

MINUTES OF THE ONE THOUSAND NINE HUNDRED FORTY NINTH**REGULAR MEETING JULY 25, 2022**

On July 25, 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 McCullough led the meeting with the Pledge of Allegiance.

Roll was called with the following result: Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, Kathleen McIntyre, Laura Toy, and Jim Jolly. Absent: None.

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 Vice President Toy, seconded by McCullough, and unanimously adopted, it was:

#226-22 RESOLVED, that the Minutes of the 1,948th Regular Meeting of the Council held July 11, 2022 are approved as presented.

Mayor Maureen Miller Brosnan addressed Council to remind residents of the roads millage renewal on next week's Primary ballot. Mayor Brosnan indicated it is crucial for the repair of City roads and thanked all Council members for their endorsement of the millage renewal.

Vice President Toy presented a commendation to Roger & Rod's Barber Shop, who she indicated was closing after 58 years of business. Vice President Toy acknowledged their many years of dedication and hard work.

During Audience Communication, the following individuals spoke in opposition to a proposed Ordinance to have a unanimous vote by Council to fly any flags, other than governmental flags, on City property:

Darrell Smith, 14006 Brookfield
Amy VanEeuwen, 1733 Brookview Drive
Stephanie Farkas, 14446 Ramblewood
Carolyn Madding, 15506 Nola Circle

John Hillers, Livonia resident
Kate Shishkovsky, 16941 Shrewsbury Ct
John Donabedian, 14236 Beatrice

The following individuals spoke in favor of a proposed Ordinance to have a unanimous vote by Council to fly any flags, other than governmental flags, on City property:

Marie, Livonia resident
Bob Zeuner, 31569 Bennett
Alex King, 9806 Berwick
Susan Schuley, 32700 Hees
Bob Tenaglia, Livonia resident
Jeff, Livonia resident

Heather Asher, 30059 Richland, addressed Council as a member of the Livonia Jaycees to announce they are hosting a Murder Mystery event on August 20, 2022, at Burton Manor. Ms. Asher indicated the Jaycees are looking for corporate and business sponsors and encouraged residents to check out this great event.

Councilmember Donovic thanked Ms. Asher for pointing out the Jaycees are hosting the Murder Mystery event on August 20th. Donovic indicated the Jaycees do a lot of great events throughout the community and they are always looking for new members. He encouraged residents to visit the Jaycees' website for further details.

Councilmember McIntyre wished a Happy 90th Birthday to former City Attorney Harry Tatigian. McIntyre stated Mr. Tatigian was a great influence in the community and served the City for many, many years. McIntyre asked for prayers for Mr. Tatigian and his family and stated he is at Angela Hospice inpatient care at this time.

Vice President Toy thanked Councilmember McIntyre for sharing the information about Mr. Tatigian and indicated she was not aware of his current situation. Vice President Toy stated Mr. Tatigian was a great help to all Councilmembers throughout the years and indicated prayers are sent for he and his family.

Councilmember Bahr echoed the sentiments offered by his fellow Councilmembers regarding Harry Tatigian. Bahr stated he also shared the Mayor's sentiments and encouraged residents to support the renewal of the Road millage on the August Primary ballot. Bahr announced this Friday will be a Shakespeare in the Park performance at 7:00 p.m.-8:30 p.m. at the Stymelski Park and encouraged residents to attend this great event.

President Jolly announced there was New Data on Agenda Item #8.

President Jolly wished a Happy Birthday to Judge Kathleen McCann who he indicated will celebrate a birthday on July 26th. President Jolly also sent well wishes to Harry Tatigian.

A communication from the Department of Finance, dated June 30, 2022, re: forwarding Quarterly Investment Report for the City of Livonia for the quarter ending May 31, 2022, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated June 30, 2022, re: forwarding various financial statements of the City of Livonia for the month ending May 31, 2022, was received and placed on file for the information of the Council.

At the direction of the Chair, Agenda Item #7 was removed from the Consent Agenda.

