

MINUTES OF THE ONE THOUSAND NINE HUNDRED FIFTY EIGHTH**REGULAR MEETING DECEMBER 5, 2022**

On December 5, 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 McIntyre and the 8U Livonia Knights Girls Hockey Team led the meeting with the Pledge of Allegiance.

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

President Jolly told the Livonia Knights hockey team they did a good job.

Councilmember McCullough, the Livonia Knights coach, congratulated the team on playing 4 games the day before the meeting.

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

#348-22 RESOLVED, that the Minutes of the 1,957th Regular Meeting of the Council held November 14, 2022 are approved as presented.

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

#349-22 RESOLVED, that the Revised Minutes of the 1956th Regular Meeting of the Council held November 2, 2022 are approved as presented.

During audience communication, Steve Johnson addressed the Council regarding the Dog Ordinance.

Christopher Martin addressed Council regarding meals for elderly residents.

A resident who recently became a US Citizen addressed the Council to express her concerns about laws pertaining to schools and churches.

Sharon Madley thanked Councilmember McCullough and Parks and Recreation Superintendent Ted Davis for removing the disk golf course in Nash Park.

Councilmember Bahr thanked everyone involved in the Merry & Bright Holiday Parade, especially Billy Keppen of the Parks and Recreation Department. He shared his excitement on the Michigan Wolverines win of the Big 10 Championship and the Big 12 Championship winner, Kansas State University, his alma mater.

Councilmember Donovic agreed that the Michigan Wolverines played a great game. He also shared that he and Councilmember McIntyre recently attended the CERT Appreciation Dinner. He thanked the CERT volunteer team and stated he is very pleased that the Police Department and the City use the CERT Volunteers for many events throughout the Livonia.

Vice President Toy thanked the DPW Department for the services provided during leaf season and for their handling of special pick-ups.

Councilmember McCullough reminded everyone of the upcoming Livonia Allstars vs. the Red Wing Alumni hockey game scheduled on January 29, 2023 and indicated that all proceeds go to the Livonia Kids and Families.

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

#350-22 RESOLVED, that the Council does hereby refer the subject matter of potentially holding the City's elections during even calendar years rather than odd calendar years to the Committee of the Whole for its report and recommendation.

City Clerk Nash explained that odd year election costs are funded by the City while even year election costs are shared between the City and the County. Presidential elections expenses are paid by the City but are reimbursed by the State. She also indicated that election costs may increase by 50% due to the passage of Proposal 2.

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

Ayes: Toy, Bahr, Donovic, Morgan, and Jolly

Nays: McIntyre and McCullough

President Jolly wished former Mayor, Dennis Wright a happy birthday.

Councilmember McIntyre congratulated Mary Lou Golen on her retirement from the Library.

A communication from the Department of Finance, dated November 9, 2022, re: forwarding the Departmental Purchase Report, for the month ending October 31, 2022, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated November 10, 2022, re: forwarding various financial statements of the City of Livonia for the month ending September 30, 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:

#351-22 RESOLVED, that having considered the report and recommendation of the Office of the Mayor, dated October 31, 2022, and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Act 381 of Public Acts of the State of Michigan of 1996, as amended, the Council does hereby approve of and concur in the reappointment of Melissa Karolak, 37057 Weymouth, Livonia, Michigan 48152, to the Livonia Brownfield Redevelopment Authority for a term of three years, which will expire on November 24, 2025.

#352-22 RESOLVED, that having considered the report and recommendation of the Office of the Mayor, dated October 31, 2022, and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Act 381 of Public Acts of the State of Michigan of 1996, as amended, the Council does hereby approve of and concur in the reappointment of Nicholas Lomako, 20154 Edgewood Avenue, Livonia, Michigan 48152, to the Livonia Brownfield Redevelopment Authority for a term of three years, which will expire on November 24, 2025.

