

MINUTES OF THE ONE THOUSAND NINE HUNDRED EIGHTY SIXTH**REGULAR MEETING FEBRUARY 12, 2024**

On February 12, 2024, 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 Budzinski led the meeting with the Pledge of Allegiance.

President McCullough indicated there is an X item on the agenda and there will be a Public Hearing held on March 4, 2024, for two items.

Roll was called with the following result: Carrie Budzinski, Scott Morgan, Jim Jolly, Martha Ptashnik, Rob Donovic, and Brandon McCullough. Absent: Laura Toy.

Elected and appointed officials present: Paul Bernier, City Attorney; Lori L. Miller, City Clerk; Sara Kasproicz, Program Supervisor of Council Office; and Todd Zilincik, City Engineer.

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

#037-24 RESOLVED, that the Minutes of the 1,985th Regular Meeting of the Council held January 29, 2024 are approved as presented.

Karla Truxall, 29583 Jacqueline Drive, founder of SPN Survivors, indicated they have three events planned this year. The March event is "Moving with Moose" and she is asking Council and City Employees to bring teams into the event.

President McCullough indicated Council will be putting a team together to participate in the SPN event.

Robert Musial, 806 N. Renaud, Grosse Pointe Woods, shared that he is a 1966 graduate of Bentley High School. He thanked Jim McConnell, Livonia Historical Society President, for getting approval of the State Historical Marker for Bentley High School. The 1966 class had donated the Bentley

Bulldog statue which is currently on display at Greenmead. He requested the statue be moved to the Kirksey Center room dedicated to the memory of Bentley High School.

On a motion by Councilmember Jolly, supported by Councilmember Budzinski and unanimously adopted, it was:

#038-24 RESOLVED, that upon the motion by Councilmember Jim Jolly, seconded by Councilmember Carrie Budzinski, at the Regular Meeting held February 12, 2024, the Council does hereby direct the Superintendent of Parks and Recreation to take possession of the Bentley High School Bulldog Mascot Statue for placement in the Bentley Lodge at the Jack E. Kirksey Recreation Center.

Councilmember Morgan announced the following 2024 City of Livonia retirees: Lynda Scheel, Carrie Michalak, Debra Walter, Karla Sadler, and Sharon Mendelssohn. He thanked them for their service and wished them well in retirement.

Councilmember Budzinski announced her coffee hour on Saturday, February 17, 2024. The guest speakers will be Matthew Stentz from the U.S. Department of Homeland Security and Brian Kahn from Livonia's Homeland Security.

Councilmember Donovic spoke about a new state legislation initiative that would add a \$2 monthly fee on water bills. The fee would be imposed on people that pay their water bill and is intended to help pay the bills of those who don't pay. He encourages everyone to reach out to state lawmakers regarding the issue.

Councilmember Ptashnik announced the dates of the 175th Highland Games. They will be held on 8/3/2024 and 8/4/2024 and are the oldest festival in North America. She thanked their Executive Director, Cathy Hasse, for continuing to choose Livonia for the event.

A communication from the Department of Finance, dated January 22, 2024, re: forwarding Quarterly Investment Report for the City of Livonia for the quarter ending November 30, 2023, was received and placed on file for the information of the Council.

On a motion by Councilmember Jolly, supported by Councilmember Morgan, it was:

#039-24 RESOLVED, that having considered a communication from Robert H. Rais, Knights of Columbus, dated January 3, 2024, requesting permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host their 8th Annual Car Show with a DJ providing music at Saint Colette's Catholic Church, 17600 Newburgh Road, on Saturday, June 1, 2024, from 8:00 a.m. to 3:00 p.m., the Council does hereby grant permission as requested.

#040-24 RESOLVED, that having considered a communication from the Office of the Mayor, dated January 19, 2024, regarding the subject matter of a proposed budget adjustment to restore funding for the position of Government Affairs Director, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

#041-24 RESOLVED, that having considered a communication from the Human Resources Director, dated December 14, 2023, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, recommending salary and fringe benefit adjustments for the classifications of Police Chief and Deputy Police Chief for the period December 1, 2023 through November 30, 2026, the Council does hereby concur in the recommendation of the Civil Service Commission and the salary and benefit adjustments for the classifications of Police Chief and Deputy Police Chief are hereby approved for the period December 1, 2023 through November 30, 2026, as set forth in the correspondence dated December 7, 2023 from Jeannine Laible, Human Resources Director, which is attached to the aforesaid communication.

