

MINUTES OF THE ONE THOUSAND NINE HUNDRED EIGHTY SEVENTH**REGULAR MEETING FEBRUARY 28, 2024**

On February 28, 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 Morgan led the meeting with the Pledge of Allegiance.

Vice President Ptashnik presented a Commendation to local volunteer group D.O. it For Denny. Sami McKay, President, spoke about the work the group has done in Livonia for the past six years. She thanked their supporters for helping to make this non-profit organization a success. They plan to put “take what you need stations” in all Livonia schools, grades 5 and up, in August. The stations will provide essentials like deodorant, toothbrushes, shampoo, conditioner, and feminine products for students in need.

Roll was called with the following result: Scott Morgan, Laura Toy, Jim Jolly, Martha Ptashnik, Rob Donovic, Carrie Budzinski, and Brandon McCullough. Absent: None.

Elected and appointed officials present: Eric Goldstein, Assistant City Attorney; Lori L. Miller, City Clerk; Sara Kasproicz, Program Supervisor of Council Office; and David Lear, Assistant City Engineer.

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

#051-24 RESOLVED, that the Minutes of the 1,986th Regular Meeting of the Council held February 12, 2024 are approved as presented.

Steve King, 33950 Coventry, congratulated Clerk Miller on her running her first election. He also commented that the library has removed all of

the plastic, and it is very welcoming. He thanked whoever fills the potholes on Six Mile Road. He also said that DTE is cutting trees down in the area. He asked if there is a contact person within the city for Davey Tree Service or DTE since they damaged his property.

Toros Bardakjian, 37652 Bloomfield Drive, asked Council to consider an Ordinance to allow short-term rentals. He also asked which Ordinance specifically excludes short-term rentals.

George Diamond, 35835 Orangelawn, spoke about updating city codes as he feels we are way behind the times.

Susan Duqum, 37354 Bennett Street, spoke in favor of short-term rentals in Livonia.

Vice President Ptashnik announced that Livonia City Council meetings now have closed captioning on You Tube. She indicated they are working with Spectrum to do the same. She also indicated Council received communication from the Zoning Board of Appeals asking for general assistance.

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

#052-24 RESOLVED, that upon the motion by Council Vice President Martha Ptashnik, seconded by Councilmember Rob Donovic, at the Regular Meeting held February 28, 2024, with respect to an email communication received from the Zoning Board of Appeals (ZBA), dated February 24, 2024, addressing continuing efforts toward the improvement of ZBA administration and processes for the benefit of all constituents, i.e., system access difficulties, case documentation availability, meeting notifications, etc., the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

Councilmember Toy congratulated Lori Miller, City Clerk, on running the recent election.

Lori Miller, Clerk, thanked everyone who helped with the election.

Councilmember Donovic suggested Mr. Diamond send an email to the Council office so Sara Kasproicz, Program Supervisor of the Council Office can put him in touch with the proper departments.

Councilmember Budzinski commended the Livonia Youth Commission for hosting the Livonia Youth Summit last week. She also attended the Black Excellence in the Arts event which was a great opportunity to recognize black history month.

President McCullough said some of our ordinances do need updating. He suggested Mr. Diamond contact the Ordinance Department as well as the Council Office. He told Mr. King that Council will get the process from the Administration regarding his situation with DTE.

A communication from the Department of Finance, dated February 5, 2024, re: forwarding the Departmental Purchases Report for the month ending January 2024 was received and placed on file for the information of the Council.

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

#053-24 RESOLVED, that having considered a communication from Dave Groff, dated February 1, 2024, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to host an annual July 4th party, with music (band) and inflatable water slide, at the homes located at 18111 and 18133 Floral Street, scheduled for Thursday, July 4, 2024, from 1:00 p.m. until 10:00 p.m., the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 1:00 p.m. and 10:00 p.m. in connection with this event to be held on Thursday, July 4, 2024.