#353-22 RESOLVED, that having considered a communication from the City Planning Commission, dated October 26, 2022, approved for submission by the Mayor, which transmits its resolution #10-51-2022,

adopted on October 25, 2022, with regard to Petition 2022-09-02-19, submitted by Great Lakes Veterinary Behavior Consultants, PLLC, requesting waiver use approval to operate a veterinary clinic at 20337-20339 Farmington Road, located on the west side of Farmington Road between Norfolk Avenue and Eight Mile Road in the Northeast ¼ of Section 4, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-09-02-19 is hereby approved and granted, subject to the following conditions:

1. That the operation of the subject use shall not include the overnight boarding or care of animals;
2. That all waste shall be properly disposed of;
3. That adequate soundproofing shall be installed to the extent necessary to insure the elimination of all noise from the units;
4. That the use of open or outdoor runways, kennels or pens are prohibited;
5. That the northwest corner of the property, adjacent to the dumpsters, be used as the designated outdoor pet rest area;
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
7. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows; 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.

#354-22 RESOLVED, that having considered a communication from the City Planning Commission, dated October 27, 2022, which transmits its resolution #10-52-2022, adopted on October 25, 2022, with regard to Petition 2022-08-08-04, submitted by Future Land Holdings, L.L.C., requesting approval to redevelop the site, including demolishing the existing commercial building and constructing a new 26,000 square foot commercial building for the purpose of operating a Ducati & BMW Motorcycle Dealership, at 19265 Victor Parkway, located on the west side of Victor Parkway between Seven Mile Road and Pembroke Avenue in the Southeast ¼ of Section 6, the Council does hereby concur in the

recommendation of the Planning Commission and Petition 2022-08-08-04 is hereby approved and granted, subject to the following conditions:

1. That the General Site Plan, identified as Sheet No. SP2, dated October 5, 2022, as revised, prepared by Nowak & Fraus Engineers, is hereby approved and shall be adhered to;
2. Parking spaces shall be doubled striped at ten feet (10') wide by twenty feet (20') in length;
3. That the Landscape Plan, identified as Sheet No. L2, dated October 3, 2022, prepared by Nowak & Fraus Engineers, is hereby approved and shall be adhered to;
4. That all disturbed lawn areas, including road rights-of-way, shall be sodded or hydroseeded at the discretion of the Planning Department;
5. That underground sprinklers are to be provided for all landscaped and sodded areas and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
6. That the Elevations Plan, identified as Sheet No. A3, dated October 4, 2022, as revised, prepared by MGA Architects/Designers, is hereby approved and shall be adhered to;
7. That all rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be of a compatible character, material and color to other exterior materials on the building;
8. That the three walls of the trash dumpster area shall be constructed out of building materials that shall complement that of the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass;
9. That all exterior 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 roadway;
10. That except for what may be authorized under the Zoning Ordinance as part of a temporary sales event, any type of exterior advertising related to the sale of the vehicles designed to attract the attention of passing motorists, such as promotional flags or streamers, shall be prohibited;
11. That there shall be no outdoor storage of vehicle parts, equipment, scrap material, waste petroleum products, junked, unlicensed or

inoperable vehicles, or other similar items in connection with this operation;

12. 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;
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 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
15. 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.

#355-22 RESOLVED, that having considered the report and recommendation of the City Treasurer, dated November 1, 2022, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the proposal of BS&A Software, 14965 Abbey Lane, Bath, Michigan 48808, for yearly service and full support from November 1, 2022 through October 31, 2025, for the equalizer internet tax/assessment system in an amount not to exceed \$40,000.00 per year from funds budgeted in Account Number 101-253-851-020; FURTHER, the Council does hereby authorize this purchase 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.

#356-22 WHEREAS, the City of Livonia supports the Department of Natural Resources' (DNR) submission of an application titled "Jack E. Kirksey Recreation Center Splash Pad Renovation Project" to the Spark Grant Program for support of the Splash Pad Renovation Project at the Jack E. Kirksey Recreation Center, located at 15100 Hubbard Street, Livonia, MI 48154; and

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Livonia; and

WHEREAS, the proposed project, if completed, will be a benefit to the community by providing wider accessibility to recreational services; and

WHEREAS, with this resolution of support it is acknowledged that the City of Livonia is not committing to any obligations; financial or otherwise.

NOW THEREFORE, BE IT RESOLVED that the City of Livonia hereby supports submission of a Spark Grant Application for the Jack E. Kirksey Recreation Center Splash Pad Renovation Project, by the DNR.

I HEREBY CERTIFY that the foregoing is a resolution duly made and passed by the City Council for the City of Livonia at their regular meeting of December 5, 2022 at 7:00 p.m., with a quorum present.

