MINUTES OF THE ONE THOUSAND NINE HUNDRED SEVENTY SEVENTH

REGULAR MEETING SEPTEMBER 18, 2023

On September 18, 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 McCullough led the meeting with the Pledge of Allegiance.

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

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; Jacob Rushlow, Assistant Director of Public Works and Todd Zilincik, City Engineer.

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

> **#284-23** RESOLVED, that the Minutes of the 1,976th Regular Meeting of the Council held September 6, 2023 are approved as presented.

Martin Meyer, 16769 Fitzgerald, spoke about a deer cull.

Tony Gallina,18237 University Park Drive, read a letter he sent to Mayor Brosnan regarding the lack of handrails outside of Livonia City Hall.

President Jolly wished City Treasurer Lynda Scheel and Assistant City Attorney Eric Goldstein happy birthday. He also announced that new data has been received on items #4, #6, and #7.

Councilmember McCullough spoke about the Annual Tour De Livonia and the Good Old Fashion Corn Roast. He said President Jolly sent an email to Administration about crosswalks and traffic lights nears schools.

Councilmember Donovic asked Mr. Gallina to email his letter to the City Council. He announced the Police Department Blood Drive on Monday, September 25, 2023.

Councilmember McIntyre announced the Livonia Police Department recently hosted the Annual Recognition and Thank You Dinner for the Reserve Officers. She also said the Livonia Symphony Orchestra is celebrating their 50th anniversary and will kick off the new season on Saturday, September 23rd, at the Clarenceville Auditorium.

Vice President Toy announced an upcoming class at the Livonia Senior Center called Senior Tech Support. She also announced the upcoming Women's Connection meeting.

A communication from the Livonia Housing Communication for the fiscal year ending December 31, 2022, excluding Silver Village, Newburgh Village, the Community Development Block Grant Program, and single-family City-owned properties was received and placed on file for the information of the Council. On a motion by Councilmember Donovic, seconded by Councilmember Bahr, it was:

#285-23 RESOLVED, that having considered an application from Anthony Mitchell, dated August 13, 2023, requesting permission to close Louise Street between Richland and Orangelawn Streets on Sunday, September 24, 2023, from 11:00 a.m. until 6:00 p.m., for the purpose of conducting a block party with bounce house, tent and televisions, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

#286-23 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated August 23, 2023, submitted pursuant to Council Resolution 321-21, adopted on November 8, 2021, 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 Mayor and City Clerk to execute a two-year contract extension, for and on behalf of the City of Livonia, with Havener Tech, LLC, 433 Elmwood, Troy, MI 48083, through November 30, 2024, for performing all work required in connection with catch-basin, storm sewer, and concrete slab stabilization, on an as needed basis, in an amount not to exceed $50,000.00 annually, the same to be expended from funds already budgeted for this purpose in Account No. 204-463-818-119 (Road Maintenance Budget); FURTHER, the Council does hereby authorize the aforesaid action without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended.

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

AYES: Toy, Bahr, Donovic, McCullough, McIntyre, and Jolly.

NAYS: None

Vice President Toy took from the table for second reading and adoption, the following Ordinance:

AN ORDINANCE AMENDING SECTION 3 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF LIVONIA ZONING ORDINANCE, AS AMENDED, KNOWN AND CITED AS “THE CITY OF LIVONIA ZONING ORDINANCE” BY ADDING SECTION 3.____ THERETO. (Petition 2023-04-01-03)

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

AYES: Toy, Bahr, Donovic, McCullough, McIntyre, and Jolly.

NAYS: None

The president declared the Ordinance will become effective on publication.

A communication from the Dennis G. Cowan, Esq., Plunkett Cooney, dated September 14, 2023, forwarding petitions with over 200 resident signatures in support of the 29200 Vassar Street Project (Petition 2023-06-02-06) was received and placed on file for the information of the Council.

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

RESOLVED, that having considered a communication from the City Planning Commission, dated July 12, 2023, approved for submission by the Mayor, which transmits its resolution #07-44-2023, adopted on July 11, 2023, with regard to Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster, requesting to develop a Planned General Development, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ¼ of Section 1, the Council does hereby reject the recommendation made by the City Planning Commission and Petition 2023-06-02-06 is hereby denied for the following reasons:

1. The petitioner has failed to comply with all special and general standards and requirements as outlined in Sections 5.02 and 13.13 of the Livonia Zoning Ordinance, as amended;

2. The petitioner failed to demonstrate a need to use the Planned General Development option to develop the subject property;

3. The use, layout, and residential lots proposed for the development would negatively affect the neighboring properties;

4. Per Zoning Ordinance Section 13.13(6)(A), the proposed use is incompatible and not in harmony with the underutilized existing storage facilities in the vicinity;

5. The proposal significantly impacts adjoining parcels, public services, and community planning efforts;

6. That approving this request would allow a use that is inconsistent with the surrounding land uses; and

7. The petitioner has failed to comply with all the necessary concerns for the safety and welfare of the City and its residents.