#042-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated January 10, 2024, submitted pursuant to Council Resolution 196-17, adopted on June 5, 2017, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, in connection with the renewal of the contract between the City of Livonia and Azteca Systems LLC, for the DPW work management system, including Cityworks Online, the Council does hereby approve a renewal of software licensing and maintenance for the City of Livonia by Azteca Systems LLC, 11075 South State Street, Suite 24, Sandy, UT 84070 for a period of one (1) year commencing March 1, 2024 through February 28, 2025, in an amount not to exceed

\$96,077.28; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$48,038.64 from Account No. 592-559-851-020 (Water Fund) and \$48,038.64 from Account No. 226-528-851-020 (Refuse Fund) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended, for the reason that Azteca Systems LLC is a sole source supplier and no advantage would result from requiring competitive bidding.

#043-24 RESOLVED, that having considered a communication from the Director of Public Works, dated January 19, 2024, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, the Council does hereby accept the bid of Superior Materials, 30701 W. 10 Mile Road, Farmington Hills, Michigan 48336 for supplying the Department of Public Works with ready-mix concrete for the city's 2024 calendar year requirements, at the unit prices bid, for the period from January 1, 2024 to December 31, 2024, in an estimated total amount not to exceed \$50,000.00, the same having been in fact the lowest bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an estimated total amount not to exceed \$50,000.00 from funds budgeted in Account Nos: 101-463-782-000 and 592-559-787-060 for this purpose; FURTHER, in the event the low bidder is unable to provide the product requested, the Council does hereby accept the unit price bid of the second lowest bidder, Piedmont Concrete, 29934 Eight Mile, Farmington Hills, Michigan 48336 for supplying the Department of Public Works with ready-mix concrete for the estimated total amount not to exceed \$50,000.00; 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(s), and to do all other things necessary or incidental to the full performance of this resolution.

#044-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 10, 2024, 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 Ace Cutting Equipment, 25125 Trans X Road, Novi, Michigan 48375 (vendor #53151) for the purchase of one (1) Smith SPS 10" gasoline powered Scarifier/Grinder and Sulky Driver, to be utilized by the Roads Department, in a total amount not to exceed \$44,797.96, 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 \$44,797.96 from funds budgeted in Account No. 401-000-987-000 (Capital Outlay Budget) for this purpose.

#045-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated January 10, 2024, 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 determine to take the following actions:

1. Award the contract for truck transport unmetered (over 5000 gallons) through the Michigan Intergovernmental Trade Network (MITN) to RKA Petroleum Companies, Inc., 28340 Wick Road, Romulus, Michigan 48174, to supply the City of Livonia with gasoline and diesel fuel under the terms and conditions of the bid for the period February 1, 2024 through January 31, 2026, with the option to extend the terms and conditions an additional two years upon mutual consent;
2. Award the contract for truck transport unmetered (over 5000 gallons) through the Michigan Intergovernmental Trade Network (MITN) to Marathon Flint Oil Company, 1919 S. Dort Highway., Flint, Michigan 48503, to supply the City of Livonia with gasoline and diesel fuel under the terms and conditions of the bid for the period February 1, 2024 through January 31, 2026, with the option to extend the terms and conditions an additional two years upon mutual consent;
3. Award the contract for tank wagon metered (under 5000 gallons) through the Michigan Intergovernmental Trade Network (MITN) to RKA Petroleum Companies, Inc., 28340 Wick Road, Romulus, Michigan 48174, to supply the City of Livonia with gasoline and diesel fuel under the terms and conditions of the bid for the period February 1, 2024 through January 31, 2026, with the option to extend the terms and conditions an additional two years upon mutual consent;
4. Award the contract for tank wagon metered (under 5000 gallons) through the Michigan Intergovernmental Trade Network (MITN) to Gen Oil Company, 1238 Anderson Road, Clawson, Michigan 48017, to supply the City of Livonia with gasoline and diesel fuel under the terms and conditions of the bid for the period February 1, 2024 through January 31, 2026, with the option to extend the terms and conditions an additional two years upon mutual consent; and

5. Waive the formal bidding process in accordance with Section 3.04.140. E.4. of the Livonia Code of Ordinances, as amended, as the same is made through the Tri-County Public Purchasing Cooperative and no advantage to the City would result from a separate competitive bidding process.

FURTHER, the Council does hereby authorize the expenditures of the foregoing contractual amounts from funds budgeted in Account Nos. 101-446-751-000 (Public Works Gas and Oil Account); 101-309-751-000 (Police Gas and Oil Account); 101-338-751-000 (Fire Gas and Oil Account) for this purpose; and the Mayor and City Clerk are hereby authorized to execute contracts, which are approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder(s) and to do all other things necessary or incidental to the full performance of this resolution.

