

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD FEBRUARY 27, 2023**

Meeting was called to order at 8:00 p.m. by Council Vice President Toy. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Laura Toy. Absent: Jim Jolly.

Elected and appointed officials present: Susan Nash, City Clerk; Leo Neville, Assistant City Attorney; Todd Zilincik, City Engineer; Mark Taormina, Director of Planning and Economic Development; Josh Sabo, Director of Communications, and Casey O'Neil, Information Systems Director.

Councilmember McIntyre led the meeting in the Pledge of Allegiance.

Councilmember Donovic thanked Livonia Department of Public Works and DTE for their work during the recent storm and power outage.

Vice President thanked the DTE Line workers.

AUDIENCE COMMUNICATION: Deb Christianson, Livonia Resident, asked if there has been any resolution as to where the City of Livonia can fly the Pride Flag during Pride Month.

NEW BUSINESS

1. REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Robert Rais, Knights of Columbus, re: to allow a car show with a DJ at Saint Colette's Catholic Church, 17600 Newburgh Road on Saturday, June 3, 2023, from 9:00 a.m. to 3:00 p.m.

Robert Rais, 39499 N. Wind Court, presented the request to Council.

Councilmember Bahr offered an approving resolution for the Consent agenda.

DIRECTION:	APPROVAL	CONSENT
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2. WAIVER PETITION: Planning Commission, re: Petition 2022-12-02-21 submitted by EROP, L.L.C. requesting to redevelop the site, including demolishing the existing restaurant (Archie's) and constructing a new automated auto wash facility (Whitewater Express), at 30471 Plymouth Road, located on the south side of Plymouth Road between Middlebelt Road and Milburn Avenue in the Northwest ¼ of Section 35.

Mark Taormina, Director of Planning and Economic Development presented the request to Council. Erin McMachen, Civil Engineer with Stonefield Engineering and Design was present for questions.

Councilmember Donovic verified the new building would be smaller and that 19 of the 24 spaces for parking will be used for vacuums. He also asked the petitioner about storm water retention.

Erin indicated they aren't showing any detention now and they intend to work with MDOT on both access points and storm water since it is their right of way. The existing

site is nearly 100% impervious asphalt pavement, and the proposed plan will increase the green space and reduce flows to that storm systems.

Councilmember Donovic indicated he is impressed with the site plans because they are adding a lot of green space and are voluntarily adding the brick pillars and fencing consistent with Plymouth Road.

Councilmember McCullough verified with Mark Taormina that the vacuums will be off when the business is closed. He also asked if there has been a sound study in decibels on the noise going back into the neighborhood. He also asked if the buffer to the south meets the current setback requirement and if we have heard any dissent from the neighbors behind there.

Mark Taormina said the vacuum system is centralized so the noise is limited to that area and the building more than meets the setback requirements. He said one resident attended the planning meeting to voice his concerns about the noise, lighting, and buffering.

Councilmember McCullough asked the petitioner about the decibels for the vacuum system.

Erin McMachen pointed out the area of the central enclosure for each row of vacuums on the plan and stated there will be a six-foot masonry wall to match the building and trash enclosure along with evergreen trees. White Water hasn't done a study on this property but have on others and expect the noise level to be no louder than the traffic on Plymouth Road.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL REGULAR

3. **WAIVER PETITION:** Planning Commission, re: Petition 2023-01-02-01 submitted by Alleviate Acupuncture Wellness Clinic, requesting waiver use approval to operate a massage establishment at 33300 Five Mile Road, Suite 105, located on the northeast corner of Five Mile and Farmington Roads in the Southwest ¼ of Section 15.

Ruth Lehmann, owner, presented the request to Council.

Councilmember Morgan offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

4. REQUEST APPROVAL OF FINAL BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING NOVEMBER 30, 2022: Department of Finance, re: same.

Connie Kumpula, Chief Account, presented the request to Council.

Councilmember McIntyre offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

5. AWARD OF BID: Livonia Public Library, re: for a Strategic Plan Consultant for the Livonia Public Library, from budgeted funds.

