

MINUTES OF THE ONE THOUSAND NINE HUNDRED SIXTY SIXTH**REGULAR MEETING APRIL 10, 2023**

On April 10, 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, Brandon McCullough, Kathleen McIntyre*, Laura Toy, Scott Bahr, and Jim Jolly. Absent: Scott Morgan. (* late arrival 7:03 p.m.)

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 Todd Zilincik, City Engineer.

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

#109-23 RESOLVED that the Minutes of the 1,965th Regular Meeting of the Council held March 22, 2023 are approved as presented.

There was no Audience Communication.

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

#110-23 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Council Vice President Laura Toy, at the Regular Meeting held April 10, 2023, the Council does hereby refer the subject matter of the demolition of blighted residential and commercial properties to the Law and Education Committee for its report and recommendation.

Vice President Toy announced that April is National Parkinson's Month. She indicated Mayor Wright suffers from this disease and is doing well at this time.

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

#111-23 RESOLVED, that upon the motion by Councilmember Scott Bahr, seconded by Council Vice President Laura Toy, at the Regular Meeting held April 10, 2023, the Council does hereby refer the subject matter of sidewalks on Newburgh Road, between Seven and Eight Mile Roads, to the Committee of the Whole for its report and recommendation.

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

#112-23 RESOLVED, that upon the motion by Councilmember Scott Bahr, seconded by Council Vice President Laura Toy, at the Regular Meeting held April 10, 2023, the Council does hereby refer the subject matter of the allowable number of yard signs per property to the Committee of the Whole for its report and recommendation.

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

#113-23 RESOLVED, that upon the motion by Councilmember Kathleen McIntyre, seconded by Councilmember Rob Donovic, at the Regular Meeting held April 10, 2023, the Council does hereby request an update from the Administration regarding status of Noble Library demolition.

Councilmember McCullough thanked the Livonia Police Department for their prompt handling of the recent thefts from vehicles within the city.

A Communication from the Department of Finance, dated March 20, 2023, re: forwarding various financial statements of the City of Livonia for the month ending December 31, 2022, was received and placed on file for the information of the Council.

On a motion by Councilmember Bahr, supported by Councilmember McCullough it was:

#114-23 RESOLVED, that having considered an application from Melissa Degen, The Women's Council of Realtors 275 Corridor, 2022

Events Director, dated February 22, 2023, the Council does hereby take this means to indicate that the Women's Council of Realtors 275 Corridor Network is recognized as a non-profit organization operating in the community, and the action herein being taken for the purpose of affording The Women's Council of Realtors 275 Corridor Network the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

#115-23 RESOLVED, that having considered the report and recommendation of the Interim Executive Director, dated March 7, 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 authorize the purchase of two (2) 2023 Ford F250 Super Cab 4x4 Pickup Trucks, at a cost of \$50,158.00 each, for a total amount not to exceed \$100,316.00, from Signature Ford, 1960 E. Main Street, Owosso, Michigan 48867, for use by the Housing Maintenance Staff at Silver Village and Newburgh Village and to replace a Ford Ranger which has surpassed its life expectancy and a 2015 Ford Transit Utility Van which will be housed and utilized at McNamara Towers; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$50,158.00 from funds budgeted in Account No. 538-148-000 (Silver Village) and \$50,158.00 from Account No. 536-148-000 (Newburgh Village) for this purpose; 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 and Macomb County Contract #21-18 for the new vehicle purchases; 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 Ford Ranger at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicle.

#116-23 RESOLVED, that having considered a communication from the Department of Planning, dated March 6, 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 authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, between the City of Livonia and Schoolcraft College regarding the college's Small Business Development Center, Jeffress Center, 18600 Haggerty Road, Livonia, MI 48152, to provide technical assistance in marketing, financial management, and business planning, utilizing CDBG-CV Grant Funds, for Livonia Small Business Grantee Award Winners of Livonia small businesses (6-100 employees) in an

amount not to exceed \$1,500.00 per business or \$22,500.00 in total from CDBG-CV Grant Funds; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$22,500.00 from authorized CDBG-CV funds in Account No. 239-686-839-300 for this purpose.

