentre #115, Northville, MI 48167 to provide Geographic Information Services (GIS) for the City of Livonia, for a four (4) year period (2022-2026), in an annual amount not to exceed \$35,360.00, with an option to extend for two (2) years (2027-2029), if mutually agreed upon by the parties and approved by the Council, with payment of said amount to be split between the IS Department (Contractual Services Account No: 101-228-818-005) and the Department of Public Works (Computer Software Maintenance Account Nos: 592-559-851-020 and 226-528-851-020) for this purpose; FURTHER, the Council does hereby authorize such action without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended.

#198-22 RESOLVED, that having considered a communication from the Director of Public Works, dated May 25, 2022, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the bid of D'Angelo Brothers, Inc., 30750 W. Eight Mile Road, Farmington Hills, MI 48335, for performing all work required in connection with water main taps and service connections, at various locations throughout the City, as well as emergency water and sewer repairs, at the unit prices bid, for a three (3) year period commencing July 1, 2022 (with an optional two-year extension if mutually agreed upon by the parties and approved by the Council), in an amount not to exceed \$375,000.00 annually; the same having been the sole bid received and meets all specifications; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$375,000.00 from funds budgeted in Account Nos. 592-158-000 and 592-158-023 for this purpose; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

A communication containing the Independent Auditor's Report from Plante & Moran, dated May 25, 2022, was received and placed on file for the information of the Council.

A communication containing the Federal Awards Supplemental Information from Plante & Moran, dated November 30, 2021, was received and placed on file for the information of the Council.

A communication containing the Financial Report with Supplemental Information, dated November 30, 2021, was received and placed on file for the information of the Council.

A communication containing the Audit Presentation from Plante & Moran, dated November 30, 2021, was received and placed on file for the information of the Council.

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

#199-22 RESOLVED, that having considered the report and recommendation of the Finance and Budget Committee, dated May 25, 2022, and communications from the Director of Finance, dated May 26, 2022 and February 8, 2022, submitted pursuant to Council Resolution No. 02-22, which bears the signature of the City Attorney, and is approved for submission by the Mayor, in connection with a proposed ordinance amendment regarding the City's purchasing policy limits, the Council does hereby concur in amending sections 3.04.130 and 3.04.140 of the Livonia Code of Ordinances as follows:

1. Modify the requirement for obtaining quotes to purchases between \$3,000 and \$29,999;
2. Modify the requirement for soliciting sealed bids to purchases of \$30,000 or more;
3. Modify the limit for administrative approval of minor adjustments to awarded contracts to an amount up to 5% of the contract, but not to exceed \$30,000;

4. Modify the limit for applying the 3% preference for city-based firms to \$200,000; and
5. Continue the requirement for City Council approval for purchases of \$20,000 or more.

FURTHER, the Department of Law is hereby requested to prepare appropriate amendments to Sections 3.04.130 and 3.04.140 of the Livonia Code of Ordinances for submission to Council reflecting the above-referenced modifications.

Donovic gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 130 AND 140 OF TITLE 3, CHAPTER 04 (FINANCIAL PROCEDURES) 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.

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

AN ORDINANCE AMENDING SECTION 040 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

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

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

Donovic took from the table for second reading and adoption the following

Ordinance:

AN ORDINANCE AMENDING SECTION 120 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

McIntyre took from the table for second reading and adoption the following

Ordinance:

AN ORDINANCE AMENDING SECTION 130 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

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

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 28 (INDUSTRIAL WASTE SURCHARGE) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

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

AN ORDINANCE AMENDING CHAPTER 37 OF TITLE 8 OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

McIntyre gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 28 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF LIVONIA VISION 21 ZONING ORDINANCE, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3.3975 THERETO.
(Petition 2019-06-01-05)

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.