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

#227-22 RESOLVED, that having considered an application from Karen Werden, dated June 20, 2022, requesting permission to close Flamingo between St. Martins and Bretton on Saturday, August 27, 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, August 28, 2022, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#228-22 RESOLVED, that having considered a communication from Samantha Shedlock, dated June 23, 2022, requesting permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, for the purpose of hosting a wedding with a DJ, to include catered food, games and dancing, at the property located at 32279 Camborne Lane, on Saturday, August 20, 2022, from 5:00 p.m. to midnight, 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. and midnight in connection with this event to be held on Saturday, August 20, 2022.

#229-22 RESOLVED, that having considered a communication from the Human Resources Director, dated June 30, 2022, submitted pursuant to resolution 22-54, adopted by the Civil Service Commission on March 16, 2022, the Council does hereby appropriate and authorize an expenditure in an amount not to exceed \$15,985.24 payable to Empco, 1740 W. Big Beaver Road #200, Troy, Michigan 48084, for performing all work required in connection with administering the assessment center evaluation for the promotional examination of the fire chief; FURTHER, the Council does hereby appropriate and authorize an expenditure in an amount not to exceed \$15,985.24 from funds already budgeted in Account No. 101-269-

765-000 for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, and no advantage would result from requiring competitive bidding.

#230-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated June 27, 2022, which bears the signature of the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby authorize the release to Leo Soave Building, Inc., 37771 Seven Mile Road, Suite C, Livonia, MI 48152, the proprietor of Mystic Creek Site Condominiums, located at 18000, 18040 and 18080 Wayne Road in the Southeast ¼ of Section 9, the financial assurances previously deposited pursuant to Council Resolution 197-17, adopted on June 5, 2017, specifically:

a) As-Built Drawings Bond \$2,000.00 (all cash)

FURTHER, all other financial assurances now on deposit with the City, if any, with respect to this subdivision shall remain the same and unchanged; and the action herein being taken is for the reasons indicated in the aforementioned report of the City Engineer that all these improvements have been satisfactorily installed in accordance with the rules and regulations and ordinances of the City of Livonia.

#231-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated June 17, 2022, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from International Extrusions, Inc., a Michigan corporation, in conjunction with the construction of a storm drainage system to provide adequate drainage from property developed at 39001 Schoolcraft Road, Livonia, Michigan 48150, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the south side of Schoolcraft Road, east of Eckles Road, in the Northwest ¼ of Section 30, which accommodates storm water from property developed at 39001 Schoolcraft Road, with the maintenance agreement from the proprietor, International Extrusions, Inc., a Michigan corporation, located at 32416 Industrial Road, Garden City, MI 48135-1655, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and

2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#232-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated June 28, 2022, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from Botsford General Hospital, a Michigan non-profit corporation, in conjunction with the construction of a storm drainage system to provide adequate drainage from property developed at 39000 Seven Mile Road, Livonia, Michigan 48152, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the north side of Seven Mile Road, west of I-275, in the Southwest ¼ of Section 6, for the development of 18th Street Development, which accommodates storm water from property developed at 39000 Seven Mile Road, with the maintenance agreement from the proprietor, Botsford General Hospital, a Michigan non-profit corporation, located at 26901 Beaumont Blvd., Southfield, MI 48033, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

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

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

NAYS: None

On a motion by Bahr, seconded by Donovic, and unanimously adopted, it

was:

#233-22 RESOLVED, that having considered a communication from the Department of Law, dated June 24, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize certain increases in court costs assessed for various civil infractions and misdemeanors for the Court Building/Renovation Fund and for the Sobriety Court as follows:

Increase costs for all civil infraction cases, other than Impeding/Obstructing and Park-Blocking Driving Lane, coming before the Court that result in a "responsible" disposition by \$10.00. The increased revenue to be distributed as follows: \$6.00 to the Court's Building Fund, and \$4.00 to the court costs. The proposed increase will raise the Building Fund allocation from \$19.00 to \$25.00 per responsible offense.

Increase costs for all civil infraction of Impeding/Obstructing traffic cases coming before the Court that result in a “responsible” disposition by \$10.00. The increased revenue to be distributed as follows: \$6.00 to the Court’s Building Fund, and \$4.00 to the court costs. The proposed increase will raise the Building Fund allocation from \$29.00 to \$35.00 per responsible offense.

