

MINUTES OF THE ONE THOUSAND NINE HUNDRED FIFTY THIRD**REGULAR MEETING SEPTEMBER 26, 2022**

On September 26, 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. Vice President Toy led the meeting with the Pledge of Allegiance.

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

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

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

#282-22 RESOLVED, that the Minutes of the 1,952nd Regular Meeting of the Council held September 7, 2022 are approved as presented.

During Audience Communication, Darryl Smith, 14006 Brookfield, spoke in support of persons with disabilities being allowed to more easily participate in Council meetings remotely.

Councilmember Donovic indicated Franklin High School's football team beat out Churchill High School's football team last weekend and stated it was great to see sporting events going on throughout the community.

President Jolly stated he thought the Falcons teams beat out the Blue Jay teams as well.

Councilmember McCullough announced there will be a DPW Open House event this Saturday, October 8th from 10:00 a.m. to 1:00 p.m. and stated it was a great opportunity for residents to check out the new facility on Farmington Road.

Vice President Toy announced the Greenleaf Commission is putting on a "Drive Electric Livonia" event on Saturday, October 1st from 9:00 a.m. to 12:00 p.m. at Schoolcraft College. Vice President Toy encouraged residents to stop by and check out the electric vehicles on hand.

President Jolly wished Happy Birthdays to City Treasurer Lynda Scheel, Assistant City Attorney Eric Goldstein and Planning & Economic Development Director Mark Taormina. President Jolly stated they will all celebrate birthdays this coming week and wished them well.

President Jolly announced Council Public Hearing at 7:00 p.m. on Monday, October 5, 2022, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan on the following items:

1. Proposed Annual Budget for the Fiscal Year 2022-2023;
2. Proposed Special Assessment Street Lighting Project for the Emerson Oaks Site Condominium, located on the North side of West Chicago Avenue, West of Harrison Avenue, in the Northwest 1/4 of Section 36;
3. Proposed Special Assessment Street Lighting Project for the Lyndon Park Site Condominium, located on the South side of Lyndon Avenue, between Inkster Road and Harrison Avenue, in the Southeast 1/4 of Section 24;
4. Proposed Special Assessment Street Lighting Project for the Hines Place Site Condominium, located on the West side of Jughandle Road, between Plymouth Road and Edward Hines Drive, in the Southeast 1/4 of Section 30; and
5. Proposed Special Assessment Street Lighting Project for the Grand Reserve Site Condominium, located on the South side of Lyndon Avenue, between Blue Skies Avenue and Nola Avenue, in the Southeast 1/4 of Section 19.

President Jolly announced there was new data for Agenda Items #3, #4, and #12.

A communication from the Department of Finance, dated September 2, 2022, re: forwarding the Departmental Purchase Report, for the month ending August 31, 2022, was received and placed on file for the information of the Council.

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

#283-22 RESOLVED, that having considered an application from Barb Ferrara, dated August 15, 2022, requesting permission to close Perth Street, between Arden and Berwick Streets, on Saturday, October 1, 2022, from 12:00 p.m. to 8:00 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.

#284-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 11, 2022, approved for submission by the Mayor, which transmits its resolution #08-43-2022, adopted on August 9, 2022, with regard to Petition 2022-07-02-15, submitted by Phamily Pharmacy, requesting to add a drive-up window to the east end of the retail shopping center at 29195 thru 29215 Plymouth Road, located on the south side of Plymouth Road between Garden Avenue and Middlebelt Road in the Northwest ¼ of Section 36, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-07-02-15 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Drawing No. SP-01, dated June 6, 2022, prepared by Angle Design & Construction, L.L.C., is hereby approved and shall be adhered to;
2. That the Elevation Plan identified as Drawing No. A-02, dated June 6, 2022, prepared by Angle Design & Construction, L.L.C., is hereby approved and shall be adhered to;
3. That all façade improvements approved pursuant to Council Resolution #131-21 in connection with Petition 2021-02-08-02 shall be completed;
4. That commensurate with the completion of the drive-up window for the Phamily Pharmacy, the owner shall make all necessary interim repairs to the parking lot as determined by the Inspection Department, and within two (2) years from the date of approval of this petition by City Council, the site's rear parking lot shall be repaired, resealed, and restriped as necessary to the satisfaction of the Inspection Department and the site's trash dumpster(s) shall be enclosed pursuant to Council Resolution #131-21;
5. That the use of the drive-up window is for Phamily Pharmacy's use only, and any new user or use of the drive-up window shall first receive the approval of City Council;

6. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for;
7. That the Phamily Pharmacy drive-up directional signs shall be submitted to the Planning and Inspection Departments for approval prior to the issuance of a Certificate of Occupancy; and
8. 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.