McIntyre invoked the Emergency Clause and gave second reading to the foregoing Ordinance and a roll call vote was taken thereon with the following result:

AYES: Donovic, McCullough, McIntyre, and Jolly

NAYS: None

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

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

#200-22 RESOLVED, that having considered a communication from the City Planning Commission, dated May 23, 2022, approved for submission by the Mayor, which transmits its resolution #05-27-2022, adopted on May 17, 2022, with regard to Petition 2022-03-02-11 submitted by Livonia Veterinary Hospital, requesting waiver use approval to expand the existing veterinary hospital at 13389, 13391 and 13393 Farmington Road, located on the west side of Farmington Road between the CSX Railroad right-of-way and Schoolcraft Road in the Northeast ¼ of Section 28, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-03-02-11 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Sheet No. C-2, dated October 13, 2021, prepared by GLA Surveyors & Engineers, is hereby approved and shall be adhered to;
2. All parking spaces, except the required barrier free parking, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department;
3. That the Landscape Planting Plan identified as LP-1, dated September 26, 2021, prepared by Nagy Devlin Land Design, is hereby approved and shall be adhered to;
4. That two (2) additional full-size deciduous trees, equal in characteristics to those listed in Article X of the Livonia Vision 21 Zoning

Ordinance, as amended, shall be installed on the front part of the site adjacent to the Farmington Road right-of-way;

5. That all disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding;

6. 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;

7. That the Building Elevations Plan identified as Sheet Number A102, as received on March 30, 2022, is hereby approved and shall be adhered to;

8. That the three walls of the trash dumpster area shall be constructed out of the same brick used in the construction of the building or in the event a poured wall is substituted, the wall's design, texture and color shall match that of the building. 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 all animal remains, medical and animal waste shall be properly disposed of;

10. That all light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways;

11. That a duly qualified attendant or veterinarian be available on the premises any time there is overnight boarding of pets;

12. That adequate soundproofing shall be installed to the extent necessary to insure the elimination of all noise from the building;

13. That the use of open or outdoor runways, kennels or pens are prohibited;

14. 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;

15. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;

16. 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

17. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, 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 Donovic, seconded by McCullough, and unanimously adopted, it was:

#201-22 RESOLVED, that having considered a communication from the City Planning Commission, dated May 23, 2022, approved for submission by the Mayor, which transmits its resolution #05-28-2022, adopted on May 17, 2022, with regard to Petition 2022-04-02-12 submitted by Area Towing & Recovery, Inc., requesting waiver use approval to operate a vehicle tow yard at 12719 Inkster Road, located on the west side of Inkster Road between the CSX Railroad and Schoolcraft Road in the Northeast ¼ of Section 25, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-04-02-12 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Sheet CE1 dated April 6, 2022, as revised, prepared by Hennessey Engineers, Inc., is hereby approved and shall be adhered to;
2. That the easement right-of-way leading back to the tow yard shall be repaired to the satisfaction of the Engineering Department;
3. That the parking lot for employees and customers directly behind the building shall be repaired, resealed, and restriped as necessary to the satisfaction of the Inspection Department. Parking spaces shall be doubled striped at ten feet (10') wide by twenty feet (20') in length;
4. That the maximum number of vehicles parked in the tow yard at any given time shall not exceed 343 vehicles;
5. That a six-foot (6') high vinyl privacy fence shall replace the existing chain link fence along the east side (front) of the outdoor storage yard to help shield the vehicles and activities from the adjacent properties;
6. That the vehicle tow yard shall be resurfaced with a material approved by the Engineering Division prior to the issuance of the Certificate of Occupancy and shall be properly graded and drained to dispose of all surface water and maintained in a dust-proof condition; provided further that the Engineering Division shall inspect the condition of the vehicle tow yard within two (2) years with direction on any needed repairs or improvements;

7. That the landscaping shown on the approved site plan shall be installed to the satisfaction of the Inspection Department;
8. That any pole-mounted light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;
9. 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;
10. That appropriate recordable legal instrumentation, such as a cross parking agreement, that gives notice and outlines the terms of how the subject property(s) would share parking and access, be supplied to the City;
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 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
13. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, as amended, 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 Donovic, seconded by McCullough, and unanimously adopted, it was:

#202-22 RESOLVED, that pursuant to Section 13.14(2) of the Livonia Vision 21 Zoning Ordinance and Section 601 of Act 110 of the Public Acts of Michigan of 2006, as amended, Christopher N. Boloven, 17405 Ellen Drive, Livonia MI 48152, is hereby appointed to the Zoning Board of Appeals for a three-year term that expires on July 12, 2025, with all the authority and duties as set forth in the said Zoning Ordinance and Act 110, and further provided that Christopher N. Boloven takes the Oath of Office as required in Chapter X, Section 2 of the City Charter, to be administered by the Office of the City Clerk.

