

MINUTES OF THE ONE THOUSAND NINE HUNDRED EIGHTY NINTH**REGULAR MEETING MARCH 20, 2024**

On March 20, 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 Jolly and the Girl Scout Troup #77691, of Hoover Elementary School, led the meeting with the Pledge of Allegiance.

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

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

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

#095-24 RESOLVED, that the Minutes of the 1,988th Regular Meeting of the Council held March 11, 2024 are approved as presented.

During Audience Communication Steve King, 33950 Coventry, thanked Councilmember Budzinski for continuing her Coffee and conversations. He also spoke about marijuana in the City of Livonia and the State of the City event.

Christopher Martin, Michigan resident, spoke in favor of marijuana in the City of Livonia.

Thomas Patrick Dougherty, 14395 Farmington, share he is Viet Nam War Veteran who is one hundred percent disabled. He indicated he was asked to move out of Silver Village at one time because the Veteran's Administration awarded him additional medical benefits. He was told his income was over the limit to continue residency at Silver Village. He did move out but is asking to move back into Silver Village without being put on the one year waiting

list. He feels he was asked to move out in error due to misinformation since medical benefits should not be considered income.

Councilmember Toy thanked Mr. Dougherty for his service and said Council will look into his situation. She asked if he contacted anyone in the city other than the Housing Commission when this happened.

Mr. Dougherty said he didn't question their decision at that time.

Councilmember Toy asked that Mr. Dougherty's situation be turned over to the Administration for its report and recommendation.

Vice President Ptashnik announced the Anastasia and Katie's Coffee Shop celebration of National Down's Syndrome Day and their dance party on March 21, 2024. She also shared the Livonia Warriors and Tyros Robotics Team is holding a tournament this weekend at Churchill High School. She thanked the Information Systems Department and the Clerk's Office for updating the ADA notices on the Council minutes, Agendas, and the City's website.

Councilmember Budzinski indicated her next Coffee Hour will be held on April 13, 2024, about recycling with a guest speaker from GFL. She recently attended a meeting for the Bluegrass Park Stream Restoration Project by Ashley Capital. The power point for that project and others are available on the City website by going to "about" and then "construction projects". She also spoke about the State of the City and shared the annual report is available digitally as well as in the form of hard copy.

President McCullough wished Happy Birthdays to Doug Moore, former Mayor Engebretson, and Brian Kahn.

President McCullough announced new data was received on Items #16 and Item #20.

A communication from the Department of Finance, dated March 1, 2024, re: forwarding the Departmental Purchases Report, for the month ending February 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:

#096-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 23, 2024, which bears the signature of the Director of Inspection, and is approved for submission by the Mayor, to which is attached a

communication from Robert Urban, Traffic Operations Engineer, MDOT - Taylor TSC, dated February 15, 2024, requesting to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to permit nighttime work operations in conjunction with the Old M-14 Reconstruction Project, from Newburgh Road to Market Street, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances in conjunction with the Old M-14 Reconstruction Project, from Newburgh Road to Market Street, currently scheduled to begin in the spring OF 2025.

#097-24 RESOLVED, that having considered a communication from David Piccirilli, dated February 29, 2024, requesting permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host a graduation party with a DJ, at his home located at 18891 Aspen Drive, on Friday, June 14, 2024, from 5:00 p.m. to midnight, the Council does hereby grant permission as requested.

#098-24 RESOLVED, that having considered a communication from Kathleen J. McCann and Sean P. Kavanagh, District Court Judges, 16th Judicial District Court, dated February 26, 2024, requesting approval with respect to the Court's appointment of Paul A. Bernier as full-time Attorney Magistrate for the 16th District Court, effective upon his retirement as Livonia City Attorney and extending to November 30, 2024, pursuant to Administrative Order No. 2811 and Public Act 16 of the Public Acts of 1976, MCLA 600.8521, the Council does hereby concur in and approve such appointment in accordance with MCLA 600.8521; further, the Council does hereby approve a per hour compensation of \$45.38 and a flat \$50.00 fee per call for after-hours search warrant issuance for the Attorney Magistrate. Said Attorney Magistrate shall be entitled to fringe benefits afforded to full-time employees, and health benefits per the Court Information, Policy, and Procedure Manual, or opt-out payments, as the case may be, and shall be entitled to ten (10) days of paid vacation. The medical benefits shall be effective on the first day of his employment with the 16th District Court.