Dennis Cowan of Plunkett Cooney, representative of the petitioner, indicated they acquired over 200 signatures in favor of the project. Their market study shows this is a positive site for their project and it will generate tax revenue for the city.

The following residents spoke in favor of the project:

Laura Murray, 19461 Parkville
Donald Hall, 29105 Vassar
Nick Murray, 19461 Parkville

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

Ayes: Donovic, McCullough, and Toy

Nays: Bahr, McIntyre, and Jolly

The president declared the motion failed due to a tie vote.

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

RESOLVED, that having considered a communication from the City Planning Commission, dated July 12, 2023, approved for submission by the Mayor, which transmits its resolution #07-44-2023, adopted on July 11, 2023, with regard to Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster, requesting to develop a Planned General Development, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ¼ of Section 1, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2023-06-02-06 is hereby approved and granted, subject to the following conditions:

1. The Architectural Site Plan, identified as sheet AS1.1, and the Landscape Plan, identified as Sheet L1.1, both dated May 31, 2023, as revised, prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that:

    a. The metal fence shall be extended along the south property line to the southwest corner of Building ‘C’;

b. Additional evergreen plantings shall be provided between the parking lot and the residential properties on the site’s north side and along the vacated portion of Vassar Avenue;

c. The final design of the landscape feature at the west end of the site shall be reviewed and approved by the Planning Department;

d. Any additional trash containers or compactors provided on the site shall be fully enclosed and screened with the masonry wall;

2. All parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan;

3. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding;

4. Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition;

5. The Elevation Plans, identified as sheets A2.1 and A2.2, dated May 31, 2023, as revised, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that City Council shall approve the final exterior colors of the building;

6. The Elevation Plans for Buildings ‘B’ and ‘C,’ identified as sheets A1.5 and A1.6, dated May 25, 2023, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that any sides visible to the public shall consist of either brick, stone, prefinished metal panels, or composite siding;

7. The number of self-storage units on the first floor of the building shall be limited to twenty-two (22);

8. The overnight outdoor parking and storage of service vehicles shall be restricted to the parking spaces adjacent to the building within the fenced area on the north side of the building;

9. There shall be no outdoor storage of vehicle parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation;

10. The outdoor storage of recreational vehicles, including motorhomes, travel trailers, and boats, is prohibited;

11. All exterior light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;

12. The three walls of the trash dumpster area shall be constructed from materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass;

13. Where this property abuts residential along the north side, a six foot (6') high masonry wall shall be required. The Inspection Department shall review the structural integrity of the existing wall to determine what, if any, improvements are needed. Along with the wall, additional evergreen landscaping shall be installed to help screen the property from the residential district;

14. The issues outlined in the correspondence dated June 22, 2023, from the Fire Marshal shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue;

15. Only conforming signage is approved with this petition and all wall signage shall not be installed higher than the first floor of the building. Any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;

16. No LED light band or exposed neon shall be permitted on this site, including, but not limited to, the building or around the windows;

17. 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;

18. Final approval of the residential condominiums shall require the review and approval of the master deed and bylaws by the Planning Commission and City Council; and

19. Under Section 13.13 of the Livonia Zoning Ordinance, as amended, 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.

Mr. Cowan asked if this matter could be brought before Council at the next meeting, when there is a full Council, should it result in a tie vote again.

President Jolly explained the process to bring the petition before Council again.

Karen Billings, 30301 Bretton, voiced her opposition to the project.

Councilmember Bahr withdrew his motion and later rescinded his request to withdraw the motion.

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

Ayes: Bahr, McIntyre, and Jolly

Nays: Donovic, McCullough, and Jolly

The president declared the motion failed due to a tie vote.

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

#287-23 RESOLVED, that having considered a communication from the City Planning Commission, dated August 16, 2023, approved for submission by the Mayor, which transmits its resolution #08-54-2023, adopted on August 15, 2023, with regard to Petition 2023-06-02-09 submitted by Leo Soave Building Inc., requesting Special Waiver Use approval to develop a Planned Residential Development consisting of five (5) buildings and a total of eleven (11) residential dwelling units on properties at 35755 and 35841 Plymouth Road, located on the south side of Plymouth Road between Yale Avenue and Levan Road in the Northeast ¼ of Section 32, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2023-06-02-09 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as sheet CS-100, dated June 26, 2023, as revised, prepared by Angle Design & Engineering, is hereby approved and shall be adhered to, except that additional off-street parking and a turnaround shall be provided, and parking on-street parking shall be limited to one side of the street only;

2. The Landscape Planting Plan, identified as sheet LP-1, and the Landscape Notes & Details, identified as sheet LP-2, dated June 26, 2023, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to, except that additional evergreen trees shall be planted along the south side of the property at the direction of the Planning Department;

3. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding;

4. Underground sprinklers shall be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition;

5. The Petitioner shall work with staff on plans to install additional landscaping around the perimeter of the site and other streetscape improvements (i.e., brick piers and fencing) along Plymouth Road;

6. The Exterior Building Elevation Plan, identified as sheet A-7, prepared by Dimensional Design L.L.C., is hereby approved and shall be adhered to;

7. The issues as outlined in the correspondence dated August 1, 2023, from the Fire Marshal shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue;

8. The developer and all contractors and subcontractors shall employ best management practices to prevent, reduce and mitigate the problems associated with soil erosion and airborne dirt and dust from migrating off-site, including provisions for erosion control barriers, daily street sweeping, watering, and halting earthwork activities on days when the wind conditions are likely to cause a problem;

9. Only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;

10. All required cash deposits, certified checks, irrevocable bank letters of credit, and surety bonds shall be deposited with the City before the issuance of engineering permits; and

11. Under Section 13.13 of the Livonia Zoning Ordinance, as amended, 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.