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

#203-22 RESOLVED, that having considered a communication from the City Treasurer, dated June 6, 2022 ("Treasurer's Letter"), regarding the replacement of sidewalks in the City of Livonia on the following parcels (parcels of property and assessments, as outlined in the Treasurer's Letter, are included herein by reference), which work was done pursuant to Council Resolution Nos. 30-22 and 67-22 and in accordance with the provisions of Section 12.04.340 of the Livonia Code of Ordinances, and the City Treasurer having thereafter sent a statement of charges by first class mail to the owners of property to be assessed wherein notice of the meeting by the City Council of this date was given and at least 30 days having expired since the giving of such notice with such charges remaining unpaid, the Council does hereby, pursuant to the provisions of Section 3.08.150 of the Livonia Code of Ordinances, Title 3, Chapter 8, adopt this resolution wherein a special assessment is placed upon such property for said charges; FURTHER, the Council does hereby authorize installment payments in the number of three (3) installments at 6% interest where assessments exceed \$400 and the property owner has requested such installments; FURTHER, the Council does hereby request that the City Treasurer shall give notice of the amounts herein determined to the persons chargeable therewith, such notice to be sent by first class mail to the last known address of such persons as shown on the most current assessment roll of the City, and where payments herein authorized are not made within the specified time this fact shall be reported by the City Treasurer to the City Assessor who shall charge such amount together with a penalty of 10% of such amounts against the persons or real property chargeable therewith on the next general tax roll; and the City Clerk and City Treasurer are hereby requested to do all things necessary or incidental to the full performance of this resolution.

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

#204-22 RESOLVED, that having considered a communication from the Department of Law, dated May 18, 2022, approved for submission by the Mayor, transmitting for Council acceptance of a Grant of Easement executed by Jordan Jonna, Its Manager, for a public utility easement in connection with the construction of a sanitary sewer at the subject location in the West 1/2 of Section 6, more particularly described as:

Beginning at a point distant North 89 Degrees 21 Minutes 58 Seconds East 60.00 feet from the West 1/4 corner of Section 6, Town 1 South, Range 9 East; Thence continuing North 89 Degrees 21 Minutes 58 Seconds East 291.02 feet; Thence South 00 Degrees 00 Minutes 25 Seconds West 66.07 feet; Thence North 89 Degrees 59 Minutes 18 Seconds West 10.05 feet; Thence South 00 Degrees 00 Minutes 42 Seconds West 401.00 feet; Thence South 89 Degrees 59 Minutes 18 Seconds East 6.41 feet; Thence

South 00 Degrees 21 Minutes 49 Seconds East 54.63 feet to the point of beginning of centerline of 12 foot wide sanitary sewer easement; Thence North 87 Degrees 54 Minutes 10 Seconds East 211.72 feet; Thence South 88 Degrees 55 Minutes 05 Seconds East 244.49 feet; thence North 89 Degrees 04 Minutes 18 Seconds East 128.25 feet to the point of ending.

the Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Grant of Easement and the City Clerk is hereby requested to have the same recorded in the Office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

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

#205-22 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 McIntyre, seconded by McCullough, and unanimously adopted, it was:

#206-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated June 24, 2022, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, and a communication from Brandon M. Kritzman, Principal, Detroit Architectural Group, dated June 23, 2022, the Council does hereby accept the bid of Syenergy Engineering Services, Inc., 2129 Austin Avenue, Rochester Hills, MI 48309 for all labor, materials, and equipment in connection with the City Hall Roof Top HVAC Unit #3 Replacement Project, to replace the current air handler unit which had a complete mechanical failure and is currently non-operational and is beyond its expected useful life, in an amount not to exceed \$250,350.00, the same having been the sole bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$250,350.00 from funds already budgeted in Account No. 401-000-987-000 for this purpose; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, with the aforesaid bidder 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 McCullough, seconded by Donovic, and unanimously adopted, this 1,947TH Regular Meeting of the Council of the City of Livonia was adjourned at 8:05 p.m.

Susan M. Nash, City Clerk