City Clerk

Dated: _____

#357-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated October 27, 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 two (2) ABI Force Field Groomers from US Golf Cars, 9670 Cherry Valley Rd. SE, Caledonia, MI 49316 for a total amount not to exceed \$81,533.00, to be utilized by the Parks Department and to be stationed at Ford Field and Bicentennial Park and transported to other ball diamonds in the city for routine maintenance; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$81,533.00 from fiscal year 2022-23 budgeted funds in Account No. 401-000-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize said purchase without competitive bidding for the reason that US Golf Cars is a sole source supplier of this type of field groomer, 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.

#358-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated October 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, the Council does hereby authorize the purchase of the following utility vehicles and equipment for use by the Parks Maintenance Department and to replace equipment that has exceeded its life expectancy, utilizing the low State of Michigan bid price under contract No: 071B7700085, from Hutson, Inc., 20801 Pontiac Trail, South Lyon, MI 48178:

One (1) John Deere 2032R Compact Utility Tractor with Rimguard Rear Tires at a cost of \$25,331.20;

One (1) Frontier FM1015R Mower with Hydraulic Unlock System at a cost of \$19,357.22;

Two (2) John Deere Gator TX at a total cost of \$19,750.08;

One (1) John Deere Gator XUV835M HVAC at a cost of \$28,214.04;

One (1) Boss plow at a cost of \$3,264.00;

One (1) Boss MSC12060 Plow Boxes at a cost of \$2,620.00;

One (1) John Deere Tractor 4066R at a cost of \$48,839.03;

One (1) John Deere Loader 440R at a cost of \$7,463.40;

One (1) Frontier SW2172 Broom at cost of \$12,821.76; and

One (1) Frontier Broom AF11E at a cost of \$3,108.84

for a total amount not to exceed \$170,769.57, after the Mideal discount in the amount of \$23,030.66; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$170,769.57, from funds budgeted in the fiscal year 2022-23 budget in Account No: 401-000-987-000 for this purpose, payable to John Deere Company, 2000 John Deere Run, Cary, NC 27513; FURTHER, the Council does hereby determine to authorize the said purchases without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price under Contract #071B7700085; 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.4 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize the disposal of the replaced equipment at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new equipment.

#359-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated November 3, 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 accept the quote of Guardian Environmental Services, 34400 Glendale, Livonia, MI 48150 for all labor, materials, and equipment in connection with the replacement of Livonia Fire Department Headquarters Station 1 Trane RTU rooftop hvac unit, due to the mechanical failure of the 24 year old heat exchanger in the current hvac unit which is non-operational, for an amount not to exceed \$28,101.00, the same having been the lowest quote received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$28,101.00 from funds already budgeted in Account No. 101-523-976-000 for this purpose.

#360-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated November 2, 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 accept the recommendation of the Department of Public Works to extend the Street Tree Planting Contract utilizing the 2022 contract prices for the 2023 tree season per agreement with Crimboli Nursery, 50145 Ford Road, Canton, MI 48187 for performing all work and providing all trees required in connection with the City's 2023 Street Tree Planting Program, for a total amount not to exceed \$125,000.00, based upon the Public Service Division's estimate of units involved, and subject to final payment based upon the actual units completed in accordance with the unit prices accepted herein; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$125,000.00 from funds allocated in Account No. 204-781-818-047 for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized to execute a one-year contract extension with Crimboli Nursery, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#361-22 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated November 3, 2022, which bears the signatures of the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed Amendment No. 4 to the Water Service Contract between Great Lakes Water Authority, as successor to the City of Detroit Water and Sewerage Department, and the City of Livonia, to make minor adjustments/corrections to the original 2009 water service contract, which revised contract will be in effect for the next four years until the next contract reopener, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the city of Livonia, to execute the proposed contract Amendment No. 4 between Great Lakes Water Authority (GLWA) and City of Livonia in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, as well as to do all other things necessary or incidental to the full performance of this resolution.