Increase costs for all civil infraction of Park-Blocking Driving Lane traffic cases by \$20.00 to be distributed as follows: \$16.00 to the Court’s Building Fund, and \$4.00 to the court costs. The proposed increase will raise the amount to be allocated to the Court’s Building Fund from \$19.00 to \$35.00 per responsible offense.

Increase costs for all misdemeanor cases that result in a “guilty” verdict or plea by \$10.00. The proposed increase will raise the amount to be allocated to the Court’s Building Fund from \$19.00 to \$29.00.

A communication received from the Director of Public Works and Assistant Director of Public Works, dated July 14, 2022, which is approved for submission by the Mayor, re: Edgewood Emergency Sewer Repair – Summary to Date, was received and placed on file for the information of the Council.

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

#234-22 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated June 28, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding additional appropriation and expenditure for costs related to Phase 3 of the emergency sewer repair and/or replacement along Edgewood Street, the Council does hereby authorize an additional appropriation and expenditure in the not to exceed amount of \$1,110,400.00, in addition to the initial expenditure in an amount not to exceed \$500,000.00, approved by Council pursuant to CR #246-20, adopted on August 17, 2020, and an additional appropriation and expenditure in an amount not to exceed \$1,963,000.00, approved by Council pursuant to CR #140-21, adopted on April 26, 2021, for a total project cost in an amount not to exceed \$3,573,400.00, to be divided and distributed among the following vendors/ contractors:

D’Angelo Brothers, 30750 Eight Mile Road, Farmington, MI 48336

Sod Solutions, 14382 Sunbury, Livonia, MI 48154

NTH Consultants, 41780 Six Mile Road, Northville, MI 48168

Hubbell, Roth & Clark, Inc. (HRC), 555 Hulet Drive, Bloomfield Hills, MI 48302

Hard Rock Concrete, 38146 Abruzzi Drive, Westland, MI 48185

Rotondo Construction, 20771 Randall St., Farmington Hills, MI 48336

Cummins, DuBois-Cooper/Gorman-Rupp Pumps, 600 S. Airport Road, Mansfield, OH 44903

Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315

Greener Solutions, 25063 Midland, Redford, MI 48239

Consumers Energy, 11801 Farmington Road Livonia, Michigan 48150

in amounts to be determined in connection with their respective roles in completing all work, services and/or equipment required in connection with the emergency sewer repair and/or replacement along Edgewood Street; FURTHER, the additional not-to-exceed amount of \$1,110,400.00 is hereby authorized to be expended from the Unexpended Fund balance of the Water and Sewer Fund (592) 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 3.04.140D.1 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized to execute contracts, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

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

#235-22 RESOLVED, that having considered the report and recommendation from the Assistant Director of Public Works, dated June 28, 2022, which bears the signatures of the Finance Director and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the bid of Stormshield Roofing, LLC, 802 N. Capitol Avenue, Lansing, MI 48906, for performing all work required in connection with the Wilson Barn roof replacement, to include all labor, materials and equipment, in an amount not to exceed \$222,350.00; 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 \$222,350.00 from funds budgeted in Account No. 401-000-976-000 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, for and on behalf of the City of Livonia with Stormshield Roofing, LLC, subject to approval as to form and substance by the Department of Law, and to do all things necessary or incidental to the full performance of this resolution.

During Audience Communication, the following individuals spoke in opposition to a proposed Ordinance to have a unanimous vote by Council to fly any flags, other than governmental flags, on City property:

Deb Christiansen, Livonia resident
Louise Weller, 32352 Oaklkey
Debbie Yates, 29161 Hathaway
Brooke Voeller, Livonia resident

The following individuals spoke in favor of a proposed Ordinance to have a unanimous vote by Council to fly any flags, other than governmental flags, on City property:

Nancy Klein, 33373 Myrna Ct.
Kellen Winslow, Livonia resident

On a motion by Vice President Toy, seconded by Donovic, and unanimously adopted, this 1,949TH Regular Meeting of the Council of the City of Livonia was adjourned at 8:19 p.m.

Susan M. Nash, City Clerk