Toni LaPorte, Library Director, presented the request to Council.

Councilmember McCullough asked if Toni knows who the Strategic Planning group will be comprised of.

Toni indicated it will include the new Library Director, Library Commissioners, employees from the library, and people from the community.

Councilmember McCullough asked that they consider including a couple of the councilmembers as well.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVAL

CONSENT

6. REQUEST FOR APPROVAL TO OFFER FREE TEEN MEMBERSHIPS AT JACK E. KIRKSEY RECREATION CENTER: Department of Parks and Recreation, re: for Livonia teens ages 14-17 as a pilot program for the summer of 2023, from June 15, 2023, through September 4, 2023.

Ted Davis, Parks and Recreation Superintendent, presented the request to Council.

Councilmember McIntyre said her concern is that there could be issues with teens using it as a place to hang out. She shared a concern about staff having to monitor behavioral issues. She is also worried this could turn off families and adults paying memberships.

Ted Davis stated that years ago the Rec Center was not a place to go on Friday nights, but things have changed since implementing a rule that individuals must be 14 years or older to be in the facility alone. He indicates that changing the age from 12 to 14 has eliminated many of those problems. He believes we will see an increase in issues because there would be more people but indicates we have had more incidents in the last three months with seniors than with youth. He feels that kids that are engaged and busy will be less of a problem than kids that are bored and not engaged. It is a risk, but he and his staff are willing to take the risk. He indicated the department is sufficiently staffed at this time.

Councilmember McIntyre would be willing to approve it but would like a report back one month into the program. She asked if Ted could set up some time for Council to stop by the facility. She would also like something in the resolution that Council can reevaluate the program after the month report.

Councilmember Morgan said due to his experience as a Police Officer he feels this may not be an appropriate move to make as a Recreation Center. He feels that parents will use this as a place to drop their kids off throughout the summer while they are working, and the kids will have no way to get home. It could turn into a gathering place for groups of kids and the people there to work out will have issues with this. He

had many calls over the years where kids were just hanging out there and not really using the facilities. He doesn't think it is a good idea to have this in a place where people pay membership fees for use. He would like to see the number of police runs that LPD has to respond to during the times proposed if it passes.

Ted Davis said he and he and his staff anticipate an increase in incidents but are well versed in handling situations. He feels most kids will abide by the house rules. He indicated that parents must sign them up and the rules will be given to both.

Councilmember Donovic appreciates both sides and verified the parents and youth will sign up just like the traditional membership. He asked if there is a number goal in mind and if this would be open to Livonia residents only.

Ted estimates there about 2400 youth in this age group in Livonia according to Census data and he feels 500 would be a great number and it would be offered to Livonia residents only.

Councilmember Donovic asked if a reduced membership has been considered and to verify that if approved, it would be for this time frame only.

Ted confirmed that no reduced fee has been considered and he feels it is a great marketing campaign. He said nothing attracts attention like free. He also said it is only for the specified period and it would not be requested again if there were problems.

Councilmember McCullough supports the idea. He asked if party rentals and other revenue generating amenities were going to become available again.

Ted said party rentals are staff intensive and are not revenue generating. Rental costs would need to double in order to cover the expenses on the city side.

Councilmember McCullough said the Recreation Center disciplinary process is legitimate and it is a very strict environment.

Councilmember Bahr asked if this would affect family memberships.

Ted said it could where applicable depending on the family size.

Councilmember Bahr asked how our current membership compares to pre-Covid times. He also asked why would now be the time to implement this program?

Ted said we are about average or better over the history of the Recreation Center. He is trying to introduce as many people as possible to the facility. He feels we should remove the financial barrier and provide access to a segment of Livonia Youth that wouldn't ordinarily have it.

Councilmember Bahr said as a member, his family is frequently frustrated with their inability to use the facility because it is so over-run with people. He is also concerned with it as free attracts people, but it doesn't usually attract good things.

Vice President Toy said we used to have Sock Hops for kids to go and hang out, and mentioned that a previous councilmember used to say, "kids that have sports don't

end up in courts". Kids don't really have this available anymore. She asked what times of day this would be offered.