A communication from the Planning Commission regarding the Site Plan identified as Sheet CS-100, dated September 14, 2023, as revised, prepared by Angle Design & Engineering, was received and placed on file for the information of the Council.

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

#288-23 RESOLVED, that having considered a communication from the City Planning Commission, dated August 24, 2023, which transmits its resolution #08-55-2023, adopted on August 15, 2023, with regard to Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C., requesting approval of the Master Deed, Bylaws and site plan to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ¼ of Section 2, and further having considered several email communications from City residents in opposition to Petition 2023-07-08-06, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

A communication from the Superintendent of Parks and Recreation, dated September 7, 2023, regarding for the construction of a pavilion and concrete pad in the Ben Celani play area of Bicentennial Park, from the unexpended fund balance of the Community Recreation Fund was received and placed on file for the information of the Council.

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

#289-23 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated August 11, 2023, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, regarding additional appropriation and expenditure for the construction of a pavilion and concrete pad in the Ben Celani play area of Bicentennial Park, previously approved pursuant to an Intergovernmental Agreement (IGA) between the County of Wayne and the City of Livonia for Park Millage funding FY 2022-2023, pursuant to CR #86-23, adopted on March 13, 2023, and attached to the aforesaid communication, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the city of Livonia, to execute a contract, subject to approval as to form and substance by the Department of Law, between the City of Livonia and KAB Enterprises, 3318 Fort Street, Lincoln Park, MI 48146 for performing all work required in connection with the construction and installation of a new one Cedar Forest products model #RHS2434 24 x 34 pavilion and concrete pad, in the Ben Celani play area of Bicentennial Park, in an amount not to exceed $92,089.62, the same having been in fact the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an additional appropriation and expenditure in an amount not to exceed $92,089.62 from the unexpended fund balance of the

Community Recreation Fund (208) for this purpose, with the provision that this fund be reimbursed by Wayne County as previously approved in the 2022/2023 Wayne County Parks Millage Intergovernmental Agreement.

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

AYES: Toy, Bahr, Donovic, McCullough, and Jolly

NAYS: McIntyre

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

#290-23 RESOLVED, that having considered an application from Lauren Grewe, dated August 18, 2023, requesting permission to close Sherwood Street between Woodside and Parklane Streets on Saturday, September 30, 2023, from 12:00 p.m. to 9:00 p.m., for the purpose of conducting a block party/“Fall Festival” with games and music, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, October 1, 2023, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

On a motion by Vice President Toy, supported by Councilmember McCullough, the following Ordinance was unanimously adopted:

ORDINANCE NO. 3197

CITY OF LIVONIA, MICHIGAN

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF WATER SUPPLY AND WASTEWATER SYSTEM REVENUE BONDS TO PAY THE COST OF THE ACQUISITION AND CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND EXTENSIONS TO THE WATER SUPPLY AND WASTEWATER SYSTEM OF THE CITY AND TO PRESCRIBE THE FORM OF THE BONDS; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE

SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND CERTAIN OUTSTANDING BONDS OF THE SYSTEM; TO PROVIDE AN ADEQUATE RESERVE FUND FOR THE BONDS AND OUTSTANDING BONDS OF THE SYSTEM; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF THE REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND OUTSTANDING BONDS OF THE SYSTEM IN ENFORCEMENT THEREOF; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE SYSTEM AND THE BONDS AND OUTSTANDING BONDS OF THE SYSTEM.

THE CITY OF LIVONIA ORDAINS:

Section 1. Definitions. Whenever used in this Ordinance, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) “Act 94” means Act 94, Public Acts of Michigan, 1933, as amended.

(b) “Authorized Officers” means the Mayor, Clerk, Treasurer and the Director of Finance of the City.

(c) “Bonds” means the Series 2023 Bonds, the Outstanding Senior Lien Bonds and any additional Bonds of equal standing hereafter issued.

(d) “City” or “Issuer” means the City of Livonia, County of Wayne, State of Michigan.

(e) “Outstanding Junior Lien Bonds” means the Series 2020 Bonds and the Series 2021 Bonds.

(f) "Outstanding Senior Lien Bonds" means the Series 2013 Bonds, the Series 2014 Bonds, and the Series 2015 Bonds.

(g) "Outstanding Ordinances" means Ordinances Nos. 2179, 2945, 2963, 2979, 3117 and 3147 of the City.

(h) "Project" means the additions, extensions and improvements to the System, including replacement and upsizing of water mains in the City, together will all related appurtenances and attachments.

