

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD SEPTEMBER 18, 2023**

Meeting was called to order at 8:37 p.m. by Council President Jim Jolly. Present: Scott Bahr, Rob Donovic, Brandon McCullough, Kathleen McIntyre, Vice President Toy, and President Jim Jolly. Absent: Scott Morgan.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; Mark Taormina, Planning and Economic Development Director; Todd Zilincik, City Engineer; and Jacob Rushlow, Assistant Director of DPW.

Councilmember Bahr led the Pledge of Allegiance.

There was no audience Communication.

President Jolly announced new data has been received for items 2 and 3 on the Agenda.

NEW BUSINESS

1. APPEAL OF BUSINESS LICENSE DENIED BY THE DIVISION OF POLICE: Office of the City Clerk, re: submitted by James M. Kennedy, Jr., to obtain a Scavenger License.

President Jolly presented the request to Council. The petitioner was not present.

Councilmember McIntyre indicated many scavengers operate in our city without permits. She asked how one would know if they were permitted or not and asked if it is indicated on their vehicles. She would like Administration to provide this information before the next meeting.

Paul Bernier, City Attorney, said there isn't anything on their vehicle. He said they do get charged in the District Court for scavenging without a license. The city is alerted to them because the people who are licensed follow the rules and do it during the right days and times. The unlicensed people are the ones doing it at night.

Councilmember Bahr offered a denying motion for the Consent agenda.

Councilmember McIntyre requested this be on the Regular agenda.

DIRECTION:

APPROVAL

REGULAR

2. WAIVER PETITION: Planning Commission, re: Petition 2023-05-02-04, submitted by The Axe Parlor, requesting waiver use approval to operate an On-Premise Tasting Room Permit in conjunction with a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) at 30959 Five Mile Road, located within the Livonia Plaza shopping center on the south side of Five Mile Road between Henry Ruff and Merriman Roads in the Northwest ¼ of Section 23.

Patrick Howell, Legal Counsel for the Axe Parlor, and Alden Long, owner, presented the request to Council.

Councilmember Donovic asked if other axe throwing venues have liquor licenses. He asked about their rules, policies, and how employees are trained.

Mr. Long state others do have liquor licenses. He explained the floor plan and set up. Two people are allowed in the arena at one time and are supervised by an Axe Master. Alcohol is not permitted in the arena area.

Vice President Toy asked where they are located and who monitors the activity. She also asked where the industry originated.

Mr. Long said they are next door to TJ Maxx on Five Mile near Henry Ruff. He indicated urban axe throwing originated in Canada with a couple of guys in a backyard drinking beers and throwing axes.

President Jolly asked for hours of operation.

Mr. Long said they are open Tuesday through Friday from 4 p.m. to 10 p.m., Saturday from noon to 11 p.m., and Sunday from noon to 9 p.m.

President Jolly asked if Mark Taormina if he had anything to add.

Mr. Taormina indicated they spent considerable time working with the proprietors of this business and are happy that this is now before Council. There is one requirement that will need a waiver, the 1000-foot separation requirement. It is a provision in the City's Zoning Ordinance that requires 1000-foot separation from other Class C licensed establishments. Merri-Bowl is across the street, about 850 feet away and carries a Class C license as well.

Councilmember McIntyre offered an approving motion with the required distance waiver for the Consent agenda.

Vice President Toy requested this be on the Regular agenda.

DIRECTION:

APPROVAL

REGULAR

3. WAIVER PETITION: Planning Commission, re: Petition 2023-07-02-11, submitted by The Mannik & Smith Group, Inc. requesting waiver use approval to demolish an existing restaurant (Burger King) and construct a new automated car wash facility (Clean Express Auto Wash), at 34835 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33.

Mark Taormina, Planning and Economic Development Director, presented the request to Council.

The petitioner's representative explained that one concern during the Planning Commission meeting was the amount of traffic that this would create but they expect a decrease in total traffic out onto Wayne Road from the site. He also mentioned that the rendering shows green vacuums, but he believes they will go with a gray option.

Councilmember Donovic asked Mr. Taormina to explain what quick brick is and if they plan to demolish the full building.

The petitioner's representative said it is a false brick façade and this will be a full demolition of the existing structure.

Councilmember Donovic asked if the seven vacuums to the southwest are necessary and what type of buffering will be used.