A communication from the City Treasurer, dated September 23, 2022, re: delinquent real property and personal property taxes due for property located at 34715 and 34801 Plymouth Road, was received and placed on file for the information of the Council. (Petition 2022-07-02-16)

A communication from the City Treasurer, dated September 26, 2022, re: paid status of real property and personal taxes for property located at 34715 and 34801 Plymouth Road, was received and placed on file for the information of the Council. (Petition 2022-07-02-16)

#285-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 12, 2022, approved for submission by the Mayor, which transmits its resolution #08-44-2022, adopted on August 9, 2022, with regard to Petition 2022-07-02-16 submitted by LAG Development requesting to redevelop the Lafontaine Hyundai of Livonia dealership, including constructing an addition, modifying both the interior and exterior of the building and altering the site's parking and landscaping, at 34715 and 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-07-02-16 is hereby approved and granted, subject to the following conditions:

1. That the Dimensional Site Plan identified as Sheet No. C3, dated August 5, 2022, as revised, prepared by NF Engineers, is hereby approved and shall be adhered to;

2. That no vehicles for sale or lease shall be displayed closer than twenty feet (20') to the public right-of-way;
3. That all parking spaces shall be doubled striped at ten feet (10') wide by twenty feet (20') in length;
4. That the display of any vehicles on car lifts is strictly prohibited;
5. That the Landscape Plan identified as Sheet No. L2, dated August 5, 2022, as revised, prepared by NF Engineers, is hereby approved and shall be adhered to;
6. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
7. 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;
8. That the Elevations Plan identified as A2.1, dated July 28, 2022, as revised, prepared by Studio Detroit Architects, 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 the three walls of the trash dumpster area(s) 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;
11. That all new pole-mounted light fixtures shall not exceed a height of twenty feet (20') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;
12. That only conforming wall signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
13. 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;
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. 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;
16. That for the access drive on Laurel Avenue, the Planning and Inspection Departments will consult with the Public Safety Departments regarding the use of either a gate with a Knox box or complete closure of the driveway using landscaping, and if a gate with a Knox box is preferred, access shall be restricted to the Livonia Police and Fire Departments only, and a sign shall be placed on the gate indicating "Emergency Access Only"; 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.

A communication from the City Treasurer, dated September 23, 2022, re: delinquent real property taxes due for property located at 27417 Five Mile Road, was received and placed on file for the information of the Council. (Petition 2022-08-08-03)

A communication from the City Treasurer, dated September 26, 2022, re: paid status for real property taxes for property located at 27417 Five Mile Road, was received and placed on file for the information of the Council. (Petition 2022-08-08-03)

#286-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 25, 2022, which transmits its resolution #08-48-2022, adopted on August 23, 2022, with regard to Petition 2022-08-08-03 submitted by N.C. Designs & Contracting Inc., requesting approval to remodel the interior and exterior of the existing gas station (Sunoco) at 27417 Five Mile Road, located on the southwest corner of Five Mile and Inkster Roads in the Northeast ¼ of Section 24, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2022-08-08-03 is hereby approved and granted, subject to the following conditions:

1. The Proposed Landscape Plan/Site Plan identified as sheet SP.101 dated August 5, 2022, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to;
2. That all landscape areas shall be fully irrigated with an underground system and any disturbed turf areas restored with sod in lieu of hydroseeding;

3. 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;
4. The Exterior Building Elevation Plan identified as sheet A.202 dated August 5, 2022, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to;
5. 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;
6. 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;
7. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways;
8. No outside storage, placement or display of merchandise shall be permitted;
9. Pursuant to Section 6.26(11), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge;
10. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed;
11. The sale of ice shall be restricted to the inside of the building;
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. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies;
14. 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, 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.

#287-22 RESOLVED, that having considered a communication from the Human Resources Director, dated August 18, 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. 22-149, adopted by the Civil Service Commission on August 17, 2022, wherein it is recommended to approve an hourly rate increase for the classifications of Library Page and Student Page to align with the current compensation range as other Library Page and Student Page classifications in comparable communities, 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.