(i) "Revenues" and "Net Revenues" mean the revenues and net revenues of the System and shall be construed as defined in Section 3 of Act 94, including with respect to "Revenues", the earnings derived from the investment of moneys in the various funds and accounts established by the Outstanding Ordinances and this Ordinance.

(j) "Sale Order" means the Sale Order to be executed by an Authorized Officer of the Issuer respecting the sale of the Series 2023 Bonds.

(k) "Series 2013 Bonds" means the Water Supply and Wastewater System Revenue Bonds, Series 2013, dated September 17, 2013, in the original principal amount of $3,260,000.

(l) "Series 2014 Bonds" means the Water Supply and Wastewater System Revenue Bonds, Series 2014, dated June 25, 2014, in the original principal amount of $3,775,000.

(m) "Series 2015 Bonds" means the Water Supply and Wastewater System Revenue Bonds, Series 2015, dated June 25, 2015, in the original principal amount of $9,050,000.

(n) “Series 2020 Bonds” means the Water Supply and Wastewater System Junior Lien Revenue Bonds, Series 2020, dated June 12, 2020, in the original principal amount of $9,160,000.

(o) “Series 2021 Bonds” means the Water Supply and Wastewater System Junior Lien Revenue Bonds, Series 2021, dated June 7, 2021, in the original principal amount of $5,345,000.

(p) “Series 2023 Bonds” means the Water Supply and Wastewater System Revenue Bonds, Series 2023, authorized pursuant to this Ordinance.

(q) “Sufficient Government Obligations” means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which, without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bonds and the principal and redemption premium, if any, on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if any of the Bonds are to be called for redemption prior to maturity, irrevocable instructions to call the Bonds for redemption shall be given to the paying agent.

(r) “System” means the entire Water Supply and Wastewater System of the City as defined in the Outstanding Ordinances.

(s) “Transfer Agent” means a bank or trust company qualified to act as bond registrar, paying agent and transfer agent for the Series 2023 Bonds selected by an Authorized Officer.

Section 2. Necessity; Public Purpose; Estimated Cost and Life of Project. It is hereby determined to be a necessary public purpose of the Issuer to acquire and construct the Project. The estimated cost of acquiring and constructing the Project, including contingencies, engineering, legal and financing expenses, in an amount of not to exceed Six Million Five Hundred Thousand Dollars ($6,500,000), is hereby approved. The Issuer does hereby estimate the period of usefulness of the Project to be at least twenty-one (21) years.

Section 3. Payment of Cost; Bonds Authorized. To pay the costs associated with acquiring and constructing the Project, including legal, financial and other expenses incident thereto and incident to the issuance and sale of the Series 2023 Bonds, the Issuer shall borrow the sum of not to exceed Six Million Five Hundred Thousand Dollars ($6,500,000), as finally determined in the Sale Order and issue the Series 2023 Bonds pursuant to the provisions of Act 94. The remaining costs, if any, shall be defrayed from System funds on hand and legally available for such use.

Except as amended by or expressly provided to the contrary in this Ordinance, all of the provisions of the Outstanding Ordinances shall apply to the Series 2023 Bonds issued pursuant to this Ordinance, the same as though each of said provisions were repeated in this Ordinance in detail; the purpose of this Ordinance being to authorize the issuance of additional revenue bonds of equal standing and priority of lien as to the Outstanding Senior Lien Bonds and senior in standing and priority of lien with respect to the Outstanding Junior Lien Bonds to finance the cost of acquiring additions, extensions and improvements to the System, with such additional bonds of equal standing and priority of lien as to the Outstanding

Senior Lien Bonds and senior standing and priority of lien with the Outstanding Junior Lien Bonds for such purpose being authorized by the provisions of the Outstanding Ordinances, upon the conditions therein stated, which conditions have been fully met.

Section 4. Bond Details. The Series 2023 Bonds shall be designated WATER SUPPLY AND WASTEWATER SYSTEM REVENUE BONDS, SERIES 2023, shall be payable solely and only out of the Net Revenues, as set forth more fully herein, shall consist of bonds of the denomination of $5,000, or integral multiples of $5,000 not exceeding in any one year the amount maturing in that year, dated as of the date of delivery or such other date as shall be determined in the Sale Order, numbered in order of authentication, and shall mature on October 1st in the years and amounts as follows, or such other years of maturity and principal amounts as shall be determined in the Sale Order:

Year	Amount	Year	Amount
2024	$205,000	2034	$320,000
2025	215,000	2035	335,000
2026	225,000	2036	350,000
2027	235,000	2037	365,000
2028	250,000	2038	385,000
2029	260,000	2039	400,000
2030	270,000	2040	420,000
2031	280,000	2041	440,000
2032	295,000	2042	460,000
2033	310,000	2043	480,000

The Series 2023 Bonds shall bear interest at the rate specified in the Sale Order, but not to exceed six and one-half percent (6.50%) per annum, payable on April 1 and October 1 of each year, commencing April 1, 2024, or such later date as shall be determined in the Sale Order, by check or draft mailed by the Transfer Agent to the person or entity which is, as of the 15th day of the month preceding the interest payment date, the registered owner at the registered address as shown on the registration books of the Issuer maintained by the

Transfer Agent. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future. The principal of the Series 2023 Bonds shall be payable at the designated corporate trust office of the Transfer Agent. The Series 2023 Bonds shall be sold at a price not less than 100% or more than 115% of their par value.