Ted said they would be allowed to come in anytime during regular hours.

Councilmember McIntyre said things given away tend to not have a high perceived value. She suggested we charge a small fee and if a family finds this cost prohibitive, perhaps we could help with money from the Healthy Livonia Scholarship fund. She also asked if we could administratively adjust accounts easily.

Ted said billing would stop for those billed monthly and annual memberships would be given a credit.

Councilmember McCullough asked if there has been any thought of perhaps combining this program with the Livonia Service Corps and offer memberships based on volunteer service hours.

Margaret Erle, 31545 Pembroke, said she would like to see the application and the application process, a handbook as to what participation entails, and a requirement to be involved in a volunteer activity. She would also like to know what kind of supervision will be available, if the parents sign off on liability, and designated hours to prevent drop off in the morning and pick up at night.

Councilmember McIntyre offered an approving resolution for the Consent agenda.

DIRECTION:

APPROVAL

REGULAR

7. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Department of Parks and Recreation, re: to purchase a pre-cast restroom building for Ben Celani Play Area, from budgeted funds.

Ted Davis, Parks and Recreation Superintendent, presented the request to Council.

Councilmember Donovic asked if it was cheaper to buy a pre-cast building than to actually build one.

Ted Davis indicated it is cheaper and faster.

Councilmember McCullough asked why not use a porta potty rental as other parks have used.

Ted Davis said traffic is a determining factor.

Councilmember McCullough said he assumes that if we had designed a building it would be over the pre-cast cost.

Ted said it is an ADA compliant, 2 stall, restroom and the cost would double to build it. It is anticipated to be under \$100,000 including placement.

Councilmember Morgan asked how many restroom facilities exist there.

Ted said there is one on the golf course and one in the pro shop.

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Councilmember Morgan clarified that he meant only in the park and asked if it would always be open, where it would be located, and if it is made of vandalism resistant materials.

Ted indicated it would be immediately north between the two parking lots, it would only be open during rentals while staff is on site and is made of vandalism resistant materials.

Councilmember Donovic asked if there will be hours of operation.

Ted said there are no set hours of operation, but it will be open while staff is out during the day and on weekends.

Councilmember Donovic asked if it will be difficult to replace any damaged items and Ted said it is the same as any other item and it would require assessment.

Councilmember Donovic offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

8. REQUEST PERMISSION FROM WAYNE COUNTY TO CLOSE A PORTION OF FARMINGTON ROAD TO HOST LIVONIA'S ANNUAL MEMORIAL DAY CEREMONY: Department of Parks & Recreation, re: to close Farmington Road north and southbound from Five Mile Road to Roycroft, on Saturday, May 27, 2023, from 8:30 a.m. to 10:00 a.m.

Ted Davis, Parks and Recreation Superintendent presented the request to Council.

Councilmember Bahr offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

9. REQUEST TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN CHARTER COUNTY OF WAYNE AND CITY OF LIVONIA: Department of Parks and Recreation, re: for improvements at Mies Park and Ben Celani Play Area, from budgeted funds.

Ted Davis, Parks and Recreation Superintendent presented the request to Council.

Councilmember Bahr offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

10. AWARD OF BID: Department of Parks and Recreation, re: for painting and wood replacement of the Alexander Blue House north side at Greenmead Historical Park, from budgeted funds.

Ted Davis, Parks and Recreation Superintendent presented the request to Council.

Councilmember Donovic offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

11. REQUEST TO ADOPT A RESOLUTION PROCLAIMING FRIDAY, APRIL 28, 2023, AS ARBOR DAY IN THE CITY OF LIVONIA: Douglas L. Moore, Assistant Director of Public Works re: to be celebrated at 2:30pm at Cleveland Elementary School, 28030 Cathedral St.

Doug Moore, Assistant Director of Public Works presented the request to Council.

Councilmember Morgan offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

12. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE TWO (2) 2023 FORD F550 REGULAR CAB 4X4 PICKUP TRUCKS TO BE UPFITTED AS A SMALL DUMP TRUCKS THROUGH THE STATE OF MICHIGAN AND MACOMB COUNTY BID PROCESS: Public Works Division, re: for use by the Roads Department, from budgeted funds.

