MINUTES OF THE ONE THOUSAND NINE HUNDRED SIXTY FIFTH

REGULAR MEETING MARCH 22, 2023

On March 22, 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 Bahr led the meeting with the Pledge of Allegiance.

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

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

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

#102-23 RESOLVED that the Minutes of the 1,964th Regular Meeting of the Council held March 13, 2023 are approved as presented.

During Audience Communication, Carrie Budzinski, 9345 California Street, recognized Toni LaPorte for her years of service and wished her well during retirement on behalf of the Library Commission.

Margaret Erle, 31545 Pembroke Street, discussed the detailed plan she submitted to Council called the “Work, Play, Learn, Earn Program” as a suggestion for the proposed teen program at the Kirksey Recreation Center.

The following residents spoke in opposition of a public restroom being installed 39 feet from the fence line on the Idyl Wyld Golf Course:

Gerald Hool
Tom Karabatakis
Chris Flannigan
Elizabeth Hool,
Deborah Karabatakis

Deborah Karabatakis also asked that this issue be referred to the Committee of the Whole.

President Jolly indicated he had not heard of a plan at Idyl Wyld prior to this week and assured residents that it has not been brought before the City Council. It is his understanding that the plan is not being pursued by the Parks and Recreation Department. He indicated it would be premature to refer this to the Committee of the Whole, because it would need to be reviewed by the Parks and Recreation Commission as well as City Council should there be plans in the future. He also informed the residents that Mr. Davis, Superintendent of Parks and Recreation, does give notice to surrounding neighbors when park improvements are being done.

Councilmember Donovic indicated he wasn't aware of the Idyl Wyld situation until today and thanked President Jolly for his explanation. He appreciates the improvements made to Livonia parks and golf courses and believes there must still be a balance between those and our residents. He reminded everyone to watch the "Livonia Community" Facebook page as it helps keep residents informed. He also wished Councilmember McIntyre a Happy Birthday.

Councilmember Bahr wished his wife a Happy 250 Month Anniversary on Sunday. He also thanked Margaret Erle for the hard work and thought put into the plan she submitted. He indicated he will refer her plan to the Parks and Recreation Department.

Councilmember McIntyre wished Mayor Jack Engebretson a Happy Birthday. She stated she recently attended the State of the County Address, which was very informative, and spoke about the ARPA money which was intended to save us from Covid and has flooded the government at every level. She thanked the residents that spoke regarding Idyl Wyld and indicated that she plans to refer Margaret Erle's suggestion to the Senior Citizens, Families and Environment Committee.

A Communication from the Department of Finance dated March 7, 2023, re: forwarding the Departmental Purchases Report, for the month ending February 28, 2023, was received and placed on file.

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

#103-23 RESOLVED, that having considered a communication from the City Planning Commission, dated March 2, 2023, approved for submission by the Mayor, which sets forth its resolution #02-14-2023, adopted on February 28, 2023, with regard to a request submitted by Portillo's Hot Dogs, LLC, requesting a one-year extension of all plans in connection with Petition 2021-12-02-25, which previously received approval by City Council on February 28, 2022, pursuant to Council Resolution 59-22, to construct and operate a freestanding full-service restaurant with drive-up window facility at 13000 Middlebelt Road, located on the east side of Middlebelt Road between the CSX Railroad right-of-way and Schoolcraft Road in the Northwest 1/4 of Section 25, the Council does hereby concur in the recommendation of the Planning Commission and does hereby grant the requested extension for a one-year period subject to compliance with all of the conditions set forth in the original waiver use approval.

#104-23 RESOLVED, that having considered a communication from the City Planning Commission, dated March 2, 2023, approved for submission by the Mayor, which sets forth its resolution #02-15-2023, adopted on February 28, 2023, with regard to a request submitted by Portillo's Hot Dogs, LLC, requesting a one-year extension of all plans in connection with Petition 2021-12-02-26, which previously received approval by City Council on February 28, 2022, pursuant to Council Resolution 68-22, to utilize a Tavern license (sale of beer and wine for consumption on the premises) in connection with the operation of a freestanding full-service restaurant at 13000 Middlebelt Road, located on the east side of Middlebelt Road between the CSX Railroad right-of-way and Schoolcraft Road in the Northwest 1/4 of Section 25, the Council does hereby concur in the recommendation of the Planning Commission and does hereby grant the requested extension for a one-year period subject to compliance with all of the conditions set forth in the original waiver use approval.