The Series 2023 Bonds may be subject to redemption prior to maturity at the times and prices and in the manner finally determined in the Sale Order.

In case less than the full amount of an outstanding Bond is called for redemption, the Transfer Agent upon presentation of the Bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption. Notice of redemption shall be given in the manner specified in the form of the Bonds contained in Section 14 of this Ordinance.

Section 5. Execution of Bonds. The Series 2023 Bonds shall be executed in the name of the Issuer with the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the Clerk and Treasurer and shall have a facsimile of the Issuer's seal printed on them. No Bond executed by facsimile signatures shall be valid until authenticated by an authorized signer of the Transfer Agent. The Series 2023 Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser thereof in accordance with instructions from the Director of Finance of the Issuer upon payment of the purchase price for the Series 2023 Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

Section 6. Registration and Transfer. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Issuer shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required (i) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds selected for redemption as described in the form of Bonds contained herein and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part.

The Transfer Agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Series 2023 Bonds, which shall at all times be open to inspection by the Issuer; and, upon presentation for such purpose, the Transfer Agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred, on said books, Bonds as hereinbefore provided.

If any Bond shall become mutilated, the Issuer, at the expense of the holder of the Bond, shall execute, and the Transfer Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Transfer Agent of the mutilated Bond. If any Bond issued under this Ordinance shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Transfer Agent and, if this evidence is satisfactory to both and indemnity satisfactory to the Transfer Agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the Issuer, at the expense of the owner, shall execute, and the Transfer Agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the Transfer Agent may pay the same without surrender thereof.

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any officer of the City is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing.

Section 7. Payment of Series 2023 Bonds. The Series 2023 Bonds and the interest thereon shall be payable solely and only from the Net Revenues, and to secure such payment, there is hereby recognized a statutory lien upon the whole of the Net Revenues which shall be a first lien to continue until payment in full of the principal of and interest on all Bonds payable from the Net Revenues, or, until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all Bonds of a series then outstanding, principal and interest on such Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any. The statutory first lien referred to herein shall be of equal standing and priority with the City's Outstanding Senior Lien Bonds and senior in standing and priority with the City's Outstanding Junior Lien Bonds. Upon deposit of cash or Sufficient Government Obligations, as provided in the previous sentence, the statutory lien shall be terminated with respect to that series of Bonds, the holders of that series shall have no further rights under this Ordinance except for payment from the deposited funds, and the Bonds of that series shall no longer be considered to be outstanding under this Ordinance.

Section 8. Bondholders' Rights; Receiver. The holder or holders of the Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding, may, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the Net Revenues of the System, and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the Issuer, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues of the System and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the System or any part thereof.

If there is a default in the payment of the principal of or interest on the Series 2023 Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the Issuer and under the direction of the court, and by and with the approval of the court to perform all of the duties of the officers of the Issuer more particularly set forth herein and in Act 94.

The holder or holders of the Series 2023 Bonds shall have all other rights and remedies given by Act 94 and law, for the payment and enforcement of the Series 2023 Bonds and the security therefor.

Section 9. Rates and Charges. The rates and charges for service furnished by and the use of the System and the methods of collection and enforcement of the collection of the rates shall be those in effect on the date hereof, as the same shall be increased from time to time.

In a case where a tenant is responsible for the payment of the charges for service furnished by the System, and the Issuer is so notified in writing, the Issuer shall require a cash deposit in a sum determined as set forth in Title 13, Chapter 8 of the Issuer's Code of Ordinances, as the same may from time to time be amended, as security for the payment of the charges.

Section 10. No Free Service or Use. No free service or use of the System, or service or use of the System at less than the reasonable cost and value thereof, shall be furnished by the System to any person, firm or corporation, public or private, or to any public agency or instrumentality, including the Issuer.

Section 11. Fixing and Revising Rates. The rates presently in effect in the City are estimated to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the System in good repair and working order, to provide for the payment of the principal of and interest on the Bonds as the same become due and payable, and the maintenance of the reserve therefor and to provide for all other obligations, expenditures and funds for the System required by law and this Ordinance. In addition, the rates shall be set from time to time so that there shall be produced Net Revenues in an amount equal to 125% of the principal of and interest on the

Bonds coming due in each fiscal year. The rates shall be reviewed not less than once a year and shall be fixed and revised from time to time as may be necessary to produce these amounts, and it is hereby covenanted and agreed to fix and maintain rates for services furnished by the System at all times sufficient to provide for the foregoing.