Doug Moore, Assistant Director of Public Works presented the request to Council.

Councilmember Bahr offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

13. REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE ONE (1) 2023 FORD F550 REGULAR CAB 4X4 PICKUP TRUCK TO BE UPFITTED AS A FLATBED TRUCK THROUGH THE STATE OF MICHIGAN AND MACOMB COUNTY BID PROCESS: Public Works Division, re: for use by the Roads Department, from budgeted funds.

Doug Moore, Assistant Director of Public Works presented the request to Council.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

- 14.REQUEST FOR ADDITIONAL APPROPRIATION: Department of Public Works, Water Department, re: for the surcharge of two (2) Freightliner 108SD trucks in the amount of \$13,400, due to the manufacturer price increase, from budgeted funds.

Doug Moore, Assistant Director of Public Works presented the request to Council.

Councilmember Donovic asked if we could put a clause in the bid stating that they can't come back for a surcharge later.

Doug Moore said we cannot, the trucks were ordered two years ago and there is a long lead time from time of order, build and then sending out for upfitting. There isn't a way to see the charges until it is near the end.

Councilmember Bahr said he sees a letter from Daimler Truck that says vehicles with a scheduled build date of May 29, 2022, are price protected and not impacted by this. He asked if it just took that long to build them and if that timeframe was out of our control.

Doug said yes it took that long to build them and it was beyond our control.

Councilmember Donovic offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

- 15.REQUEST TO APPROVE ALLIANCE OF ROUGE COMMUNITIES (ARC) ANNUAL ASSESSMENT FOR 2023: Public Works Division, re: in the amount of \$36,504.00, from budgeted funds.

Doug Moore, Assistant Director of Public Works presented the request to Council.

Councilmember Bahr offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

16. REQUEST TO ACCEPT STORM WATER FACILITIES MAINTENANCE AGREEMENT: Engineering Division, re: from Crosswinds Court Subdivision, Inc., in conjunction with the construction of a storm water collection system that provides adequate drainage for the Dover Court Site Condominium, located on the west side of Dover Avenue, south of Ann Arbor Trail, in the Southwest 1/4 of Section 33.

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Donovic offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

17. AWARD OF CONTRACT: Engineering Division, re: for the 2023 Asphalt Road Paving Program, Contract 23-A.

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Morgan offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

- 18.REQUEST TO AMEND THE CONTRACT WITH OHM ADVISORS FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2023 ASPHALT ROAD PROGRAM (CONTRACT 23-A); Engineering Division, re: for same. (CR 336-21)

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

19. AWARD OF CONTRACT: Engineering Division, re: for the 2023 Concrete Road Maintenance/Selective Slab Program, Contract 23-J.

Todd Zilincik, City Engineer, presented the request to Council.

Councilmember Donovic asked for an explanation of the difference between a total bid and a total bid with crew days.

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Todd explained crew days are the number of days an inspector must be out on a job from start to finish. The contractor bids the expected amount of time for completion and if they finish it early, they get a refund on the crew days but if they go over we charge them an extra fee per day.

Councilmember McCullough asked about the trees mentioned in the request.

Todd explained they are on Ronnie Lane from Lyndon to Henry Avenue and Dover from Linville to Harvey. These trees have outgrown their location and cause the pavement to heave.

Vice President Toy said residents may be more accepting of the tree removal if they are sent a letter of explanation.

Councilmember Donovic offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

20.REQUEST TO AMEND THE CONTRACT WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2023 CONCRETE ROAD MAINTENANCE/SELECTIVE SLAB PROGRAM (CONTRACT 23-J): Engineering Division, re: for same. (CR 336-21)

Todd Zilincik, City Engineer presented the request to Council.

Councilmember McCullough offered an approving resolution for the Consent agenda.

DIRECTION: APPROVAL CONSENT

AUDIENCE COMMUNICATION: None

For the Regular Meeting of March 13, 2023

SUSAN M. NASH, CITY CLERK

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