#105-23 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated February 23, 2023, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the quote of Dell, Inc, One Dell Way, Mail Stop 8129, Round Rock, TX 78682 for the purchase of fifty (50) Dell Latitude 5430 Rugged Computers, at a cost of $2,163.41 each, for a total cost of $108,170.50; seventy-two (72) Optiplex 5000 Tower Computers, at a cost of $1,080.00 each, for a total cost of $77,760.00; and twenty-five (25) Dell Latitude 5430 Rugged Computers, at a cost of $2,310.35 each, for a total cost of $57,758.75; and a grand total amount not to exceed $243,689.25, to replace the computers in the Police Station, Patrol vehicles, and Fire Stations that are out of warranty and at the end of their life expectancy; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed $243,689.25 from funds budgeted for this purpose as follows:

Account No. 101-306-971-000 (Police)	$141,050.25
Account No. 101-306-987-000 (Police)	$ 78,879.00
Account No. 101-338-971-000 (Fire)	$ 23,760.00

FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the State of Michigan Contract Pricing Bid under Contract No. 071B6600111 for the new purchase, 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.

#106-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 2, 2023, 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, the Council does hereby accept the unit price bid ("unit price bid") of Great Lakes Contracting Solutions, LLC, 2300 Edinburgh, Waterford, Michigan 48328 for completing all work required in connection with the 2023 Sidewalk and Pavement Replacement Program – Water Main Breaks (contract 23-F) in an amount not to exceed $300,760.88, based upon the Engineering 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, said cost and unit prices having been in fact the lowest bid received for this item, and to completing, at the City's option, all work required in connection with the 2024 Sidewalk and Pavement Replacement Program – Water Main Breaks (Contract 24-F) for the amounts set forth in the unit price bid; FURTHER, the Council does hereby appropriate and authorize an amount not to exceed $300,760.88 for the 2023 Sidewalk and Pavement Replacement Program – Water Main Breaks (Contract 23-F) from the Water and Sewer Construction in Progress Account No. 592-158-000 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; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

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

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

NAYS: None

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

#107-23 RESOLVED, that having considered a communication from the City Planning Commission, dated March 2, 2023, which transmits its Resolution #02-16-2023, adopted on February 28, 2023, with regard to Petition 2023-02-08-01 submitted by Kozak Construction, on behalf of the HopCat Restaurant Company, requesting to remodel the exterior of the restaurant (former Claddagh Irish Pub) at 17800 Haggerty Road, located on the east side of Haggerty Road between Six Mile and Seven Mile Roads in the Southwest ¼ of Section 7, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2023-02-08-01 is hereby approved and granted, subject to the following conditions:

1. The Architectural Building Elevations identified as sheet number AE2-01, dated February 27, 2023, as revised, and prepared by Ghafari, is approved and shall be adhered to;

2. All rooftop mechanical equipment shall be concealed from public view on all sides by screening compatible with other building exterior materials;

3. The maximum customer seating count for this restaurant shall be 315;

4. The wall signs shall comply with the sign regulations in effect at the time the permits or applied for or the maximum permitted wall sign area allowed under Appeal Case No. 2004-11-155;

5. The painted logo on the north side of the building shall be subject to the review and approval of the City Council;

6. 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;

7. That the plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for the Certificate of Occupancy; and,

8. Under Section 13.13 of the Livonia Vision 21 Zoning Ordinance, this approval is valid for ONE YEAR ONLY from the date of approval by the City Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Councilmember Bahr gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 010 OF TITLE 10, CHAPTER 21 (IMPOUNDED VEHICLES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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 above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

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

#108-23 RESOLVED, that having considered a communication from the City Engineer, dated March 7, 2023, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, wherein it is requested that Council Resolution 31-22, adopted on January 31, 2022, be amended to include a vendor for the previously approved purchase and upfitting of one (1) 2022 Ford Escape and one (1) 2022 Ford F-250 pickup truck, the Council does hereby amend and revise Council Resolution 31-22 so as to read as follows:

> RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 6, 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 one (1) 2022 Ford Escape, at a cost of $25,070.00, and one (1) 2022 Ford F-250 pick-up truck, at a cost of $30,414.00, for a total amount not to exceed $55,484.00, from Signature Ford, 1960 E. Main Street, Owosso, Michigan 48867; and the upfitting of the 2022 Ford Escape by Truck and Trailer Specialties, 3286 Hanna Lake Industrial Park Drive, Dutton, Michigan 49316, at a cost of $2,000.00, and the upfitting of the Ford F-250 pickup truck by Versalift Midwest, 51761 Danview Technology Ct., Shelby Charter Township, Michigan 48315, at a cost of $19,542.00, for a grand total amount not to exceed $77,026.00, to be utilized by the Engineering Department and to replace two (2) existing vehicles, the same to be expended from funds already budgeted for this purpose in account no: 401-000-985-000 (DPW Capital Outlay Budget); FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price

under MI-Deal Contract No. 071B7700180 for the new vehicle purchase; and through the Rochester Hills Co-Op Award Agreement (RFP-RH-20-023) and MI-Deal Contract No. 071B2200263 for the upfitting of said vehicles; 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 vehicles at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicles.

There was no audience communication.

On a motion by Councilmember McIntyre, supported by Councilmember Donovic, and unanimously adopted, this 1,965th Regular Meeting of the Council of the City of Livonia was adjourned at 7:38 p.m.

Susan M. Nash, City Clerk