#362-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 25, 2022, which bears the signature of the City Attorney and is approved for submission by the Mayor, with regard to a request from UHS-Madonna, LLC, in conjunction with the construction of a storm drain system to provide

adequate drainage from property developed at 14375 Levan Road, Livonia, Michigan, 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 west side of Levan Road, North of Schoolcraft Road, in the Southwest 1/4 of Section 20, for the Madonna University Housing, Building #3, which accommodates storm water from property developed at 14375 Levan Road, with the maintenance agreement from the proprietor, UHS-Madonna, LLC, a Michigan limited liability company, located at 36600 Schoolcraft Road, Livonia, Michigan 48150, 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 to authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#363-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated November 4, 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 approve the proposed 2023 Road Repair Program as proposed by the Department of Public Works and as reviewed by the Citizens Advisory Committee on Roads for the first year of the ten-year road paving millage approved by Livonia Residents, as shown in the attachment to that report.

#364-23 WHEREAS, the Mayor and City Council of the City of Livonia believe quality roads are a vital part of any community; and

WHEREAS, the City of Livonia has a Citizens Advisory Committee on Roads which identifies City streets most in need of repair in order to prioritize repairs; and

WHEREAS, said improvements are, in order of priority:

Wayne County

1. Rehabilitation of Inkster Road from Five Mile Road to WB Schoolcraft Road;
2. Rehabilitation of Wayne Road from Plymouth Road to Joy Road;
3. Intersection with Wayne County at 5 Mile Road and Newburgh (Maintenance Crews); and
4. Intersection with Wayne County at 5 Mile Road and Farmington, south to Schoolcraft Road Service Drive (Maintenance Crews).

MDOT

1. Reconstruction of I-275 northbound lanes from I-94 to Six Mile Road with the rehabilitation of the bridges (2023 is the 3rd year of a 4-year project).

WHEREAS, the Citizens Advisory Roads Committee has advised that the roads identified above are in critical need of repair at their meetings held on October 12, 2022 and November 3, 2022 from a motion by Brett Gierak and supported by Tom Carey;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby accepts the resolution of the Citizens Advisory Roads Committee and directs the City Clerk to deliver this resolution to Wayne County Executive Warren Evans, the Wayne County Department of Public Service Engineering and Roads Division, and Wayne County Commissioners Terry Marecki (District 9) and David M. Knezek, Jr. (District 8).

#365-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated November 4, 2022, submitted pursuant to Council Resolution 336-21, 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 amendment to the Engineering contract between the City of Livonia and OHM Advisors in connection with the 2023 Asphalt Road Program (Contract 23-A), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract amendment between the city of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150, to provide design engineering services in connection with the 2023 Asphalt Road Program (Contract 23-A) in an amount not to exceed \$111,000.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$111,000.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) 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.

#366-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated November 4, 2022, submitted pursuant to Council Resolution 336-21, 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 amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby

Township, Michigan 48315 for the 2023 Concrete Road Program (Contract 23-C), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315, to provide design engineering services for the 2023 Concrete Road Repair Program (Contract 23-C) in an amount not to exceed \$188,125.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$188,125.00 from funds budgeted in Account No. 204-441-818-102 (Roads, Sidewalk and Tree Fund) 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.

#367-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated November 4, 2022, submitted pursuant to Council Resolution 336-21, adopted on November 22, 2021, 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 amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for design engineering services for the 2023 Concrete Road Maintenance/Selective Slab Program (Contract 23-J), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached Contract Amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 to provide design engineering services for the 2023 Concrete Road Maintenance/Selective Slab Program (Contract 23-j), in an amount not to exceed \$53,265.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$53,265.00 from funds budgeted in Account No. 204-441-818-102 (Roads, Sidewalk and Tree Fund) 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.

#368-22 RESOLVED, that having considered a communication from City Council President Jim Jolly, dated October 24, 2022, to which is

attached a proposed schedule of Council Study and Regular Meetings for the period January 1, 2023 through December 31, 2023, the Council does hereby approve the following dates for City Council meetings for 2023, subject to change with notice:

STUDY MEETINGS

Wednesday, January 4 (Starting time 8 PM)
Wednesday, January 18

Monday, January 30
Monday, February 13

Monday, February 27
Monday, March 13

Wednesday, March 22
Monday, April 10

Monday, April 24
Monday, May 8

Monday, May 22
Monday, June 5

Monday, June 26
Monday, July 10

Monday, July 24
Wednesday, August 9

Monday, August 21
Wednesday, September 6

Monday, September 18
Monday, October 2

Monday, October 16
Wednesday, November 1

Monday, November 13
Monday, December 4

REGULAR MEETINGS

Wednesday, January 18
Monday, January 30

Monday, February 13
Monday, February 27

Monday, March 13
Wednesday, March 22

Monday, April 10
Monday, April 24

Monday, May 8
Monday, May 22

Monday, June 5
Monday, June 26

Monday, July 10
Monday, July 24

Wednesday, August 9
Monday, August 21

Wednesday, September 6
Monday, September 18

Monday, October 2
Monday, October 16

Wednesday, November 1
Monday, November 13

Monday, December 4
Wednesday, December 13

*Subject to Change with Notice

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

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

NAYS: None

A communication from Dan West, President/CEO of the Livonia Chamber of Commerce, dated October 24, 2021, regarding the Chamber of Commerce's support of the proposed Civil Rights Non-Discrimination Ordinance, was received and placed on file for the information of the Council.

A communication from Steve Spreitzer, 14467 Parklane Dr., Livonia, MI, dated November 30, 2022, regarding his support of the proposed Civil Rights Non-Discrimination Ordinance, was received and placed on file for the information of the Council.

A communication from Gerald Morrone, 29622 Lamar Lane, Livonia, MI, dated November 17, 2022, regarding his opposition to the proposed Civil Rights Non-Discrimination Ordinance, was received and placed on file for the information of the Council.

Councilmember McCullough offered a second reading of the following Ordinance:

AN ORDINANCE ADDING CHAPTER 65 (CIVIL RIGHTS NON-DISCRIMINATION) TO TITLE 2 OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

Councilmember McIntyre voiced her concerns with the proposed Non-Discrimination Ordinance (NDO) and explained her lack of support.

Councilmember McCullough indicated he supports the NDO.

Councilmember Bahr explained his lack of support of the proposed NDO.

All Councilmembers above indicated they do not support discrimination

regardless of their stance on the proposed Ordinance.

The following residents spoke in favor of the proposed NDO:

Colleen Connolly
Laurie Pohutsky
Lisa Lark
Sarah Street
Megan Street
Barbara Pattee
Deb Christiansen
Betsy Calhoun
Frank Delewsky
Barb Ivan
Nicole Mehelich
Chris Hench

The following residents spoke against the proposed NDO:

Colleen Connolly
Jim Rembacki
Margaret Earl
Ellen Kane
Robert Tenaglia
Brady Walker
Dave Martin

Several other residents spoke regarding the proposed NDO.

Councilmember Donovic and Vice President Toy expressed their lack of support for the proposed NDO.

President Jolly passed the gavel to Vice President Toy at 8:28 p.m. to speak on the matter.

President Jolly expressed his views on the proposed NDO.

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

AYES: Jolly and McCullough

NAYS: McIntyre, Bahr, Donovic, Morgan, and Toy

Vice President Toy declared the Ordinance failed for a lack of support.

Vice President Toy offered a second reading of the following Ordinance:

AN ORDINANCE AMENDING SECTIONS 020 AND 030 OF TITLE 9, CHAPTER 83 (CHILD ABUSE) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED

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

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

NAYS: None

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

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

#369-22 RESOLVED, that having considered a communication from the City Planning Commission, dated October 27, 2022, which transmits its resolution #10-53-2022, adopted on October 25, 2022, with regard to Petition 2022-09-08-05, submitted by Plymouth Armory L.L.C., requesting approval to construct an addition to the existing building at 27492 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 of the planning commission and petition 2022-09-08-05 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as Sheet No. SP-1, dated October 11, 2022, prepared by Brian Wiggins Architect, is hereby approved and shall be adhered to;
2. The Exterior Building Elevation Plans, identified as Sheet No. A3 and Sheet No. A4, both dated September 26, 2022, prepared by Brian Wiggins Architect, are hereby approved and shall be adhered to, except that if the window openings on the south side of the building are removed, shall be replaced with either glass block, spandrel window panels or a similar product that gives the appearance of windows, subject to the review and approval of the Planning and Inspection Departments;
3. That the exterior finish of the addition shall be complimentary to the existing brick on the building;
4. Any new exterior 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;

5. 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;
6. That only conforming signage is approved with this petition, and the existing nonconforming monument sign shall either be removed or modified so as to become conforming;
7. 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
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.

