

MINUTES OF THE ONE THOUSAND NINE HUNDRED SIXTY FIRST**REGULAR MEETING JANUARY 30, 2023**

On January 30, 2023, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Councilmember Donovic led the meeting with the Pledge of Allegiance.

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

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

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

#027-23 RESOLVED, that the Minutes of the 1,960th Regular Meeting of the Council held January 18, 2023 are approved as presented.

Matt Koleszar, State Representative, introduced himself to the Council.

Councilmember McIntyre announced the passing of long-time Livonia residents Bob Sills and Al DeVic.

Councilmember McCullough congratulated Councilmember Donovic on scoring a goal during the annual Livonia Allstars vs. the Red Wing Alumni game. He also thanked all sponsors and guests involved in making it a great event.

Councilmember Donovic indicated he and Councilmember Morgan attended a Troup 271 Eagle Scout Ceremony. He also congratulated everyone that participated in the Annual Livonia Allstars vs. the Red Wing Alumni game.

Councilmember McCullough wished his wife, Kacie, a happy birthday.

Councilmember Bahr wished his son Caden a happy 17th birthday.

President Jolly wished Paul Bernier, City Attorney, a happy birthday.

President Jolly relinquished the Chair to Councilmember McIntyre at 8:15 p.m.

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

#028-23 RESOLVED, that upon the motion by Councilmember Kathleen McIntyre, seconded by Councilmember Brandon McCullough, at the Regular Meeting held January 30, 2023, the Council does hereby discharge the Committee of the Whole from further consideration of Council Resolution 289-22 relating to 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).

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

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

NAYS: None

The President resumed the chair at 8:16 p.m.

A communication from the Office of the Mayor, dated January 18, 2023, re: forwarding the Annual Report for the Fiscal Year 2021-2022, reflecting the finances and administrative activities in the City, was received and placed on file for the information of the Council.

A communication from the Office of the Mayor, dated January 18, 2023, re: new data contained in the Annual Report for the Fiscal Year 2021-2022, was received and placed on file for the information of the Council.

On a motion by Councilmember McIntyre and supported by Councilmember Bahr, and unanimously adopted it was:

#029-23 RESOLVED, that having considered the report and recommendation of the Library Director, dated January 3, 2023, which bears the signature of the Director of Finance and is approved for submission by the Mayor, transmitting resolution #26-22 adopted by the Library Commission (the "Commission") at its meeting of November 28,

2022, wherein the Commission approved an increase in meeting room rates at the Bennett Civic Center Library in order to remain competitive with neighboring libraries and to generate additional operating revenues, the Council does hereby concur in and approve the recommendation of the Library Commission and the following meeting room rate increases:

Meeting Room	Residents	Non-Residents
	\$20.00 per hour with a 2-hour minimum rental.	\$40.00 per hour with a 2-hour minimum rental.
Auditorium	\$100.00 per hour with a 2-hour minimum rental.	\$200.00 per hour with a 2-hour minimum rental.

#030-23 RESOLVED, that having considered the report and recommendation of the Assistant City Engineer, dated December 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 repair of sidewalks in the City of Livonia pursuant to the 2022 Sidewalk Program, Contract 22-G, at the locations and in the amounts indicated in the attachment to the aforesaid communication (the "Attachment"), which work was done pursuant to Council Resolution 118-22, adopted on April 4, 2022, and in accordance with the provisions of Section 340 of Title 12, Chapter 4 of the Livonia Code of Ordinances, as amended, the City Treasurer is hereby directed to send a statement of charges to all property owners in the amounts listed in the Attachment in accordance with Section 150 of Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Council does hereby establish the evening of Monday, June 26, 2023, at 7:00 p.m., at the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan, as the time and place when the Council shall meet for the purpose of adopting a resolution placing a special assessment upon said property for such charges unless the same are paid prior to the date of such meeting; and the City Clerk and City Treasurer are hereby requested to do all things necessary or incidental to the full performance of this resolution.

#031-23 RESOLVED, that having considered a communication from the Assistant City Engineer, dated December 28, 2022, which bears the signature of the Director of Public Works and is approved for submission by the Mayor, to which is attached various lists of sidewalks requiring installation or replacement within miscellaneous locations throughout the City of Livonia, to include approximately 422 scattered locations throughout the City, as well as 128 locations in Sections 1 through 6 that were identified by Spalding DeDecker as having 2" or greater vertical separations, said lists being included herein by reference, in connection with the 2023 Sidewalk Repair Program and for reasons stated, the Council does hereby require the respective owners of lots and premises referred to

in said lists, to install or to remove and replace sidewalk at such premises, and the City Clerk is hereby requested to do all things necessary to carry out the provisions of this resolution which is made pursuant to section 12.04.340 of the Livonia Code of Ordinances, as amended; FURTHER, said notice shall set forth that the respective owners of lots and premises herein referred to shall complete said sidewalk work no later than May 5, 2023, after which date the Engineering Division shall arrange for the construction and/or reconstruction of the said sidewalks; FURTHER, the Council does hereby authorize the construction and/or reconstruction of various sections of sidewalks and crosswalks at several locations within the City inasmuch as the same are the City's responsibility.