#099-25 RESOLVED, that having considered a communication from Kathleen J. McCann and Sean P. Kavanagh, District Court Judges, 16th Judicial District Court, dated March 4, 2024, requesting approval with respect to the Court's appointment of Roger Spence as part-time Attorney Magistrate for the 16th District Court, effective June 1, 2024 and extending to November 30, 2024, pursuant to Administrative Order No. 2812 and Public Act 16 of the Public Acts of 1976, MCLA 600.8521, the Council does hereby concur in and approve such appointment in accordance with MCLA

600.8521; further, the council does hereby approve a per hour compensation of \$45.38 and a flat \$50.00 fee per call for after-hours search warrant issuance for the part-time Attorney Magistrate. Said Attorney Magistrate shall be entitled to fringe benefits afforded to part-time employees, and health benefits per the Court Information, Policy, and Procedure Manual, or opt-out payments, as the case may be, and shall be entitled to ten (10) days of paid vacation. The medical benefits shall be effective on the first day of his employment with the 16th District Court.

#100-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated February 28, 2024, approved for submission by the Mayor, the Council does hereby approve the annual Memorial Day Ceremony to be held on Saturday, May 25, 2024, from 8:30 A.M. TO 10:00 A.M; FURTHER, the Council does hereby request that the Wayne County Department of Public Service allow the City of Livonia to close Farmington Road north and southbound from Five Mile Road to Roycroft between the hours of 8:30 a.m. to 10:00 a.m. or until the road is returned to normal traffic operation; that the City of Livonia will assume liability for any damage claims which may arise as a result of the road closure, as to Wayne County only; and that Senior Police Officer Michael Arakelian is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia.

#101-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated February 28, 2024, approved for submission by the Mayor, the Council does hereby approve the Holiday Parade and Tree Lighting to be held on Sunday, December 8, 2024, between the hours of 4:00 p.m. and 5:00 p.m.; and FURTHER, the Council does hereby approve the parade route as follows:

Stark from Schoolcraft to Lyndon, Lyndon from Stark to Farmington, and Farmington from Lyndon to Five Mile Road

FURTHER, the Council does hereby request that the Wayne County Department of Public Services allow the City of Livonia to close Farmington Road between the hours of 4:00 p.m. and 5:00 p.m. or until the road is returned to normal traffic operation; that the City of Livonia will assume liability for any damage claims which may arise as a result of the road closure, as to Wayne County only; and that Senior Police Officer Michael Arakelian is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia.

#102-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated February 7, 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 following low bids which meet specifications for supplying the Public Service Division (Road Maintenance Section) with aggregate materials specified at the unit prices bid for the 2024 calendar year requirements:

*=Tie/same pricing

	1st Place	Per Ton	Alternate Supplier	Per Ton
M.D.O.T. – 21AA Limestone – D.T.Y.	Dani's	\$20.05	Contractors/Osburn *	\$22.00
M.D.O.T. – 6A Limestone	Danis	\$25.45	Farmer	\$25.75
M.D.O.T. – 22A – D.T.Y.	Contractors Outlet	\$22.50	Osburn	\$23.00
W.C.D.P.S – 30A (Blast Furnace Slag – D.T.Y.	Contractors/Farm*	\$32.50	Contractors/Farm*	\$32.50
M.D.O.T. – Class I – D.T.Y.	Farmer	\$26.00	Dani's	\$26.08
M.D.O.T. – Class II – D.T.Y.	Osburn	\$12.00	Dani's	\$12.50
M.D.O.T. – 2NS – Natural Sand – D.T.Y.	Dani's	\$16.96	Dani's	\$19.00
M.D.O.T. – 2MS – Mortar Sand – D.T.Y.	Farmer	\$15.60	Osburn	\$17.21
M.D.O.T. – 60-40 Washed – Conc. Aggregates – D.T.Y.	Dani's	\$25.93	Farmer	\$27.00
1" to 3" Crushed Concrete D.T.Y.	Dani's	\$19.00	Farmer	\$20.20
M.D.O.T. – 6A Natural Stone – D.T.Y.	Dani's	\$22.35	Contractors	\$22.75
M.D.O.T. – 5G	Dani's	\$23.15	Contractors	\$25.25
Ag-Lime – "Parks"	Contractors	\$23.50	Farmer	\$24.15

Maximum Delivery Time

* Indicates a tie (same price). As in the past, tied Vendors will be rotated as product is ordered.

FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$205,000.00 (lowest price) to \$216,000.00 (alternate price) from funds budgeted in Account No. 101-463-782-000 (Roads Maintenance Section) for this purpose.

#103-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated February 21, 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 Crimboli Nursery, Inc., 50145 Ford Road, Canton, MI 48187, for performing all work required in connection with the City's 2024 Right-of-Way Tree Planting Program for a total amount not to exceed \$84,480.00, with an option to extend said contract through the 2025 planting season, upon mutual agreement with the vendor, for an amount not to exceed \$147,600.00, based upon the Public Service Division's estimate of units involved (240 trees in 2024/400 trees in 2025), and subject to final payment based upon the actual units completed in accordance with the unit prices accepted herein, said estimated cost and unit prices 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 \$84,480.00 for 2024 and \$147,600.00 for 2025 from funds budgeted in Account No. 204-530-818-047 for this purpose; FURTHER, in the event the low bidder is unable to supply certain species of trees or is unable to complete the contract, the Council does hereby accept the unit price bid of the second lowest bidder, Capital Landscapes, 21700 Wyoming, Suite B, Oak Park MI 48237 to supply those species for the City's 2024 Right-of-Way Tree Planting Program for an estimated total cost not to exceed \$150,000.00; and the Mayor and City Clerk are hereby authorized to execute a contract, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder(s) and to do all other things necessary or incidental to the full performance of this resolution.

#104-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated February 23, 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) 10' flatbed and one (1) Thieman Toplifter Power Liftgate to be installed on an existing F550 Swaploader, to be utilized by the Water Department, from Truck & Trailer Specialties, 900 Grand Oaks Dr., Howell, MI 48843, in a

total amount not to exceed \$22,398.00, including installation; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$22,398.00 from Account No: 592-148-000 for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is being purchased through the Rochester Hills Co-Op Award Agreement (RFP-RH-20-023), 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.

#105-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated February 23, 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 250 Hi Roof Cargo Van, to be utilized by the Building Maintenance division and to replace the current vehicle that is the least reliable, from Lunghamer Ford, 1960 E. Main St. Owosso, Michigan 48867, in an amount not to exceed \$51,358.00; FURTHER, the Council does hereby authorize the upfitting of this van through Versalift Midwest, 51761 Danview Technology Ct., Shelby Township, Michigan 48315, in an amount not to exceed \$18,269.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$69,627.00 from funds budgeted in Account No. 401-000-985-010 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 State of Michigan bid price under Contract No. #071B7700180, MI-Deal Contract No. 071B7700166, and Macomb County Contract Bid #21-18 and such action is taken in accordance with the provisions set forth in Section 3.04.140E4 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize the disposal of the replaced vehicle at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicle.

#106-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated February 26, 2024, which bears the signatures of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the quote of Vacuum Truck Rentals, 13075 Newburgh Rd., Livonia, MI 48150 to perform all necessary emergency repairs to the 2017 Vactor Truck (#343), including replacement of the cyclone filter, painting of the weldments and replacement of a bearing on

the front hose reel, In a total amount not to exceed \$33,326.27; FURTHER, the Council does hereby authorize an appropriation and expenditure in an amount not to exceed \$33,326.27 from funds budgeted in Account No. 592-559-939-000 for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 3.04.140.E.1 of the Livonia Code of Ordinances, as amended.

#107-24 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated February 28, 2024, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, to which is attached a proposal from Trane US, Inc., dated February 21, 2024, the Council does hereby authorize the purchase of one (1) Trane Air-Cooled Chiller, Model No: ACSA1802EUA, from Trane US, Inc., 37001 Industrial Road, Livonia, MI 48150 to replace the temporary chiller unit at the Bennett Civic Center Library, in an amount not to exceed \$149,950.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$149,950.00 from funds budgeted in Account Nos. 401-000-976-000 and 271-778-976-000 for this purpose (split 50/50); FURTHER, the Council does hereby determine to authorize said purchase without competitive bidding inasmuch as Trane US, Inc. is a sole authorized provider of the air-cooled chiller unit in the State of Michigan and 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.3 of the Livonia Code of Ordinances, as amended.

