

MINUTES OF THE ONE THOUSAND NINE HUNDRED SEVENTY FOURTH**REGULAR MEETING AUGUST 9, 2023**

On August 9, 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, Laura Toy, and Jim Jolly. Absent: Scott Bahr.

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

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

#238-23 RESOLVED that the Minutes of the 1,973rd Regular Meeting of the Council held July 24, 2023 are approved as presented.

During Audience Communication Christopher Martin, resident, spoke about elderly drivers and the recent accident on Five Mile Road that took the life of a nurse.

Andrea, 34930 Munger, spoke about the privacy fence she would like to have installed in her yard.

David Franco, director of The Living and Learning Enrichment Center, spoke about starting a committee to advocate for people with disabilities handle things like municipal accommodations. He is asking for suggestions and assistance in getting it started.

Vice President Toy thanked Mr. Franco for bringing up the topic of people with disabilities. She offered to discuss this with him after the meeting.

Councilmember McIntyre announce the retirement of Laura Coseo, Jeffrey Bennett, and Anthony Price and wished them a long, healthy, and happy retirement.

Councilmember McCullough praised the recent Highland Games on their successful event. He also asked people to join the Livonia Hockey Association Fundraiser on Friday.

Councilmember McIntyre also praised the Highland Games and thanked Suzanne Williams for her continued dedication and work with the St. Andrew's Society.

Mayor Brosnan spoke with Council about the meeting with representatives from DTE. They discussed unreliable residential service areas. They compared phone calls to our Administration and those to DTE and were able to figure out where some of these critical areas are, where some of the infrastructure needs to be improved, and where tree trimming needs to be more aggressive. She indicated our Kirksey Center is a warming and cooling area and we can't afford for them or the Civic Center Campus to be without power. She described some of the fixes DTE is working with the City on to implement to improve service.

Joseph Musallam, Vice President Distribution Operations DTE, was present to answer questions and explained the approach DTE will be taking to improve Livonia's overall service.

President Jolly announced that Item #11 has been removed from the agenda at the request of the petitioner.

A communication from the Department of Finance, dated July 11, 2023, re: forwarding Quarterly Investment Report for the City of Livonia for the quarter ending May 31, 2023, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated July 18, 2023, re: forwarding various financial statements of the City of Livonia for the month ending May 31, 2023, was received and placed on file for the information of the Council.

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

#239-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated July 13, 2023, which bears the signature of the Director of Inspection, and is approved for submission by the Mayor, to which is attached a communication from Robert Urban, Traffic Operations Engineer, MDOT-Taylor TSC, dated July 13, 2023, requesting to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to permit nighttime work operations

in conjunction with the M-14 Reconstruction Project, from Newburgh Road to Sheldon Road, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances in conjunction with the M-14 Reconstruction Project, from Newburgh Road to Sheldon Road, currently scheduled to begin in summer, 2024.

#240-23 RESOLVED, that having considered an email communication from Nick Cornell, General Manager, Supernatural Brewing Company, dated July 7, 2023, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host the Wildwood Sourfest event with live music and DJs in front of Supernatural Brewing Company, located at 36685 Plymouth Road, on Saturday, August 26, 2023, from 3:00 p.m. to 11:00 p.m., the Council does hereby grant and approve this request in the manner and form herein submitted.

#241-23 RESOLVED, that having considered an application from Wafa Dinero, dated July 3, 2023, requesting permission to close Huff Street between Ladywood and Kingsbury Streets on Saturday, August 12, 2023, from 1:00 p.m. to 8:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Saturday, August 19, 2023, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#242-23 RESOLVED, that having considered an application from Karen Werden, dated June 28, 2023, requesting permission to close Flamingo Blvd. between St. Martins and Bretton Streets, on Saturday, August 26, 2023, from 3:00 p.m. to 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, August 27, 2023, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#243-23 RESOLVED, that having considered an application from Brenda Shaw, dated June 26, 2023, requesting permission to close Sussex Street, between Sherwood and Fitzgerald Streets, on Saturday, September 9, 2023, from 12:00 p.m. to 10:00 p.m. for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Saturday, September 16, 2023, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#244-23 WHEREAS, the City Council of the City of Livonia, Wayne County, Michigan recognizes the role of The Senior Alliance as the designated Area Agency on Aging for Southern and Western Wayne

County to be responsible for planning, developing, coordinating, monitoring, and managing a comprehensive organized service delivery system of services for older adults and caregivers.

WHEREAS, the 34 communities of Southern and Western Wayne County, including the City of Livonia, comprise the Planning and Service Area to the agency's governing body.