#054-24 RESOLVED, that pursuant to the provisions of Section 5, Chapter VIII of the Charter of the City of Livonia, and based upon the appointment of the Mayor, dated January 31, 2024, the Council does hereby consent to and confirm the appointment of Mary Ciolino, 34355 Ann Arbor Trail, Livonia, MI 48150 to the Board of Review, effective immediately, to fill the unexpired term of Anne Morris, which expires on February 16, 2026, provided that Ms. Ciolino takes the Oath of Office as required in Chapter X, Section 2 of the City Charter, to be administered by the City Clerk.

#055-24 RESOLVED, that pursuant to the provisions of Section 5, Chapter VIII of the Charter of the City of Livonia, and based upon the appointment of the Mayor, dated February 1, 2024, the Council does hereby consent to and confirm the reappointment of Andrew Lendrum, 19706 Osmus, Livonia, Michigan 48152 to the Board of Review, for a term of three years, commencing February 17, 2024 and expiring on February 16, 2027.

#056-24 RESOLVED, that having considered a communication from the Mayor, dated February 1, 2024, regarding the reappointment of Jacob Ghannam to the Board of Ethics, and pursuant to Section 2.200.070 of the Livonia Code of Ordinances, as amended, the Council does hereby consent to and confirm the reappointment of Jacob Ghannam, 35202 Curtis, Livonia, Michigan 48152 to the Board of Ethics, for a three year term, commencing March 1, 2024 and expiring March 1, 2027.

#057-24 RESOLVED, that having considered a communication from the Mayor, dated February 2, 2024, regarding the reappointment of Suzette Samuels to the Board of Ethics, and pursuant to Section 2.200.070 of the Livonia Code of Ordinances, as amended, the Council does hereby consent to and confirm the reappointment of Suzette Samuels, 15780 Southampton, Livonia, Michigan 48154 to the Board of Ethics, for a three year term, commencing March 1, 2024 and expiring March 1, 2027.

#058-24 RESOLVED, that having considered a communication from the Human Resources Director, dated January 31, 2024, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, wherein it is recommended that the Tentative Agreement between the City of Livonia and the Police Officers Association of Michigan (POAM) on behalf of its affiliate the Livonia Police Officers Association, Police Service Aide Unit – Unit B, attached thereto, be approved for the period December 1, 2023 through November 30, 2026, the Council does hereby approve of and concur in the aforesaid action of the Civil Service Commission; and the Mayor and City Clerk are hereby requested to affix their signatures to the said contract, for and on behalf of the City of Livonia, and to do all other things necessary or incidental to the full performance of this resolution.

#059-24 RESOLVED, that having considered the report and recommendation of the Director of Housing, dated January 25, 2024, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) 2024 Ford Transit 350 High Roof 15-Passenger AWD van with upfit from Lunghamer Ford, 1960 E. Main St., Owosso, MI 48867, in an amount not to exceed \$105,173.00, for use by Livonia Community Transit; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$105,173.00 from funds budgeted in Account No. 288-608-985-000 (Capital Outlay Vehicles) for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price under MI-Deal Contract No.

071B7700180 and Macomb County Contract #21-18 for the new vehicle purchase; so no advantage to the City would result from competitive bidding, and such action is taken in accordance with the provisions set forth in Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended.

#060-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated January 8, 2024, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, wherein a request is submitted to approve the Art in the Park Program to provide a low-cost framework for introducing art into the City's public spaces for 2024 and to appoint a Councilmember as Council's Representative on the Public Art Committee, the Council does hereby approve the Art in the Park Program and contracts pursuant thereto with approved applicants, for a period of five (5) years each, which includes a \$1,000.00 stipend paid to the applicant upon completion for time and materials, subject to approval as to form and substance by the Department of Law; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$4,000.00 for FY 2024 from funds budgeted in Account No. 208-755-776-040 for this purpose; FURTHER, the Council does hereby appoint Councilmember Jim Jolly as Council's Representative on the Public Art Committee, described in the Art in the Park Program, to participate in said committee on a continuing basis or until further order of this Council by council resolution.