The petitioner's representative indicated they are required to have twenty parking spaces, and all will be equipped with vacuums. He indicated the noise making part will be located as far away from neighboring properties as possible on the north side. The east and west side have quite a bit of existing shrubbery and full trees between the Dunkin Donuts and the site that will remain. They don't anticipate a need for any further landscaping on that side. There is a Greenbelt buffer on the east side that is currently full of trees. The parking lot of the adjacent building comes right up to the property line on the north side. They are matching the existing curb line of the Burger King site on the east side and would be able to reduce the width of that drive lane and fit in some landscaping shrubbery if required.

Councilmember Donovic asked to speak to an owner of the property.

Dennis Miller, EWC, indicated they are located in Columbus Ohio and have 90 locations which are all company owned with no franchises.

Councilmember Donovic asked how so many car washes within miles of each other are going to survive.

Mr. Miller said most of the others in the area are old. This will be an express wash which is environmentally friendly and recycles water. They don't feel that they are too close to any other existing car washes.

Councilmember Bahr asked if the City Ordinance requires 20 parking spaces and if this amount is more than they would like on site.

Mr. Miller said the Ordinance does require 20 parking spaces but that is typical.

Vice President Toy said she is ok with this if we don't continue to put many more car was in the same area.

Councilmember Donovic asked how they will handle trash cans and littering. He asked if they will use free standing trash cans that can blow around.

Mr. Miller said they will have an attendant on site during business hours and will keep up with the trash.

Councilmember Donovic said he feels Council should require the trash cans be in a fixed structure.

Councilmember Bahr mentioned that the new data received today indicates they are delinquent on their taxes.

Mr. Miller said he thought the taxes had already been paid and would check with the owner.

Councilmember McIntyre agreed with Councilmember Donovic on the request of a better plan for trash cans.

Deb Christiansen, Resident, voiced her opposition to the car wash.

Councilmember Donovic asked about left turns onto Wayne Road.

The petitioner indicated they will allow left turns onto Wayne Road because they are far enough away from the intersection of Plymouth and Wayne. They could legally allow turns left onto Plymouth but won't be due to the double left turn lane there.

Councilmember Donovic asked if Council can request no left turns on Wayne Road as well.

Mr. Taormina said Wayne County would have jurisdiction over those turn limits. Council can condition the approval and the petitioner would have to adhere to it. If Council doesn't condition the approval, Wayne County will have to review the plans to authorize the left turns from that driveway. He indicated he would recommend that Council include that language, at least as it relates to Plymouth Road because their intent isn't clear on the plans. It should be added to the resolution with respect to the prohibition of left turns onto Plymouth Road.

Councilmember Bahr offered an approving motion for the Regular agenda.

Councilmember Donovic offered a substitute approving motion to include the prohibition of left turns onto both Plymouth and Wayne Roads for the Regular agenda.

DIRECTION

APPROVING

REGULAR

APPROVING W/CONDITIONS

4. AWARD OF CONTRACT: Livonia Housing Commission, re: for Livonia Transit software for a period of three years, from budgeted funds.

Felicia Cross, Program Supervisor Housing, presented the request to Council.

Vice President Toy offered an approving motion for the Consent agenda.

DIRECTION

APPROVING

CONSENT

5. REQUEST FOR AUTHORIZATION TO SELL CITY-OWNED PROPERTIES ACQUIRED FROM THE FEDERAL COMMUNITY BLOCK GRANT PROGRAM: Livonia Housing Commission, re: for the homes located at 35546 Orangelawn, 20120 Deering, 27545 Long, and vacant lot at 19731 Middlebelt.

Jim Inglis, Interim Housing Director, presented the request to Council.

President Jolly asked if the City of Livonia is getting out of the business of owning and renting individual homes.

Mr. Inglis said they are moving in a new direction to get these properties out of city ownership and back to private ownership. There are currently fifteen under the public housing program. If four are sold, there would be seven left under the Community Development Block Grant Program, there is one vacant lot, three will be demolished. The homes under the Community Development Block Grant Program can be brought to Council and sold quickly, but the ones under the federal government will take months to years to handle.

President Jolly asked where the funds go when they are sold.

Mr. Inglis said the Federal Community Development Block Grant funds, which is a city grant, go back to that program as program income so it can be used for housing rehabilitation and other programs authorized by the Community Develop Block Grant Program. Those under the Public Housing Program, would go back to the Housing Commission for renovations of McNamara towers and other federal housing programs.

Councilmember McIntyre offered an approving motion for the Consent agenda.

DIRECTION

APPROVING

CONSENT

There was no audience communication.

ADJOURNED at 9:26 p.m.

For October 2, 2023 Regular Meeting