#117-23 RESOLVED, that having considered a communication from the Department of Planning, dated March 10, 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 authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract, approved as to form and substance by the Department of Law, between the City of Livonia and Proxie, LLC, 25510 Bridlepath Lane, Farmington Hills, Michigan 48335, to provide technical assistance and business coaching, utilizing CDBG-CV Grant Funds, for Livonia Small Business Grantee Award Winners of Livonia micro-businesses (1-5 employees) in an amount not to exceed \$4,600.00 per business or \$138,000.00 in total from CDBG-CV Grant Funds; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$138,000.00 from authorized CDBG-CV funds in Account No. 239-686-839-300 for this purpose.

#118-23 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated March 9, 2023, which bears the signatures of the Director of Public Works, the Director of Finance, the CDBG Division Director and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the bid of the Council does hereby accept the bid of Shaw Construction and Management Co., 13980 Farmington Rd., Livonia, MI 48154, for all labor, materials and equipment in connection with the Newburgh Village Housing Improvements Project, in a total amount not to exceed \$1,099,920.00, the same having been in fact the lowest qualified bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$716,985.00 from funds budgeted in Account No. 536-677-982-000 and an additional appropriation and expenditure in an amount not to exceed \$382,935.00 from the unexpended fund balance of the Newburgh Village Fund (536) for this purpose; 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.

#119-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 9, 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, regarding additional expenditure for Construction Engineering services

from Anderson, Eckstein & Westrick, Inc. (AEW) relative to the increase in construction costs for the 2022 Concrete Road Repair Program (Contract 22-C), pursuant to Council Resolution 89-22, adopted on March 14, 2022 and Council Resolution 076-23, adopted on February 27, 2023, the Council does hereby authorize an expenditure in an amount not to exceed \$176,040.00 payable to Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 from funds budgeted in Account No. 204-447-818-102 (engineering consultant) for the total cost of construction engineering services relative to the construction cost increase of \$1,467,000.00, per exhibit A as part of the QBS contract, pursuant to Council Resolution No. 336-21, adopted on November 22, 2021, increasing the final total contract amount from \$600,000.00 to \$776,040.00.

#120-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 9, 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 of Hard Rock Concrete, Inc., 38146 Abruzzi Drive, Westland, Michigan 48185 for performing all work required in connection with the 2023 Concrete Road Paving Program (Contract 23-C) and agreed upon inspector days of 200 based on the engineering division's estimate of units of work involved and subject to the final payment based on the actual units of work completed in accordance with the unit prices accepted herein, for the estimated total cost of \$2,914,454.27, said estimated cost and unit prices having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in the amount of \$2,783,000.00 from funds budgeted in Roads Account No. 204-463-818-110 (Reconstruction) and an additional appropriation and expenditure in the amount of \$131,454.27 from the unexpended fund balance of the Road, Sidewalk and Tree Fund (204) for this purpose; FURTHER, 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.

#121-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 9, 2023, 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 the 2023 Concrete Road Program (Contract 23-C), the City Council does hereby authorize the Mayor and the 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., to provide construction engineering services for the 2023 Concrete Road Repair Program (Contract 23-C) in an amount not to exceed \$349,735.00, 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 \$349,735.00 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.

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

AYES: Donovic, McCullough, McIntyre, Vice President Toy, Bahr, and President Jolly

NAYS: None

Councilmember Bahr took from the table, for second reading and adoption, the following Ordinance:

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

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

AYES: Donovic, McCullough, McIntyre, Vice President Toy, Bahr, and President Jolly

NAYS: None

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

RESOLVED, that having considered the request of Councilmember Scott Bahr, at the Public Hearing held April 3, 2023, with regard to Petition 2023-01-06-01, submitted by the City of Livonia Planning Commission, pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and under Public Act 110 of 2006 (Michigan Zoning Enabling Act), to change the official name of the Livonia Vision 21 Zoning Ordinance and the Livonia Vision 21 Zoning Map to the Livonia Zoning Ordinance and the Livonia Zoning Map, respectively, the Council does hereby reject the proposed name change, and the same shall be reflected in any further proceedings pertaining to Petition 2023-01-06-01.