Section 12. Bond Reserve Fund. The Reserve Account in the Bond and Interest Redemption Fund, as established by the Outstanding Ordinances shall be adjusted in such amounts, so that upon issuance of the Series 2023 Bonds, the Bond Reserve Account shall total a sum equal to the lesser of (a) the maximum annual principal and interest requirements on the Bonds outstanding after issuance of the additional Bonds, (b) 125% of the average annual debt service on the Bonds after issuance of the additional Bonds, or (c) an amount equal to 10% of the principal amount of the Bonds. In the event that the amount in said Reserve Account is greater than such largest annual debt service requirement, such excess amount shall be transferred to the Bond and Interest Redemption Fund described herein. If it is necessary to increase the amount in the Bond Reserve Account, the City shall deposit a sum from the moneys on hand in the System prior to delivery of the Bonds so that the Bond Reserve Account is fully funded as of the delivery of the Bonds.

Section 13. Disposition of Bond Proceeds. There is hereby established in a bank insured by the Federal Deposit Insurance Corporation to be selected by the Director of Finance, a separate depositary account to be designated "Water Supply and Wastewater System Revenue Bonds, Series 2023 Construction Fund", the moneys from time to time on deposit to be used solely to pay the cost of the Project and the incidental costs set forth in Section 4 of this Ordinance. The proceeds of sale of the Series 2023 Bonds shall be allocated and used as follows, or as set forth in the Sale Order:

First, any accrued interest shall be deposited into the Bond and Interest Redemption Fund established by the Outstanding Ordinances.

Second, an amount necessary to fully fund the Bond Reserve Account shall be deposited into the Bond Reserve Account in the Bond and Interest Redemption Fund, unless the City determines to use funds on hand to fund the Bond Reserve Account to the necessary level.

Third, the amount of funds necessary to pay the costs of the Project, as set forth in the Sale Order, shall be deposited in the Water Supply and Wastewater System Revenue Bonds, Series 2023 Construction Fund. Moneys in the Construction Fund shall be applied solely in payment of the cost of the acquisition and construction of the Project, including any engineering expenses incident thereto. The investment of the Bonds shall be limited as may be required by federal law.

Fourth, the remaining proceeds of the Series 2023 Bonds shall be used to pay the costs of issuance of the Series 2023 Bonds.

Any unexpended balance of the proceeds of sale of the Bonds in the Construction Fund remaining after completion of the Project may, in the discretion of the Issuer, be used for further improvements and extensions to the System: provided, that, at the time of such expenditure, such use be approved by the Michigan Department of Treasury. Any remaining balance after such expenditure, or in the event no expenditure is made, the entire unexpended balance shall be paid into the Bond and Interest Redemption Fund and used for the redemption or purchase of callable Bonds or for any other purpose permitted by Act 94. The proceeds of sale of said bonds may be invested in whole or in part in the manner provided by Act 94.

Section 14. Bond Form. The Series 2023 Bonds shall be in substantially the following form with such changes as may be approved by an Authorized Officer and Bond Counsel:

[Form of Bond]

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF LIVONIA
WATER SUPPLY AND WASTEWATER SYSTEM
REVENUE BOND, SERIES 2023

Interest Rate	Maturity Date	Date of Original Issue	CUSIP
	October 1, 20__	______,2023	

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT: ________ Dollars ($______)

The City of Livonia, County of Wayne, State of Michigan (the "Issuer"), for value received, hereby promises to pay, solely and only out of the hereinafter described Net Revenues of the Issuer's Water Supply and Wastewater System (hereinafter defined) the Principal Amount shown above in lawful money of the United States of America to the Registered Owner shown above, or registered assigns, on the Maturity Date shown above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue shown above or such later date to which interest has been paid, until paid, at the Interest Rate per annum shown above, first payable on April 1, 2024, and semiannually thereafter. Principal of this bond is payable upon surrender of this bond at the corporate trust office of ___________________, ________, Michigan (the "Transfer Agent") or such other Transfer Agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any interest payment date. Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who is, as of the 15th day of the month preceding the interest payment date, the registered owner of record, at the registered address as shown on the registration books of the Issuer kept by the Transfer Agent. For prompt payment of principal and interest on this bond, the Issuer has irrevocably pledged the revenues of the Water Supply and Wastewater System of the Issuer (the "System"), including all appurtenances, extensions and improvements thereto, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory first lien thereon is hereby recognized and created.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of _____ Dollars ($____), issued pursuant to Ordinances Nos. 2179, 2945, 2963, 2979, 3117, 3147 and 3197 of the Issuer, duly adopted by the City Council of the Issuer (together, the "Ordinances"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying the cost of acquiring and constructing additions, extensions and improvements to the System.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing as to the Net Revenues may hereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Ordinances. The bonds of this issue are of equal standing and priority of lien as to the Net Revenues with the Issuer's (a) Water Supply and Wastewater System Revenue Bonds, Series 2013, (b) Water Supply and Wastewater System Revenue Bonds, Series 2014, and (c) Water Supply and Wastewater System Revenue Bonds, Series 2015 (together the "Outstanding Bonds").

Bonds of this issue maturing in the years 2024 to 2033, inclusive, are not subject to redemption prior to maturity. Bonds or portions of bonds in multiples of $5,000 maturing in the year 2034 and thereafter may be redeemed at the option of the Issuer, in such order as the Issuer shall determine and within any maturity by lot, on any date on or after October 1, 2033 at par and accrued interest to the date fixed for redemption.