During audience communication, the owner of Plymouth Armory, LLC, John Melaragni, indicated he would answer any questions regarding the addition and states he has no plans to build a gun range.

Bill Ramroth thanked Mr. Melaragni for the information provided.

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

#370-22 WHEREAS, pursuant to due and proper notice published and mailed to all property owners in Special Assessment District No. 442, more particularly described in Council Resolution 317-22, adopted on October 17, 2022, as required by the provisions of the City Charter and Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, the City Council has duly met and reviewed the special assessments levied in the special assessment roll prepared by the City Assessor to cover the district in which street lighting is to be installed, such roll having been prepared on the basis of installing seven (7) 72-watt LED lights with colonial luminaires with underground wiring in 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 in said Special Assessment District No. 442; and the Council having conducted a first public hearing on October 3, 2022 and a second public hearing on November 30, 2022, with regard to this matter;

WHEREAS, the City Council has heard and carefully considered all objections made to said assessments;

NOW, THEREFORE, BE IT RESOLVED, that the said Council does hereby determine necessity for the installation of seven (7) 72-watt LED lights with

colonial luminaires with underground wiring, and that the assessments set forth in said Special Assessment District No. 442 Roll are fair and equitable and based upon benefits derived in said district, in accordance with the plans of the City Engineer and resolutions of the City Council; said Special Assessment Roll No. 442 based on the installation of seven (7) 72-watt LED lights with colonial luminaires with underground wiring is hereby approved and confirmed in all respects; pursuant to the provisions of Section 3.08.130 of the Livonia Code of Ordinances, as amended, the City Clerk shall endorse the date of confirmation on the Assessment Roll, and the assessment roll shall then be immediately transmitted to the City Treasurer who shall take such further action as set forth in Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized to execute a Municipal Street Lighting Agreement as provided by Detroit Edison for this purpose; and further, a sum not to exceed \$20,104.00 is hereby authorized to be expended from the cash payments posted by or collected by the developer of the Emerson Oaks Site Condominium in order to defray the Detroit Edison contribution-in-aid costs connected with this street lighting installation project.

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

#371-22 WHEREAS, pursuant to due and proper notice published and mailed to all property owners in Special Assessment District No. 441, more particularly described in Council Resolution 318-22, adopted on October 17, 2022, as required by the provisions of the City Charter and Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, the City Council has duly met and reviewed the special assessments levied in the special assessment roll prepared by the City Assessor to cover the district in which street lighting is to be installed, such roll having been prepared on the basis of installing seven (7) 72-watt LED lights with colonial luminaires with underground wiring in 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 in said Special Assessment District No. 441; and the Council having conducted a first public hearing on October 3, 2022 and a second public hearing on November 30, 2022, with regard to this matter;

WHEREAS, the City Council has heard and carefully considered all objections made to said assessments;

NOW, THEREFORE, BE IT RESOLVED, that the said Council does hereby determine necessity for the installation of seven (7) 72-watt LED lights with colonial luminaires with underground wiring, and that the assessments set forth in said Special Assessment District No. 441 Roll are fair and equitable and based upon benefits derived in said district, in accordance with the plans of the City Engineer and resolutions of the City Council; said Special Assessment Roll No.

441 based on the installation of seven (7) 72-watt LED lights with colonial luminaires with underground wiring is hereby approved and confirmed in all respects; pursuant to the provisions of Section 3.08.130 of the Livonia Code of Ordinances, as amended, the City Clerk shall endorse the date of confirmation on the Assessment Roll, and the assessment roll shall then be immediately transmitted to the City Treasurer who shall take such further action as set forth in Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized to execute a Municipal Street Lighting Agreement as provided by Detroit Edison for this purpose; and further, a sum not to exceed \$24,230.00 is hereby authorized to be expended from the cash payments posted by or collected by the developer of the Lyndon Park Site Condominium in order to defray the Detroit Edison contribution-in-aid costs connected with this street lighting installation project.