#108-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 22, 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 Speedway, LLC, a Delaware 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 37416 Seven Mile Road in the Southeast 1/4 of Section 6, 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 37416 Seven Mile Road in the Southeast 1/4 of Section 6, which

accommodates storm water from the property developed at Speedway 44250, located at 37416 Seven Mile Road, with the maintenance agreement from the proprietor, Speedway, LLC, 3200 Hackberry Road, Irving, Texas 75063, 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 and to perform all tasks necessary to serve the purpose.

#109-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated February 26, 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, to which is attached a proposed agreement, MDOT Contract No. 24-5048, between the City of Livonia and the Michigan Department of Transportation (MDOT) for the reconstruction of West Chicago Road from Harrison Road easterly to 125 feet west of Inkster Road, with 18.15% responsibility of the City of Livonia estimated to total \$374,845.00, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute this agreement in the manner and form herein submitted; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$275,000.00 from funds budgeted in Account No. 202-463-818-125 (Major Street Fund – City Participation in County and MDOT Projects) for this purpose; FURTHER, the Council does hereby authorize and an additional appropriation and expenditure in an amount not to exceed \$99,845.00 from the unexpended fund balance of the Major Road Fund (202) 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.

Christopher Martin expressed his support of Item #3 appointing Paul Bernier as Magistrate.

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

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

NAYS: None

On a motion by Councilmember Morgan, supported by Vice President Ptashnik, it was:

#110-24 RESOLVED, that having considered an email from Edmund Leung, dated March 6, 2024, wherein a request is submitted to transfer the waiver use approval in response to Petition 2014-10-02-14 submitted by Elite Foot Spa, LLC, which petition was approved by City Council on December 15, 2014, pursuant to Council Resolution 373-14, and transferred waiver use approval to Edmond Leung on March 22, 2021, pursuant to Council Resolution 88-21, to operate a massage establishment on property located on the southeast corner of Plymouth and Stark Roads (34389 Plymouth Road) in the Northeast ¼ of Section 33, the Council does hereby approve the request to transfer waiver use approval to operate a massage establishment on property located on the southeast corner of Plymouth and Stark Roads (34389 Plymouth Road) from Edmond Leung, Elite Foot Spa, LLC, 34389 Plymouth Road, Livonia, MI 48150, to the new owner, Xiao Ping Shen-Linda, subject to the following conditions:

1. That this facility shall comply with all of the special waiver use standards and requirements pertaining to massage establishments as set forth in Section 6.37 of the Livonia Zoning Ordinance;
2. That this facility shall conform to the provisions set forth in Chapter 5.49 of the Livonia Code of Ordinances pertaining to massage establishments; and
3. That the petitioner enters into a conditional agreement limiting this waiver use to this user only, with the provision to extend this waiver use to a new user only upon the approval of the new user by the City Council.

The petitioner was present to answer questions.

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

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

NAYS: Toy

A communication received from Doug Moore, Assistant Director of Department of Public Works, dated March 13, 2024, in response to Council's request, at the Study Meeting held March 11, 2024, for additional information regarding DPW's request to purchase one (1) Case 2024 750M Dozer was received and placed on file for the information of the Council.

A communication received from resident Brian Smith, 35155 Banbury Rd., Livonia, MI 48152, dated March 11, 2024, with respect to this item, was received and placed on file for the information of the Council.

A communication received from Doug Moore, Assistant Director of Department of Public Works, dated March 13, 2024, in response to resident Brian Smith's inquiry, dated March 11, 2024, with respect to this item, was received and placed on file for the information of the Council.