[insert any mandatory redemption or extraordinary redemption provisions]

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption of any bond or portion thereof shall be given by the Transfer Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. Bonds shall be called for redemption in multiples of $5,000 and any bond of a denomination of more than $5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by $5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bond or portion thereof.

This bond is a self-liquidating bond and is not a general obligation of the Issuer and does not constitute an indebtedness of the Issuer within any constitutional, statutory or charter debt limitation of the Issuer but is payable solely and only, both as to principal and interest, from the Net Revenues of the System. The principal of and interest on this bond are secured by the statutory lien hereinbefore mentioned.

The Issuer has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest on and the principal of the bonds of this issue, the Outstanding Bonds and any additional bonds of equal standing as and when the same shall become due and payable, and to create and maintain a bond redemption fund (including a bond reserve account) therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by the Ordinances.

This bond is transferable only upon the books of the Issuer kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinances authorizing the bonds, and the Outstanding Bonds, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Livonia, County of Wayne, State of Michigan, by its City Council, has caused this bond to be executed with the facsimile signatures of its Mayor, its City Clerk and its Treasurer, and a facsimile of its corporate seal to be printed on this bond, all as of the Date of Original Issue.

CITY OF LIVONIA

By: ______________________
Mayor
(Seal)

Countersigned:

By: ________________________

City Clerk

By: ________________________
Treasurer

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Ordinances.

___________________________,
___________, Michigan
Transfer Agent

By: ______________________
Authorized Signatory
Date of Registration: ___________

[End of Bond Form]

Section 15. Adjustment of Bond Terms. The Authorized Officers are each hereby authorized to adjust the final bond details as set forth herein to the extent necessary or convenient to complete the sale of the Series 2023 Bonds and in pursuance of the forgoing are each authorized to exercise the authority and make the determinations pursuant to Sections 7a(1)(c)(i) and (v) of Act 94, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, date of issuance, interest payment dates, redemption rights, and other matters within the parameters established by this Ordinance.

Section 16. Notice of Sale; Sale Order; Award of Sale of Series 2023 Bonds. The Authorized Officers are each hereby authorized to fix a date of sale for the Series 2023 Bonds and to publish a notice of sale of the Series 2023 Bonds in The Bond Buyer, New York, New York, which notice of sale shall be in the form as recommended by the City's Bond Counsel. The Authorized Officers are each hereby authorized on behalf of the City to execute a Sale Order awarding the sale of the Series 2023 Bonds to the bidder whose bid meets the requirements of law and the terms of the Official Notice of Sale as published; *provided* that the true interest cost on the Series 2023 Bonds shall not exceed 5.75%, the final maturity of the Series 2023 Bonds shall not exceed twenty-one (21) years from the date of issuance and the maximum price shall not exceed 115% of the par value of the Series 2023 Bonds.

The Authorized Officers are each hereby authorized on behalf of the City to execute a Sale Order evidencing the final terms of the Series 2023 Bonds, and to take all other necessary actions required to effectuate the sale, issuance and delivery of the Series 2023 Bonds within the parameters authorized in this Ordinance.

Section 17. Tax Covenant; Qualified Tax-Exempt Obligations. The Issuer shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Series 2023 Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the “Code”), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of the proceeds of the Series 2023 Bonds and moneys deemed to be proceeds of the Series 2023 Bonds. The Issuer hereby designates the Series 2023 Bonds as “qualified tax-exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the Code.

Section 18. Continuing Disclosure. The City covenants to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Series 2023 Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Series 2023 Bonds.

Section 19. Other Matters. The Authorized Officers are each authorized and directed to (a) approve the circulation of a preliminary official statement describing the Series 2023 Bonds and to deem the preliminary official statement “final” for purposes of Rule 15c2-12 of the SEC; (b) solicit bids for and approve the purchase of a municipal bond insurance policy for the Series 2023 Bonds; (c) apply for ratings on the Series 2023 Bonds; and (d) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Series 2023 Bonds.

Section 20. Appointment of Bond Counsel. The appointment of the law firm of Miller, Canfield, Paddock and Stone, P.L.C. of Detroit, Michigan, as Bond Counsel for the Series 2023 Bonds is hereby confirmed, notwithstanding its periodic representation in unrelated matters of potential parties to the Bonds.

Section 21.Appointment of Municipal Advisor. PFM Financial Advisors LLC, Ann Arbor, Michigan, is hereby appointed as municipal advisor for the Series 2023 Bonds.

Section 22.Savings Clause. The Outstanding Ordinances shall continue in effect, except as specifically supplemented or altered herein.

Section 23.Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be part of this Ordinance.

Section 24.Publication and Recordation. This Ordinance shall be published in full in the ***Detroit Legal News***, a newspaper of general circulation in the City, qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the Issuer and such recording authenticated by the signatures of the Mayor and City Clerk.

Section 25. Effective Date. Pursuant to the provisions of Section 6 of Act 94, this Ordinance shall be approved on the date of first reading and accordingly this Ordinance shall immediately be effective upon its adoption.