#288-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated August 16, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize the purchase of 63 cases of Fourstar 180 day briquettes from Clarke Mosquito Control, 675 Sidwell Ct., St. Charles, IL 60174 (Vendor #28004), for the 2023 Mosquito Treatment Program, at a cost of \$782.00 per case, for a total amount not to exceed \$49,266.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$49,266.00 from funds budgeted in Account No: 226-529-805-010 (Pest Control) for this purpose; FURTHER, the Council does hereby authorize the purchase of said item without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended.

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

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

NAYS: None

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

#289-22 On a motion made by Vice President Toy, seconded by Councilmember Brandon McCullough, at the Council Regular Meeting held September 26, 2022, the Council does hereby refer Petition 2022-05-01-01 submitted by Nofar Hotel Group requesting to rezone the property at 31501 Schoolcraft Road, located on the south side of Schoolcraft Road between Merriman Road and Hubbard Avenue in the Northeast ¼ of Section 27, from C-3 (Highway Services) to C-4 (High Rise Commercial), to the Committee of the Whole for its report and recommendation.

Michael Haverland, 29928 Orangelawn, spoke regarding his concerns for the proposed rezoning of property as submitted by Nofar Hotel Group. (Petition 2022-05-01-01)

Jeanne Sullivan, 29944 Orangelawn, spoke regarding her concerns for the proposed rezoning of property as submitted by Nofar Hotel Group. (Petition 2022-05-01-01)

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

Ordinance:

AN ORDINANCE AMENDING SECTION 36 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF THE LIVONIA VISION 21 ZONING ORDINANCE KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3.____ THERETO. (Pet. 2020-08-01-06)

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

AYES: Bahr and Donovic

NAYS: Toy, Morgan, McCullough and Jolly

President Jolly declared the Ordinance failed for lack of support.

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

#290-22 RESOLVED, that having considered a communication from the City Planning Commission dated June 22, 2022, approved for submission by the Mayor, and a communication from Michael A. Cox and Kimberly M. Moehle, on behalf of Middlebelt Plymouth Venture, LLC, dated June 21, 2022, which in accordance with the provisions of Section 13.13(10) of the Livonia Vision 21 Zoning Ordinance, takes an appeal from

a determination made on June 7, 2022 by the City Planning Commission in its resolution 06-34-2022 with regard to Petition 2022-04-08-02 submitted by Middlebelt Plymouth Venture L.L.C., requesting to construct an apartment complex (Wonderland Flats), consisting of two (2) buildings and 201 units, on the properties at 29707 & 30273 Plymouth Road, located on the south side of Plymouth Road between Middlebelt Road and Milburn Avenue in the Northeast ¼ of Section 35, and the Council having conducted a public hearing with regard to this matter on Wednesday, August 3, 2022, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2022-04-08-02 is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed use is in compliance with all of the special and general waiver use standards and requirements as set forth in Sections 3.08, 6.04 and 13.13 of the Livonia Vision 21 Zoning Ordinance;
2. That too many issues remain unresolved, including building architecture, signage, site layout, compatibility with the surrounding retail uses and the close proximity to the adjacent residential neighborhood;
3. That the site lacks the capacity to handle the intensity associated with a 201-unit apartment complex, consisting of two very large three-story apartment buildings, each containing approximately 100 dwelling units, and would therefore be detrimental to and not in harmony with the character of the surrounding commercial center and adjacent neighborhood;
4. That the apartment complex would create significant adverse impacts on adjoining parcels, public services, and community planning efforts;
5. That the proposal conflicts with the spirit and intent of the Zoning Ordinance to promote and encourage a balanced and appropriate mix of uses;
6. That the size and scale of the proposed buildings violate the Livonia Vision 21 Master Plan, which calls for the creation of neighborhood scale multifamily developments integrated into commercial districts;
7. That multifamily residential developments on the site pursuant to standards set forth in Livonia Vision 21 Zoning Ordinance Section 5.04 would achieve the desired outcome of creating a mixed-use development consistent with the Master Plan;
8. That the proposed development is inconsistent with the established pattern of development in the area and would adversely affect the character of the neighborhood; and

9. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

The following residents spoke in favor of the denial of the site plan petition as submitted by Middlebelt Plymouth Venture L.L.C. to construct an apartment complex (Wonderland Falls) on properties at 29707 and 30273 Plymouth Road (Petition 2022-04-08-02):

Kate Shishovsky, 16941 Shrewsbury;
Bill Schmidt, 29688 McIntyre;
Tina Sabbadin, 9971 Oporto;
Cheryl Lupu, 29864 Orangelawn;
Merlin Smith, 30039 Richland;
Barbara Brown, 29721 Orangelawn;
Victoria Kowaleski, 29960 Orangelawn;
Steve Weldon, 29912 Orangelawn; and
Nancy Haverland, 29928 Orangelawn.