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

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

NAYS: None

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

#032-23 RESOLVED, that having considered the report and recommendation from the Committee of the Whole, dated January 11, 2023, and a communication from the City Planning Commission, dated November 16, 2022, approved for submission by the Mayor, which transmits its resolution #11-55-2022, adopted on November 15, 2022, with regard to Petition 2022-10-02-20 submitted by The Mannik & Smith Group, Inc., requesting waiver use approval to redevelop the site, including demolishing the existing commercial building and constructing a new automated auto wash facility (Clean Express), at 20330 and 20340 Farmington Road, located on the east side of Farmington Road between Norfolk Avenue and Eight Mile Road in the Northwest ¼ of Section 3, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2022-10-02-20 is hereby approved and granted, subject to the following conditions:

1. That the Preliminary Site Plan identified as Sheet C200, dated December 12, 2022, prepared by The Mannik & Smith Group, Inc., is hereby approved and shall be adhered to;
2. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length;
3. That the hours of operation shall be limited to the following: Monday thru Saturday from 7:00 a.m. to 8:00 p.m. and Sunday from 9:00 a.m. to 6:00 p.m.;

4. That all vacuums shall be turned off at the time the carwash closes or no later than 8:30 p.m.;
5. That the Preliminary Landscape Plan identified as Sheets L100 and L101, dated December 12, 2022 as received by the Planning Commission on December 5, 2022, prepared by The Mannik & Smith Group, Inc., is hereby approved and shall be adhered to, except that the final landscape plan details shall be approved by the Planning Department;
6. That all disturbed lawn areas, including road rights-of-way, 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 Elevation Plan identified as Sheet A2-1, dated July 21, 2022, prepared by SBA Studios, is hereby approved and shall be adhered to;
9. 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;
10. 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;
11. That all light fixtures shall not exceed twenty (20) feet in height and shall be aimed and shielded to minimize stray light from trespassing across property lines and glaring onto adjacent roadways. In addition, the lighting plan shall be modified such that the maximum level of illumination for the average of the site shall be as specified in Section 7.22(2)(B) of the Livonia Vision 21 Zoning Ordinance, and the parking lot lights shall be turned off and the wall packs dimmed no later than 10:30 p.m.;
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 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 color of the exterior vacuum equipment be modified to be less noticeable, subject to the approval of the Planning and Inspection Departments;

16. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

17. Pursuant to Section 13.13 of the Livonia Vision 21 Zoning Ordinance, 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.

Two residents spoke in opposition of the car wash. (Petition 2022-10-02-20)

The Developer was present to answer questions. (Petition 2022-10-02-20)

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

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

NAYS: None

President Jolly relinquished the Chair to Councilmember McIntyre at 8:34 p.m.

Councilmember Donovic gave a first reading of the following Ordinance:

AN ORDINANCE AMENDING SECTION 27 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF LIVONIA VISION 21 ZONING ORDINANCE, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3.____ THERETO. (Petition 2022-05-01-01)

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for word repeated herein.

The President resumed the chair at 8:37 p.m.

On a motion by Councilmember Bahr, supported by Councilmember McIntyre, and unanimously adopted, it was:

#033-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 18, 2023, submitted pursuant to Council Resolution 95-22, adopted on March 14, 2022 and Council Resolution 156-22, adopted on May 2, 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 Contract Amendment from Hubbell, Roth & Clark, Inc., dated January 18, 2023, 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 Hubbell, Roth & Clark, Inc., P.O. Box 824, Bloomfield Hills, Michigan 48303-0824, to provide professional engineering services for the Michigan Economic Development Corporation (MEDC) Grant – Greenmead Regional Detention Pond Project Phase 1, Whispering Willows Inline Channel Storage Improvements, in an amount not to exceed \$31,500.00 without prior approval of City Council; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$31,500.00 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.

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

#034-23 RESOLVED, that having considered the request of Councilmember Kathleen McIntyre, at the Study Meeting held January 18, 2023, the Council does hereby refer the subject matter of transportation issues for seniors, families, and other community residents to the Senior Citizens, Families and Environment Committee for its report and recommendation.

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

On a motion by Councilmember Bahr, supported by Councilmember McCullough, and unanimously adopted, this 1,961st Regular Meeting of the Council of the City of Livonia was adjourned at 7:46 p.m.

Susan M. Nash, City Clerk