Adopted and signed this 18th day of September, 2023.

Signed: ______________________
Mayor

Signed: ______________________
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Livonia, County of Wayne, Michigan, at a Regular Meeting held on September 18, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: ______________________ and that the following Members were absent: ______________________.

I further certify that Member _________________ moved adoption of said Ordinance, and that said motion was supported by Member___________.

I further certify that the following Members voted for adoption of said Ordinance: ____________________ and that the following Members voted against adoption of said Ordinance: _______________.

The above ordinance was passed at the regular meeting of the Council of the City of Livonia held Monday, September 18, 2023 at 7:00 p.m.

____
Susan M. Nash, City Clerk

The foregoing ordinance was authenticated by me on this __ day of September, 2023.

____
Maureen Miller Brosnan, Mayor

Approved as to form:

____
City Attorney
Dated: September __, 2023

The President declared the Ordinance will become effective upon publication.

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

#291-23 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated August 31, 2023, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding additional appropriation and expenditure for the Carl Sandburg Branch Library roof replacement project, the Council does hereby authorize a change order in an amount not to exceed $19,033.00 payable to KJP Roofing and Sheet Metal, Inc., 46958 N. Gratiot Avenue, Suite 174, Chesterfield, MI 48051 for performing additional work that was outside the scope of original bid related to the Carl Sandburg Branch Library roof replacement project, previously authorized in CR #327-22, adopted on November 2, 2022; FURTHER, the Council does hereby authorize an appropriation and expenditure in an amount not to exceed $19,033.00 from funds available in Account No. 401-000-976-000 (Unexpended Fund Balance of the Capital Projects Fund) for this purpose.

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

#292-23 RESOLVED, that having considered the report and recommendation of the City Engineer, dated August 30, 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 to close out the MEDC Grant – Denmar Drain Channel Improvement Project, pursuant to Council Resolution 159-23, adopted on May 22, 2023, and a communication from Environmental Consulting & Technology, Inc., dated August 31, 2023, the Council does hereby determine to:

(a) Authorize an additional expenditure in the not-to-exceed amount of $71,275.50 payable to Sole Underground, LLC, 5940 Commerce Drive, Westland, Michigan 48185 from the Capital Projects Fund – Land Improvements, Account No. 401-000-974-000, increasing the total final contract amount from $199,673.00 to $270,948.50; and

(b) Authorize an additional expenditure, for professional services, in the not-to-exceed amount of $2,030.00

payable to Environmental Consulting & Technology, Inc., (ECT), 2200 Commonwealth Blvd., Suite 300, Ann Arbor, Michigan 48105 from the Capital Projects Fund – Land Improvements, Account No. 401-000-974-000, increasing the total final contract amount from $44,970.00 to $47,000.00.

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

#293-23 RESOLVED, that having considered a communication from the Department of Law, dated August 25, 2023, approved for submission by the Mayor, transmitting for Council acceptance of a quit claim deed from Ryan LaFontaine, Owner of LAG Plymouth, LLC as part of the lot combination of Parcel Nos. 46-130-0005-004 (34715 Plymouth Road) and 46-130-01-0007-001 (34801 Plymouth Road) to obtain the necessary road right-of-way, more particularly described as:

Parts of Lots 6, 7, 8 and 9 of "Supervisor's Livonia Plat No. 1" of part of the Northwest 1/4 of Section 33, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, as recorded in Liber 65 of Plats, on Page 52, Wayne County Records, all being more particularly described as follows: Beginning at the Northwest corner of said Lot 6; thence South 00 degrees 21 minutes 33 seconds West, 27.00 feet; thence North 89 degrees 54 minutes 30 seconds West, 240.00 feet; thence North 00 degrees 21 minutes 33 seconds East, 27.00 feet; thence South 89 degrees 54 minutes 30 seconds East, 240.00 feet to the Point of Beginning.

the Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid quit claim deed, and the Mayor and City Clerk are hereby authorized to execute the quit claim deed conveying the above-described property to the City of Livonia, and the City Clerk is hereby requested to have the same recorded in the Office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

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

#294-23 RESOLVED, that having considered a communication from the Department of Law, dated August 28, 2023, approved for submission by the Mayor, the Council does hereby authorize the Department of Law to resolve 7 of the 15 claims brought on behalf of Donald and Dina Croskey, et al; Wayne County Circuit Court Case No. 22-011590-NZ; in an amount not to exceed $40,000.00, and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

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

#295-23 RESOLVED, that having considered a communication from the Department of Law, dated September 12, 2023, approved for submission by the Mayor, the Council does hereby authorize the Department of Law to resolve the claim brought on behalf of Barbara Lashawn Thomas; EEOC Charge No. 471-2023-03811, in an amount not to exceed $45,000.00, and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

Audience Communication

On a motion by Councilmember McIntyre, supported by Vice President Toy, and unanimously adopted, this 1,977TH Regular Meeting of the Council of the City of Livonia was adjourned at 8:25 p.m.

Susan M. Nash, City Clerk