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

#291-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 12, 2022, approved for submission by the Mayor, which transmits its resolution #08-45-2022, adopted on August 9, 2022, with regard to Petition 2022-07-02-17 submitted by Insight Management Consulting, L.L.C., requesting to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of the existing movie theater (Phoenix Theatres) at 17310 Laurel Park Drive North, located within the Laurel Park Place shopping center on the northwest corner of Six Mile and Newburgh Roads in the Southeast $\frac{1}{4}$ of Section 7, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-07-02-17 is hereby approved and granted, subject to the following conditions:

1. City Council waiving the 1,000-foot separation requirement between this location and the other existing on-premises licensed establishments pursuant to Section 6.22(2)A); and
2. That a Class C liquor license at this location is strictly limited to the operation of a movie theater with the provision that the waiver may be extended to a new user only upon approval of City Council.

On a motion by Vice President Toy, seconded by Councilmember Donovic,
and unanimously adopted,

#292-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 12, 2022, approved for submission by the Mayor, which transmits its resolution #08-45-2022, adopted on August 9, 2022, with regard to Petition 2022-07-02-17 submitted by Insight Management Consulting, L.L.C., requesting to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of the existing movie theater (Phoenix Theatres) at 17310 Laurel Park Drive North, located within the Laurel Park Place shopping center on the northwest corner of Six Mile and Newburgh Roads in the Southeast ¼ of Section 7, the Council does hereby waive the 1,000-foot separation requirement as set forth in Section 6.22(2)(a) of the Livonia Vision 21 Zoning Ordinance.

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

#293-22 RESOLVED, that having considered a communication from the City Planning Commission, dated August 25, 2022, approved for submission by the Mayor, which transmits its resolution #08-49-2022, adopted on August 23, 2022, with regard to Petition 2022-07-02-18 submitted by BBS Distilleries, L.L.C., requesting waiver use approval to expand the existing on-premises liquor license to include an outdoor seating area, and to amend Council Resolution #354-21 to expand the hours of operation in connection with the serving of alcohol at 27600 Schoolcraft Road, located on the north side of Schoolcraft Road between Inkster Road and Cardwell Avenue in the Southeast ¼ of Section 24, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-07-02-18 is hereby approved and granted, subject to the following conditions:

1. That the sidewalk in front of the patio maintain an unobstructed width of at least thirty-six (36") as measured between the edge of the parking lot/drive aisle and the fence;
2. That the number of outdoor patio seats shall not exceed six (6);
3. That the outdoor patio area be fully enclosed with decorative fencing as shown on the submitted plans and be accessible directly from the distillery by a doorway within the patio enclosure;
4. That no advertising shall be permitted on any of the seating or table apparatus of the outdoor patio area;
5. That the hours of operation for public entry into the facility, including the tasting room, patio and any other retail operations, shall be limited from 7:00 a.m. to 2:00 a.m., Monday through Saturday, and from noon to 2:00 a.m. on Sundays, in accordance with the Michigan Liquor Control

Commission (MLCC), and to the extent paragraph 4 of Council Resolution #354-21 conflicts herewith, said paragraph is hereby repealed;

6. That this petition may be modified at a future date to include a bi-fold or similar hangar door for the front of the restaurant upon submission of plans and the approval by the Planning Commission;
7. That all other conditions imposed by Council Resolution #354-21, which granted approval to utilize a Small Distiller license in connection with the operation of a distillery and tasting room, shall remain in effect to the extent that they are not in conflict with the foregoing conditions; and
8. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

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

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

NAYS: Morgan

President Jolly declared the resolution adopted.

A communication received from the City Treasurer, dated September 23, 2022, re: delinquent real property taxes due for property located at 14255 Stark Road, was received and placed on file for the information of the Council. (Petition 2022-06-02-14)

President Jolly indicated at the request of the Petitioner, Agenda Item #12 was removed from the Agenda.

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

#294-22 RESOLVED, that having considered a communication from Boyd Rudy, New Rosedale Gardens Homeowners Association, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to show a family friendly movie at Mies Park, beginning at dusk until the end of the movie on Friday, September 30, 2022, the Council does hereby grant permission as

requested, including therein permission to conduct the said affair on Friday, October 7, 2022, in the event of inclement weather.