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

AYES: Donovic, McIntyre, and Bahr

NAYS: McCullough, Vice President Toy, and President Jolly

The president declared the motion failed due to a lack of majority.

Councilmember McCullough gave first reading to the following Ordinance:

AN ORDINANCE AMENDING THE LIVONIA VISION 21 ZONING ORDINANCE, AS AMENDED, IN ACCORDANCE WITH PUBLIC ACT 110 OF 2006 (MICHIGAN ZONING ENABLING ACT) 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.

Councilmember Bahr gave first reading to the following Ordinance:

AN ORDINANCE AMENDING THE LIVONIA ZONING ORDINANCE, AS AMENDED, IN ACCORDANCE WITH PUBLIC ACT 110 OF 2006 (MICHIGAN ZONING ENABLING ACT) 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.

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

#122-23 RESOLVED, that having considered the report and recommendation of the Civil Service Department, dated March 22, 2023,

and a communication from the Mayor, dated March 10, 2023, the Council does hereby amend CR 46-23 to adjust and correct compensation for the classification of Police Reserve Officer, pursuant to which CR 46-23 is amended to read as follows:

RESOLVED, that having considered a communication from the Human Resources Director, dated January 19, 2023, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, which transmits resolution no. 23-21 adopted by the Civil Service Commission on January 18, 2023, wherein the Commission recommended approval of an hourly wage increase for the classification of Police Reserve Officer from \$12.50 per hour to \$15.00 per hour, and upon the motion by Councilmember Scott Morgan, seconded by Councilmember Rob Donovic, at the Regular Meeting held February 13, 2023, requesting to increase the hourly wage for the classification of Police Reserve Officer to \$18.00 per hour, the Council does hereby approve an hourly wage increase for the classification of Police Reserve Officer from \$12.50 per hour to \$16.00 per hour with an annual cost of living increase that mirrors the Livonia Police Officers Association (LPOA) Contract.

The Council does hereby concur in and approve of the aforesaid action in the manner and form herein submitted.

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

#123-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 16, 2023, submitted pursuant to Council Resolution Nos. 95-22, 156-22 and 33-23, 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 Recommendation of Award by Hubbell, Roth & Clark, Inc., dated March 22, 2023, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract between the City of Livonia and Sole Underground, LLC, 5940 Commerce Drive, Westland, MI 48185, for performing all work required in connection with the Michigan Economic Development Corporation (MEDC) Grant – Greenmead Regional Detention Pond Project Phase I, Whispering Willows Channel Storage Improvements, Denmark Drain Channel Improvements, and agreed upon inspector days of 30 based upon the Engineering Division's estimate of units involved and subject to a final payment based upon the actual units

completed in accordance with the unit prices accepted herein, for a total amount not to exceed \$418,300.00; the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$397,300.00 – representing the bid price less the amount for inspector days - from funds budgeted in Account No. 401-000-974-000 (Capital Projects Fund – Land Improvements) for this purpose payable to Sole Underground, LLC, 5940 Commerce Drive, Westland, Michigan 48185; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$21,000.00 from funds budgeted in Account No. 401-000-974-000 (Capital Projects Fund – Land Improvements) payable to Hubbell, Roth & Clark, Inc., P.O. Box 824, Bloomfield Hills, MI 48303-0824 (“HRC”) pursuant to the Qualification-Based Selection Contract between HRC and the City, approved by Council Resolution 336-21, adopted on November 22, 2021, under which HRC may be called upon to provide inspector services for a quoted fee; 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.

Ronald Riggio, 37204 Bretton, thanked the City and asked about replacement landscaping Plans.

There was no Audience Communication.

On a motion by Vice President Toy, supported by Councilmember McCullough and unanimously adopted, this 1,966th Regular Meeting of the Council of the City of Livonia was adjourned at 7:51 p.m.

Susan M. Nash, City Clerk