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

#111-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated February 23, 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 authorize the purchase of one (1) Case 2024 750M Dozer, for use by the Roads Department for maintaining DEQ requirements at the Glendale Storage Yard and for as-needed use in City parks, utilizing the Sourcwell extended purchasing program (formerly NJPA) which was awarded to Southeastern Equipment Co., Inc., 48545 Grand River, Novi, MI 48374, in an amount not to exceed \$175,109.74, and a 48-month extended premier warranty package (which includes all maintenance for four (4) years) at a cost of \$12,450.51, for a total amount not to exceed \$187,560.25, including prep and delivery charges; FURTHER, the Council does hereby authorize an

expenditure in an amount not to exceed \$187,560.25 from funds budgeted in Account No. 226-528-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize this purchase without competitive bidding inasmuch as the same is based upon the low Sourcewell bid price under Contract No. RSC008252 and 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.

Steve King and Christopher Martin voice their opposition to the purchase of a dozer.

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

#112-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated February 23, 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 authorize the purchase of one (1) Case 2024 Wheel Loader Model 621XR, for use by the Roads Department for loading trucks with stock materials such as salt, gravel and topsoil, utilizing the Sourcewell extended purchasing program (formerly NJPA) which was awarded to Southeastern Equipment Co., Inc., 48545 Grand River, Novi, MI 48374, in an amount not to exceed \$206,195.27, to include a \$20,000.00 trade-in credit for a 2009 Case Loader (Unit #325) which is an older unit that has exceeded its life expectancy, along with a 48-month extended premier warranty package (which includes all maintenance for four (4) years) at a cost of \$14,200.00, for a total amount not to exceed \$200,395.27, which includes prep, delivery charges, and trade-in credit; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$200,395.27 from funds budgeted in Account No. 226-528-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize this purchase without competitive bidding inasmuch as the same is based upon the low Sourcewell bid price under Contract No. RSC008252 and 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.

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

#113-24 RESOLVED, that having considered a communication from the Department of Law, dated March 5, 2024, approved for submission by the Mayor, transmitting for Council acceptance of a Grant of Easement from R & E Landscaping and Constructing, LLC, executed by Ronald Emling, Its Owner/Operator, for a public utility easement in connection with the construction of a water main located at 34430 Rosati Drive in the Southwest 1 /4 of Section 28, more particularly described as:

Water Main Easement

Part of Lot 10, of "Rosati Industrial Park", a subdivision of part of the Southeast ¼ of the Southwest ¼ of Section 28, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, as recorded in Liber 122 of Plats on Pages 63-66 of Wayne County Records, being more particularly described as: commencing at the Southwest corner of said Lot 10, thence N 01 °43'31" E 10.00 feet along the West line of said Lot 10 to the Point of Beginning; thence continuing along said Lot 10 N 01 °43'31" E 6.00 feet; thence S 88°16'29" E 12.00 feet; thence S 01 °43'31" W running parallel with the West lot line of said Lot 10 6.85 feet; thence along the arc of a non-tangential curve to the left 12.04 feet, having a radius of 85.00 feet, a central angle of 8°06'57", a chord bearing N 84°13'09" W 12.03 feet to the Point of Beginning.

The Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Grant of Easement 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 Jolly, supported by Councilmember Morgan and unanimously adopted, it was:

#114-24 RESOLVED, that having considered a communication from the Department of Law, dated March 13, 2024, approved for submission by the Mayor, the Council does hereby concur in the recommendation made by the Department of Law and authorizes the Department of Law to resolve the remaining seven (7) claims brought on behalf of Donald and Dina Croskey, et al v City of

Livonia; Wayne County Circuit Court Case No. 22-011590-NZ, for the amount of \$129,000.00, and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

The Overall Site Plan identified as Sheet AS-100, dated March 13, 2024, as revised, submitted by Hubbell, Roth & Clark, Inc., with respect to this item, be received and placed on file as exhibit d to the offer to purchase real estate for the information of the Council.

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

#115-24 RESOLVED, that having considered the report and recommendation of the Department of Law, dated March 15, 2024, which bears the signature of the Director of Finance and is approved for submission by the Mayor, to which is attached a proposed Offer to Purchase Real Estate regarding the purchase of vacant real property located on the south side of Five Mile Road between Farmington Road and Merriman Road, the Council does hereby approve the proposed offer to purchase real estate, in the manner and form herein submitted, between the City of Livonia, as purchaser, and the Livonia Public Schools, as seller, and hereby authorizes the department of law to acquire said property, which is more particularly described as follows:

Land situated in the City of Livonia, Wayne County, Michigan, described as follows:

LOTS 19 THRU 26, INCLUSIVE, EXCEPT THE NORTH 35.00 FEET THEREOF, ALSO PART OF LOTS 18 AND 190, AND LOTS 191 THRU 208, INCLUSIVE, AND LOTS 209 THRU 227, INCLUSIVE, ALSO ALL ADJACENT STREETS AND ALLEYS IN "LIVONIA PARK SUB." OF N.W. ¼ OF N.E. ¼ OF SECTION 22, T.01S., R.09E., LIVONIA TOWNSHIP (NOW CITY OF LIVONIA) WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 51, PAGE 92, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING S00°01'50"E 88.00 FEET AND S89°45'00"E 665.12 FEET MEASURED (664.55 FEET RECORD) FROM THE NORTH ¼ CORNER OF SAID SECTION 22; THENCE CONTINUING S89°45'00"E 201.000 FEET; THENCE S00°07'20"E 900.00 FEET; THENCE N89°45'00"W 200.96 FEET; THENCE N00°07'45"W MEASURED 900.00 FEET (N00°09'29"W RECORD)

TO THE POINT OF BEGINNING. CONTAINING 180,846 SQUARE FEET, OR 4.15 ACRES, MORE OR LESS.

Sidwell No: A portion of 46-085-02-0001-001

FURTHER, the Council does hereby authorize an additional appropriation and expenditure in an amount not to exceed \$415,000.00 from the unexpended fund balance of the Senior Center Construction Fund (418) for this purpose.

BE IT FURTHER RESOLVED that the Department of Law is hereby requested to prepare and place in proper form such legal documents as may be necessary to consummate this transaction; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute the aforesaid Offer to Purchase Real Estate and to do all other things necessary or incidental to the full performance of this resolution.

Steve King, 33950 Coventry, feels the City should put a dollar amount on this land. He thinks the City is forfeiting about a million dollars due to the agreement with Livonia Public Schools.

Deb Christiansen, resident, asked where the money is coming from for this purchase. She would like to see the Noble Library saved.

During Audience Communication Roger Spence, 32210 Myrna, shared his displeasure with the trees that were cut by Davey Tree Company and DTE on Hubbard Road. He asked Council to investigate the matter as it is an embarrassment.

Robb Drzewicki, Government Affairs Director, spoke about his new position with the City of Livonia.

President McCullough relinquished the chair to Vice President Ptashnik at 7:55 p.m.

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

#116-24 RESOLVED, that upon the motion by Council President Brandon McCullough, seconded by Councilmember Carrie Budzinski, at the Regular Meeting held March 20, 2024, the Council does hereby refer the subject matter of the Noble Library

and Sheldon Park issues to the Committee of the Whole for its report and recommendation.

Cindy Fleming, resident, spoke in favor of Noble Library and Sheldon Park being put in Committee of the Whole.

Steve Alexander, 9919 Deering, is appreciative of the motion. He would also like further consideration given to Plymouth Road, as part of the Livonia Vision 21.

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

#117-24 RESOLVED, that upon the motion by Council President Brandon McCullough, seconded by Councilmember Carrie Budzinski, at the Regular Meeting held March 20, 2024, the Council does hereby refer the subject matter of a Civil Rights Non-Discrimination Ordinance to the Committee of the Whole for its report and recommendation.

Councilmember Morgan, with the support of Councilmember Toy, offered a substitute motion to review and adopt the current State Law regarding Civil Rights Non-Discrimination.

Deb Christiansen, Livonia resident, feels the Non-Discrimination Ordinance should be explored further by Committee of the Whole.

A roll call vote was taken on the substitute motion with the following result:

AYES: Jolly, Ptashnik, Budzinski, and McCullough

NAYS: Morgan, Toy

Vice President Ptashnik declared the substitute motion failed due to a lack of support.

Steve King, spoke regarding the matter.

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

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

NAYS: Morgan

Vice President Ptashnik declared the original motion passed.

President McCullough resumed the chair at 8:14 p.m.

On a motion by Councilmember Toy, supported by Vice President Ptashnik and unanimously adopted, this 1,989th Regular Meeting of the Council of the City of Livonia was adjourned at 8:15 p.m.

Lori L. Miller, City Clerk