#061-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated January 31, 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 Specialized Vending Services, Inc., 11945 Globe St., Livonia, MI 48150, to supply the Jack E. Kirksey Recreation Center and three (3) outdoor pools with beverage and snack vending service for a three-year term commencing May 1, 2024 through April 30, 2027, with Specialized Vending Services, Inc. agreeing to pay the City 35% of their revenue from such vending machines (gross sales minus bottle deposits, sales tax and 10% labor fee), with a yearly bonus payout based on net revenue, the same having been the most advantageous bid received by the City which meets all specifications along with Specialized Vending Services, Inc. having maintained a positive working relationship with the City by providing it with vending services for the past three years; FURTHER, the Mayor and City Clerk are hereby authorized to execute a contract for and on behalf of the City of Livonia with Specialized Vending Services, Inc., subject to approval as to form and substance by the

Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#062-24 I, Lori Miller, the duly qualified and acting City Clerk of the City of Livonia, do hereby certify that the following resolution was adopted at a meeting of the City Council for the City of Livonia held on February 28, 2024; is on file; has not been amended, altered, or revoked; and is in full force and effect.

RESOLVED:

WHEREAS, the City of Livonia will file an application to the Michigan State Historic Preservation Office (SHPO) for the Certified Local Government Grant program in the amount of \$25,000.00 for the Rehabilitation Planning of the South Barn at Greenmead Historical Park for the resource located at 20501 Newburgh Road, Livonia, MI 48152;

WHEREAS, the City of Livonia acknowledges that the Certified Local Government Grant Program is an expense reimbursement program. The City of Livonia authorizes expenditures in the amount of \$25,000.00 for the project work with funds from City of Livonia Account No: 101-821-931-220;

WHEREAS, the City of Livonia acknowledges it will be responsible for paying invoices as they become due and that reimbursement will be made upon completion of final project work, SHPO acceptance of the final completion report, and SHPO audit and acceptance of financial documentation for eligible costs;

WHEREAS, upon approval of the application by the SHPO, the Mayor and City Clerk of the City of Livonia shall be authorized to sign the grant agreement, any necessary grant agreement amendments, and other agreement-related documents; and

WHEREAS, Edward Davis, Superintendent of Parks and Recreation of the City of Livonia, is appointed as the Grant Project Manager who will oversee the day-to-day grant management and grant administration duties, including vendor selection and coordinating the payment of vendor invoices.

RESOLVED, that the City of Livonia directs the Superintendent of Parks and Recreation of the City of Livonia to file an application for a grant from the SHPO Certified Local Government Grant Program for \$25,000.00; and

RESOLVED, that the Mayor and City Clerk of the City of Livonia be authorized to sign the grant application and any additional grant documentation, and to take any additional administrative actions necessary to implement this resolution.

SEAL

Mayor

City Clerk

#063-24 WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource, giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Livonia has been recognized as a Tree City USA by The National Arbor Day Foundation for the last seventeen years and desires to continue its tree-planting practices.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and members of the City Council of the City of Livonia hereby proclaim Thursday, April 25, 2024, as Arbor Day in the City of Livonia, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, we urge all citizens to plant trees to promote the well-being of this and future generations, and we invite citizens to join in the commemoration of Arbor Day planned by the Tree City

Committee at Niji-Iro Japanese Immersion Elementary School, 36611 Curtis, on Thursday, April 25, 2024.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Gretchen Whitmer, State Senator Dayna Polehanki, State Representative Laurie Pohutsky, the Michigan Municipal League State and Federal Affairs Division, and the Conference of Western Wayne.