WHEREAS, the Aging and Adult Services Agency require local Area Agencies on Aging to request approvals of their Annual Implementation Plan from their local governments.

WHEREAS, The Senior Alliance has submitted the plan to this honorable body in accordance with federal and state laws.

WHEREAS, The Senior Alliance has held a public hearing for client, caregiver, and service provider population feedback which contributed to the development of the Annual Implementation Plan for Fiscal Year (FY) 2024.

NOW, THEREFORE, BE IT RESOLVED that this honorable body of the City of Livonia approves the Annual Implementation Plan for Fiscal Year (FY) 2024, as presented to the City.

#245-23 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated July 5, 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 bid of Slide Guys Restoration, Inc., 4342 Old M51, Croswell, Michigan 48422, for performing all work required in connection with replacing the waterslide bolts on the indoor waterslide at the Kirksey Recreation Center, in an amount not to exceed \$38,592.00, the same having been in fact the sole bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$38,592.00 from funds budgeted in Account No. 208-755-987-000 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.

#246-23 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated July 13, 2023, 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 bid of Cummins, Inc., 21810 Clessie Ct., New Hudson, MI 48165 for the purchase of one (1) Cummins C150D2RE Diesel Genset,

50/60h, 150kw, tow-behind portable generator, in an amount not to exceed \$111,945.00, plus an additional 5-year extended warranty at a cost of \$3,885.00, for a total amount not to exceed \$115,830.00, for use by the Department of Public Works, the same having been in fact the second lowest bid received and meets all specifications; FURTHER, the Council does hereby reject the bid submitted by Coast to Coast Custom Mobile Vending, LLC, as it did not meet the required generator specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$115,830.00 from funds budgeted in Account No. 401-000-987-000 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval 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.

#247-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated July 11, 2023, which bears the signatures of the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, with regard to a request from Livonia Estates Limited, an Ontario limited company, c/o Hove Street Properties Limited, 1 Yorkdale Place, Suite 602, Toronto, Ontario M6A 3A1, in conjunction with the construction of a storm drainage system to provide adequate drainage for property located at 31800 Enterprise Drive, in the Southeast ¼ of Section 27, 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 at 31800 Enterprise Drive, Livonia, Michigan 48150, for the development of Allied Commerce Center Building #5, which accommodates storm water from property developed by others that includes 31800 Enterprise Drive, in the Southeast ¼ of Section 27, with the maintenance agreement from the proprietor, Livonia Estates Limited, an Ontario limited company, c/o Hove Street Properties Limited, 1 Yorkdale Place, Suite 602, Toronto, Ontario M6A 3A1, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs;
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City; and
3. To authorize the City Engineer to execute a Wayne County permit on behalf of the City of Livonia in connection with the above storm sewer collection system.

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

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

Nays: None

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

#248-23 RESOLVED, that having considered an application from Maggie McGrane, dated July 10, 2023, requesting permission to close Rayburn Street, between Williams and Levan, on Saturday, August 26, 2023, from 2:00 p.m. until 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

An email communication from Sara Kasprowicz to City Council, dated July 26, 2023, re: Hunters Grove Condominium Association indicated they no longer be pursuing this item, was received and placed on file for the information of the Council.
(Petition No. 2000-12-02-38)

Councilmember McIntyre gave first reading to the following Ordinance:

AN ORDINANCE VACATING THE USE OF
PORTIONS OF STREET, ALLEY AND PUBLIC
GROUND. (Petition 2023-05-03-01)

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

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

#249-23 RESOLVED, that having considered a communication from the City Engineer, dated July 18, 2023, which bears the signatures of the

Director of Public Works, Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the bid of SME, 15825 Leone Drive, Macomb, Michigan 48042 for providing Geotechnical Exploration and Engineering Services for the proposed 12-inch water main crossing under I-96, west of the Schoolcraft Road cross-over bridge (west of Hix), in an amount not to exceed \$22,500.00, based upon the Engineering Division's estimate of units involved and subject to the final payment based on the actual units completed in accordance with the unit prices accepted herein, said amount and unit prices having been in fact the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an appropriation and expenditure in an amount not to exceed \$22,500.00 from funds in Account No. 592-559-818-000, 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, for and on behalf of the City of Livonia, to execute a contract with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

Andrea, resident, asked what geotechnical exploration means.

Todd Zilincik, City Engineer, explained it is soil boring.

There was no audience communication at the end of the meeting.

On a motion by Vice President Toy, supported by Councilmember McCullough and unanimously adopted, this 1,974th Regular Meeting of the Council of the City of Livonia was adjourned at 7:51 p.m.

Susan M. Nash, City Clerk