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

#295-22 RESOLVED, that having considered a communication from Kevin Murphy, Athletic Director, Clarenceville High School, dated June 20, 2022, the Council does hereby approve and recognize the Clarenceville High School Homecoming Parade to be held on Friday, October 7, 2022, beginning at 6:15 p.m.; FURTHER, the council does hereby approve the parade route as follows:

Exit the west driveway of Botsford Elementary and travel north on Brentwood to Pembroke, west on Pembroke to Weyher, south on Weyher to St. Martins, west on St. Martins to Parkville, north on Parkville to Bretton, west on Bretton to Middlebelt; and north on Middlebelt to the Clarenceville Middle School parking lot;

FURTHER, the Council does hereby request that the Wayne County Department of Public Services allow the City of Livonia to close the necessary roads between the hours of 6:00 p.m. and 8:00 p.m. or until the roads are returned to normal traffic operation; that the City of Livonia will assume liability for any damage claims which may arise as a result of the road closure, as to Wayne County only; and that Senior Police Officer Michael Arakelian is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia upon proof that the Board of Education of Clarenceville School District has adopted a resolution assuming liability for any damage claims which may arise as a result of the road closure, as to Wayne County and the City of Livonia only.

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

#296-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated August 25, 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 to close out the contract with D&D Water & Sewer, Inc. for the 2020 DWRP Project No. 7452-01, Project Areas 1 and 3, pursuant to Council Resolution 130-20, adopted on May 11, 2020, the Council does hereby authorize an additional appropriation and expenditure in an amount not to exceed \$41,552.63 from funds in the unexpended fund balance of the Water and Sewer Fund (592) to close out the contract for the 2020 DWRP Project No. 7452-01, Project Areas 1 and 3, payable to

D&D Water & Sewer, Inc., 5700 S. Sheldon, Canton, Michigan 48188, increasing the final contract amount from \$4,136,851.55 to \$4,178,404.18.

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

#297-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated August 30, 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 expenditure for additional costs incurred for the 2021-2022 Sidewalk and Pavement Replacement Program – Water Main Breaks (Contract 21-F), pursuant to Council Resolution No. 90-21, adopted on March 22, 2021, for performing all work required in connection with the concrete pavement improvements to be completed in two (2) phases over a two-year period for residential locations and local and major roads within the City of Livonia's jurisdiction, the Council does hereby determine as follows:

1. To authorize an additional expenditure in an amount not-to-exceed \$95,000.00 from funds already budgeted in Account No. 592-158-000 (Construction in Progress) for additional costs incurred relative to the 2021-2022 Sidewalk and Pavement Replacement Program – Water Main Breaks (Contract 21-F), increasing the not-to-exceed contract amount from \$328,006.50 to \$423,006.50; and
2. To authorize a not-to-exceed payment in the amount of \$95,000.00 payable to Luigi Ferdinandi & Son Cement Co., 16481 Common Road, Roseville, MI 48066 based on the actual work completed.

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

#298-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated August 31, 2022, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed agreement between the City of Livonia and Environmental Consulting & Technology, Inc., 2001 Commonwealth Boulevard, Suite 300, Ann Arbor, Michigan 48105 ("ECT") for professional engineering services in connection with the Michigan Economic Development Corporation (MEDC) Grant Denmark Drain Channel Improvement Project, pursuant to Council Resolution 95-22, adopted on March 14, 2022, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract between the City of Livonia and Environmental Consulting & Technology, Inc., 2001 Commonwealth Boulevard, Suite 300, Ann Arbor, Michigan

48105, to provide professional engineering services in connection with the Michigan Economic Development Corporation (MEDC) Grant Denmark Drain Channel Improvement Project in an amount not to exceed \$44,970.00; such action being taken without competitive bidding inasmuch as ECT is recommended as a sole source consultant due to their familiarity with the site, experience with restoring the Rouge River including the Bell Branch (Denmark Drain), and permitting experience working with EGLE, and no advantage to the City would result from competitive bidding, and such action is taken in accordance with the provisions set forth in Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$44,970.00 from funds budgeted in Account No: 401-000-974-000 (Capital Projects Fund – Land Improvements) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

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

Councilmember Bahr shared his perspective related to Proposal 3 on the General Election ballot in November, which deals with the topic of abortion. Councilmember Bahr shared the reasons for his opposition to this proposal.

Councilmember Donovic thanked Councilmember Bahr for sharing his views and stated he was in support of same.

On a motion by Vice President Toy, seconded by Councilmember Donovic, and unanimously adopted, this 1,953rd Regular Meeting of the Council of the City of Livonia was adjourned at 7:51 p.m.

Susan M. Nash, City Clerk