#064-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 24, 2024, which bears the signature of the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby authorize the release to Crosswinds Court Subdivision, Inc., 37771 Seven Mile Road, Suite C, Livonia, Michigan 48152, the proprietor of Dover Court Site Condominium, located on the south side of Ann Arbor Trail, west of Dover Avenue, in the southwest ¼ of section 33, the financial assurances in the amount of \$26,500.00, previously deposited pursuant to council resolution 290-19, adopted on August 26, 2019, specifically:

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|-----------------------------------|------------------------|
| a) Sidewalk | \$ 7,500.00 (all cash) |
| b) Grading & Soil Erosion | \$ 3,000.00 (all cash) |
| c) Entrance Markers & Landscaping | \$ 5,000.00 (all cash) |
| d) Monuments & Markers | \$ 1,000.00 (all cash) |
| e) As-Built Drawings | \$10,000.00 (all cash) |

FURTHER, all other financial assurances now on deposit with the City, if any, with respect to this subdivision shall remain the same and unchanged; and the action herein being taken is for the reasons indicated in the aforesaid report of the City Engineer that all these improvements have been satisfactorily installed in accordance with the rules and regulations and ordinances of the City of Livonia.

#065-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 26, 2024, submitted pursuant to Council Resolution 336-21, adopted on November 22, 2021, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for the 2024 Concrete Road Program (Contract 24-C), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the

City of Livonia and Anderson, Eckstein and Westrick, Inc., to provide construction engineering services for the 2024 Concrete Road Program (Contract 24-C) in an amount not to exceed \$542,850.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$542,850.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#066-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 1, 2024, submitted pursuant to Council Resolution 336-21, adopted on November 22, 2021, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for construction engineering services for the 2024 Concrete Road Maintenance/ Selective Slab Program (Contract 24-J), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 to provide construction engineering services for the 2024 Concrete Road Maintenance/Selective Slab Program (Contract 24-J), in an amount not to exceed \$203,309.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$203,309.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#067-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 1, 2024, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of P.K. Contracting, Inc., 1965 Barrett Dr., Troy, Michigan 48064 for performing all work required in connection with the 2024 Lane Line Marking Program (Contract 24-H), by extending their contract 23-H bid unit prices, for the not to exceed amount of \$125,000.00, based on the Engineering Division's estimate of units involved, and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$125,000.00 from funds budgeted in Account No. 202-463-818-118 (Contractual Services - Lane Line Marking) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; FURTHER, such action is taken without competitive bidding for the reason that P.K. Contracting, Inc. has shown itself to be the most competitive market participant by, among other things, honoring their 2023 pricing, such that the City would receive no advantage from competitive bidding per Code of Ordinances Section 3.04.140.E.3; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract with the aforesaid company, approved as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

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

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

NAYS: None

President McCullough reported on the Committee of the Whole meeting held on February 5, 2024.

Councilmember Toy gave first reading to the following Ordinance:

AN ORDINANCE ADDING SECTION 075 (COUNCIL OFFICE ADMINISTRATOR) AND AMENDING SECTION 080 (CITY CLERK DUTIES) OF CHAPTER 04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND

PERSONNEL) OF THE LIVONIA CODE OF
ORDINANCES, AS AMENDED.

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

#068-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated February 5, 2024, submitted pursuant to Council Resolution 198-21, regarding the subject matter of appointments to the Zoning Board of Appeals by Councilmembers, the Council does hereby adopt the following:

- If a vacancy occurs on the Board and the CouncilMember who originally nominated the departing Board Member is a current Council Member, that Council Member shall nominate the replacement for the departing Board Member.
- If a vacancy occurs on the Board and the Council Member who nominated the departing Board Member is no longer a member of Council, the departing Board Member shall be nominated by the longest tenured Council Member who does not have a nominee currently serving on the Board.
- If there is more than one Council Member without a nominee currently serving on the Board and all have the same tenure on Council, the replacement Board Member shall be nominated by whichever of the subject Council Members received the most votes in the most recent Council election.

President McCullough reported on the Committee of the Whole meeting held on February 5, 2024, regarding the subject matter of residential blight (CR 154-21). This item will remain in committee.

President McCullough reported on the Committee of the Whole meeting held on February 5, 2024, regarding the subject matter of the vacant and abandoned fee schedule (CR 130-23). This item will remain in Committee.

President McCullough and Councilmember Budzinski reported on the Committee of the Whole meeting held on February 5, 2024, regarding the subject matter of raising residential chickens within the City (CR 05-24). This item will remain in Committee.