#046-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 10, 2024, 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 storm water maintenance agreement from Aligned Equity Group, LLC, a Missouri limited liability company, in conjunction with the construction of a storm drain system that provides adequate drainage for the development of the property located at 33579 Eight Mile Road, in the Northeast ¼ of Section 4, 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 33579 Eight Mile Road in the Northeast ¼ of Section 4, which accommodates storm water from the property developed at ClearPath Assisted Living located at 33579 Eight Mile Road, with the maintenance agreement from the proprietor, Aligned Equity Group, LLC, 1610 Des Peres Road, Suite 385, Saint Louis, MO 63131, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

#047-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 16, 2024, 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 storm water maintenance agreement from Dorin Lucacel and Rodica Moore, in conjunction with the construction of a storm drain system that provides adequate drainage for the development of the property located at 12330 Merriman Road in the Southwest ¼ of Section 26, 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 12330 Merriman Road in the Southwest ¼ of Section 26, which accommodates storm water from the property developed at Moore Outdoor Storage located at 12330 Merriman Road, with the maintenance agreement from the proprietor, Dorin Lucacel and Rodica Moore, two individuals with principal offices located at 12350 Merriman Road, Livonia, Michigan 48150, attached to said report and recommendation, indicating a commitment to maintain the system and reimburse the City for any maintenance the City performs; and
2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

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

AYES: Budzinski, Morgan, Jolly, Ptashnik, Donovic, and McCullough

NAYS: None

A communication received from the Office of the Mayor, dated January 26, 2024, submitted pursuant to Council Resolution 378-23, adopted on December 4, 2023, with respect to this item, was received and placed on file for the information of the Council.

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

#048-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 17, 2024, 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 Brantley Development, 2648 Bayhan, Inkster, MI 48141 for performing all work required in connection with the City's 2024-2025 Municipal Park Mowing Program, which includes approximately 136 acres of parks, cemetery, and fire station property, in a total annual amount not to exceed \$87,276.00, the same having been in fact the lowest bid received and meets all specifications; FURTHER, in the event the lowest bidder is unable to perform the services, the Council does hereby accept the bid of the second lowest bidder, Ground Control Property Services, 22100 Huron Township Ct., New Boston, MI 48164, as alternate for performing all work required in connection with the City's 2024-2025 Municipal Park Mowing Program in a total annual amount not to exceed \$98,262.46; FURTHER, the Council does hereby authorize an expenditure of the foregoing amount(s) from funds budgeted in Account No. 101-524-818-015 (Parks Maintenance Section) for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, which is approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder(s) and to do all other things necessary or incidental to the full performance of this resolution.

Stan Brantley, owner of Brandley Development, indicated he understands the scope of the service. The company successfully took over the City of Dearborn's contract two years ago when the original contractor failed. His company has had long term contracts with the City of Troy, Dearborn, and Michigan Department of Transportation.

Nolan and Russell, representatives of Ground Control Property Services, indicate they also understand the scope of work. They indicated their company has extensive experience with municipal and large property maintenance.

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

#049-24 Resolved that the Council does hereby suspend their rules for procedure as outlined in Council Resolution #574-82 so as to permit consideration of items that do not appear on the agenda.

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

#050-24 RESOLVED, that having considered a communication from the City Clerk, Lori Miller, dated February 5, 2024, wherein it is requested that Council Resolution 26-24, adopted on January 17, 2024, be amended to reflect the correct salary rate for the appointed Deputy Clerk position, as indicated on the current 2022-2025 wage rate schedule attached to the aforesaid communication, the Council does hereby amend and revise Council Resolution 26-24 so as to read as follows:

RESOLVED, that having considered a communication from the City Clerk, Lori Miller, dated January 4, 2024, the Council does hereby appoint Doris E. Demarco to the office of Deputy Clerk of the City of Livonia, effective January 29, 2024, upon taking the oath of office as required in Chapter X, Section 2 of the City Charter; FURTHER, the Council does hereby establish an annual full-time salary for this position in the amount of \$74,568.00 with the understanding that all benefits as previously approved by the Council for other appointed positions within the City be also extended to this position.

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

Lori Miller, Clerk, shared early voting options for the upcoming Presidential Primary Election on February 27, 2024.

On a motion by Councilmember Jolly, supported by Vice President Ptashnik, and unanimously adopted, this 1,986th Regular Meeting of the Council of the City of Livonia was adjourned at 7:36 p.m.

Lori L. Miller, City Clerk