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

#372-22 WHEREAS, pursuant to due and proper notice published and mailed to all property owners in Special Assessment District No. 440, more particularly described in Council Resolution 319-22, adopted on October 17, 2022, as required by the provisions of the City Charter and Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, the City Council has duly met and reviewed the special assessments levied in the special assessment roll prepared by the City Assessor to cover the district in which street lighting is to be installed, such roll having been prepared on the basis of installing four (4) 72-watt LED lights with colonial luminaires with underground wiring in 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, including Hines Place Drive (a private street), in said Special Assessment District No. 440; and the Council having conducted a first public hearing on October 3, 2022 and a second public hearing on November 30, 2022, with regard to this matter;

WHEREAS, the City Council has heard and carefully considered all objections made to said assessments;

NOW, THEREFORE, BE IT RESOLVED, that the said Council does hereby determine necessity for the installation of four (4) 72-watt LED lights with colonial luminaires with underground wiring, and that the assessments set forth in said Special Assessment District No. 440 Roll are fair and equitable and based upon benefits derived in said district, in accordance with the plans of the City Engineer and resolutions of the City Council; said Special Assessment Roll No. 440 based on the installation of four (4) 72-watt LED lights with colonial luminaires with underground wiring is hereby approved and confirmed in all respects; pursuant to the provisions of Section 3.08.130 of the Livonia Code of Ordinances, as amended, the City Clerk shall endorse the date of confirmation on the

Assessment Roll, and the assessment roll shall then be immediately transmitted to the City Treasurer who shall take such further action as set forth in Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized to execute a Municipal Street Lighting Agreement as provided by Detroit Edison for this purpose; and further, a sum not to exceed \$9,976.00 is hereby authorized to be expended from the cash payments posted by or collected by the developer of the Hines Place Site Condominium in order to defray the Detroit Edison contribution-in-aid costs connected with this street lighting installation project.

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

#373-22 WHEREAS, pursuant to due and proper notice published and mailed to all property owners in Special Assessment District No. 439, more particularly described in Council Resolution 320-22, adopted on October 17, 2022, as required by the provisions of the City Charter and Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, the City Council has duly met and reviewed the special assessments levied in the special assessment roll prepared by the City Assessor to cover the district in which street lighting is to be installed, such roll having been prepared on the basis of installing seven (7) 72-watt LED lights with colonial luminaires with underground wiring in 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 in said Special Assessment District No. 439; and the Council having conducted a first public hearing on October 3, 2022 and a second public hearing on November 30, 2022, with regard to this matter;

WHEREAS, the City Council has heard and carefully considered all objections made to said assessments;

NOW, THEREFORE, BE IT RESOLVED, that the said Council does hereby determine necessity for the installation of seven (7) 72-watt LED lights with colonial luminaires with underground wiring, and that the assessments set forth in said Special Assessment District No. 439 Roll are fair and equitable and based upon benefits derived in said district, in accordance with the plans of the City Engineer and resolutions of the City Council; said Special Assessment Roll No. 439 based on the installation of seven (7) 72-watt LED lights with colonial luminaires with underground wiring is hereby approved and confirmed in all respects; pursuant to the provisions of Section 3.08.130 of the Livonia Code of Ordinances, as amended, the City Clerk shall endorse the date of confirmation on the Assessment Roll, and the assessment roll shall then be immediately transmitted to the City Treasurer who shall take such further action as set forth in Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Mayor and City Clerk are hereby authorized to execute a Municipal Street Lighting Agreement as provided by Detroit Edison for this purpose; and further, a sum not

to exceed \$20,533.00 is hereby authorized to be expended from the cash payments posted by or collected by the developer of the Grand Reserve Site Condominium in order to defray the Detroit Edison contribution-in-aid costs connected with this street lighting installation project.

Councilmember Donovic offered an explanation of the Special Assessments for street lighting.

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

#374-22 RESOLVED, that upon the motion by Councilmember Scott Bahr, seconded by Councilmember Rob Donovic, at the Regular Meeting held December 5, 2022, regarding discrimination claims against the City or its employees, the Council does hereby refer this item to the Administration for preparation of a proposed ordinance that refers all claims of discrimination against the City or its employees to the Law Department for investigation and review.

On a motion by Councilmember Morgan, seconded by Councilmember McCullough, and unanimously adopted, this 1,958th Regular Meeting of the Council of the City of Livonia was adjourned at 8:42 p.m.

Susan M. Nash, City Clerk