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

#069-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated February 5, 2024, submitted pursuant to Council Resolution 06-24, in connection with a proposed amendment to Section 26 of Article VI of the Livonia Zoning Ordinance regarding the subject matter of restricting the number of gas stations to two (2) at any intersection, the Council does hereby refer this matter to the City Planning Commission for the holding of a Public Hearing in accordance with provisions of Law and City Ordinance.

President McCullough reported on the Committee of the Whole meeting held on February 26, 2024.

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

#070-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated February 26, 2024, submitted pursuant to Council Resolution 268-23, regarding the subject of the new Senior Citizens Center, the Council does hereby approve a proposed contract with PCI Dailey, 21717 Republic Street, Oak Park, Michigan 48237 ("PCI"), subject to approval by form and substance by the Department of Law, in an amount not to exceed \$1,065,600.00 to provide construction management services as outlined in PCI's proposal dated January 23, 2024; FURTHER, the Mayor and City Clerk are hereby authorized to execute a Contract with the aforesaid company and do all things necessary or incidental to the full performance of this resolution.

This item will remain in Committee.

Steve King, 33950 Coventry, spoke about the plans for the Senior Center and commented that the City hasn't acquired the land yet. He also doesn't think twelve months is feasible to complete the plan. He also said there is funding through FEMA available for net zero energy projects and green initiatives.

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

#071-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated February 26, 2024, submitted pursuant to Council Resolution 40-24, regarding a proposed budget adjustment to restore funding for the Governmental Affairs Director position, the Council does hereby approve a proposed budget adjustment to restore funding for the Governmental Affairs Director Position subject to the wage scale matching that of the Deputy Clerk and Deputy Treasurer, with a starting salary at Step I.

Steve King, 33950 Coventry, asked what the actual position is as he hasn't seen the job description. He also asked if it is renewed yearly and if it is a lobbyist position. He suggested we have a full-time grant writer.

A role call vote was taken on the forgoing resolution with the following result:

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

NAYS: Morgan, Ptashnik

President McCullough indicated the motion passed.

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

#072-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 31, 2024, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of Hard Rock Concrete, Inc., 38146 Abruzzi Drive, Westland, Michigan 48185 for performing all work required in connection with the 2024 Concrete Road Program (Contract 24-C), at their Contract 23-C bid unit prices, with the exception of revised unit prices for bid item number 3 mobilization, the newly added item numbers 18A for brick mailbox removal and 41A for concrete pavement with integral curb - 8-inch thick non-reinforced and the agreed upon 250 Inspector Days based on the recommendation of Anderson, Eckstein and Westrick, inc. ("AEW"), said amount to be adjusted based upon the quantities of work actually completed, for the estimated total cost of \$4,523,752.63; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$4,523,752.63 for the 2024 Concrete Road Program (Contract 24-C) from budgeted road funds in the following accounts:

Account No. 204-463-818-110 (Reconstruction) \$4,433,752.63
Account No. 204-463-818-114 (Maintenance) \$ 90,000.00

and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; FURTHER, such action is taken without competitive bidding for the reason that Hard Rock Concrete, Inc. has shown itself to be the most competitive market participant by, among other things, honoring their 2023 pricing, such that the City would receive no advantage from competitive bidding per Code of Ordinances Section 3.04.140.E.3; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract with the aforesaid company, approved as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution

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

#073-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 1, 2024, which bears the signatures of the Director of Finance, the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of Great Lakes Contracting Solutions, LLC, 2300 Edinburgh, Waterford, MI 48328 for performing all work required in connection with the 2024 Concrete Road Maintenance/Selective Slab Program (Contract 24-J) on various concrete streets throughout the City of Livonia, by extending their Contract 23-J bid unit prices, with the exception of revised unit prices for bid item number 3 mobilization, the newly added item numbers 40A for pavement repair, nonreinforced concrete, 7-inch and 43A for driveway, nonreinforced concrete, 8-inch and the agreed upon 60 Inspector Days based on the recommendation of Anderson, Eckstein and Westrick, Inc. ("AEW"), said amount to be adjusted based upon the quantities of work actually completed for the estimated total cost of \$1,626,472.54, based upon the Engineering Division's estimate of units Involved, and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$1,626,472.54 for the 2024 Concrete Road Maintenance/Selective Slab Program (Contract 24-J) from funds budgeted in Account No.

204-463-818-119 (Contractual Service – Paving and Catch Repair) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; FURTHER, such action is taken without competitive bidding for the reason that Great Lakes Contracting Solutions, LLC has shown itself to be the most competitive market participant by, among other things, honoring their 2023 pricing, such that the City would receive no advantage from competitive bidding per Code of Ordinances Section 3.04.140.E.3; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract with the aforesaid company, approved as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

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

#074-24 RESOLVED, that having considered a communication from the City Engineer, dated February 1, 2024, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby authorize and accept the quote of Joe Rotondo Construction Corp., 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150 ("Rotondo"), for performing all work required in connection with the 2024 Sidewalk Repair Program (Contract 24-G) by extending their Contract 23-G unit prices for Contract 24-G, with the exception of revised unit prices for bid items 1, 2, 3 and 20 (concrete sidewalk of various thickness of 4, 6 or 8-inches, and placement of 4-inch to 6-inch concrete sidewalk with integral curb and agreed upon Inspector Days of 110 based upon the Engineering Division's estimate of units involved) and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, for a total amount not to exceed \$1,202,750.52, which includes Rotondo's bid of \$1,079,773.20, a 10% administrative fee (\$107,977.32); and the saw cutting portion of the project (\$15,000.00) which will be handled by and paid to Precision Concrete, Inc., as set forth below; FURTHER, such action is taken without competitive bidding for the reasons that A) concrete material prices have risen rapidly and this bid largely protects the City from such increases; B) information from other communities' bidding procedures indicates that these prices are favorable for the City, and C) Rotondo is a local contractor and has completed concrete repairs for the City of

Livonia over the past several years, including the Sidewalk Programs from 2006 through 2011 and 2013 through 2023, such that there are ample reasons to waive competitive bidding under Code of Ordinances Section 3.04.140.E.3; FURTHER, the Council does hereby authorize a payment in an amount not to exceed \$15,000.00 to Precision Concrete Inc., 1896 Goldeneye Drive, Holland, Michigan 49424 for the saw cutting portion of the contract; FURTHER, the Council does hereby authorize an advance in the amount of \$294,694.02 (single lot assessments portion of the program) from the Road, Sidewalk and Tree Fund, provided that this fund be reimbursed from that portion of the project which is to be financed by special assessment at such time as funds are subsequently received from the payment of bills and assessments by affected property owners; FURTHER, the Council does hereby authorize an expenditure in the amount of \$16,000.00 from funds budgeted in Account No. 202-451-977-010 (Major Road – Distributed Sidewalk Cost) and \$102,056.50 from funds budgeted in Account No. 203-451-977-010 (Local Road – Distributed Sidewalk Cost) to cover the costs related to the construction or reconstruction of handicap ramps at major and local roads; FURTHER, the Council does hereby authorize an expenditure in the amount of \$40,000.00 from the Unexpended Fund Balance the Water and Sewer Fund for sidewalk work adjacent to and including water and sewer structure repairs; FURTHER, the Council does hereby authorize an expenditure in the amount of \$750,000.00 to repair sidewalks heaved by tree roots from funds budgeted in the Road, Sidewalk and Tree Fund (Account No. 204-447-977-010 Distributed Sidewalk Cost) for the 2024 Sidewalk Repairs; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and the Mayor and City Clerk are hereby authorized to execute a contract for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

There was no Audience Communication at the end of the meeting.

Councilmember Toy announced an event to be held at the Library on March 7, 2024, regarding human trafficking. Attendees are asked to bring travel-size toiletries or household paper products.

On a motion by Councilmember Toy, supported by Councilmember Jolly, and unanimously adopted, this 1,987th Regular Meeting of the Council of the City of Livonia was adjourned at 8:02 p.m.

Lori L. Miller, City Clerk