

MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETY THIRD**REGULAR MEETING MAY 20, 2024**

On May 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 Morgan led the meeting with the Pledge of Allegiance.

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

Elected and appointed officials present: Carter Fisher, City Attorney; Lori L. Miller, City Clerk; Sara Kasproicz, Program Supervisor of Council Office; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

President McCullough introduced members of the Livonia Warriors Robotics Club. Mrs. Carlini, Kira Middleton, and Katherine Groomwald spoke about their season and accomplishments.

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

#160-24 RESOLVED, that the Minutes of the 1,992nd Regular Meeting of the Council held May 6, 2024 are approved as presented.

During Audience Communication Steve Johnson, 18240 Sunset, complimented Councilmember Budzinski on her last Coffee Hour with Councilmember Donovic. He also spoke about unleashed dogs and the lack of enforcement by Animal Control or Livonia Police Department.

Deb Christiansen, resident, spoke about Pride Month.

Christopher Martin, resident, asked that the clock be returned to the diaz. He also spoke about unleashed dogs and a dog in the library.

John Stimac, 11035 Berwick, requested Council follow up with Jerome Hanna regarding the demolition of 11033 Berwick.

Councilmember Donovic indicated President McCullough has been following up with Jerome Hanna on the demolition of 11033 Berwick. He also shared that May 9th was Livonia Police Department's 10th annual Memorial Ceremony at Nehasil Park.

Vice President Ptashnik also addressed the house at 11033 Berwick. She congratulated the Citizen's Police Academy Graduates. She also said she will follow up on the situation with the dog at the library.

Councilmember Budzinski thanked Mr. Johnson for his kind words and spoke about her upcoming Coffee Hour.

President McCullough announced the upcoming Memorial Day Ceremony. He also said there will be a clock returning to the diaz.

A Communication from the Department of Parks and Recreation, dated April 16, 2024, re: fee changes approved by the Parks and Recreation Commission for Quarter 1, 2024, was received and placed on file for the information of the Council.

A Communication from the Department of Finance, dated May 1, 2024, re: forwarding the Departmental Purchases Report, for the month ending April 2024, was received and placed on file for the information of the Council.

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

#161-24 RESOLVED, that having considered an application from Jackie Gordon, received by the Clerk's Office on April 18, 2024, requesting permission to close Arden Street between Elmira and Orangelawn Streets, on Friday, June 7, 2024, from 4:00 p.m. until 10:00 p.m., for the purpose of conducting a block party with food, music, and bounce house, the Council does hereby grant

permission as requested, the action taken herein being made subject to the approval of the Police Department.

#162-24 RESOLVED, that having considered a communication from Sam Caramagno, President, Livonia Anniversary Committee, Inc., dated April 19, 2024, requesting approval of the following items:

1. The issuance of a permit to Wade Shows to conduct carnival amusement rides at Ford Field and John Stymelski Veterans' Park, as part of the SPREE-74 Celebration, on June 25, 2024 from 4:00 p.m. to midnight, on June 26 and 27, 2024 from 2:00 p.m. to midnight and on June 28, 29 and 30, 2024 from 12:00 noon to midnight, conditioned on the City of Livonia, Livonia Public Schools, the Livonia Civic Arenas, Inc., the Livonia Anniversary Committee, Inc. and Livonia Hockey Association being identified as additional insureds on Wade Shows' general liability insurance policy;
2. Authorization of the Livonia Anniversary Committee to conduct a fireworks display at John Stymelski Veterans' Park to be held on Sunday, June 30, 2024, at approximately 10:15 p.m., which display will be controlled by American Fireworks, Inc., subject to providing liability insurance for this event and subject to the City of Livonia, Livonia Public Schools, the Livonia Civic Arenas, Inc. and the Livonia Anniversary Committee, Inc., being designated as additional insureds on its policy;
3. Authorization of the Livonia Anniversary Committee to use and/or lease the facilities at Ford Field, Eddie Edgar Arena (subject to the terms of the existing lease between the Livonia Civic Arenas, Inc., and the City of Livonia) and John Stymelski Veterans' Park during the period of the SPREE-74 Celebration in accordance with the fees/waivers grid for events co-sponsored by the City of Livonia; and
4. A waiver of all fees prescribed by ordinance or law with respect to Items 2 and 3 above, as well as a waiver of all vendors' license fees for community organizations and/or groups authorized to participate in SPREE-74 by the Anniversary Committee.

the Council does hereby concur in and approve the foregoing requests subject to the condition that no alcoholic beverage containing more than 21% of alcohol by volume may be used, kept or stored on or in any portion of Ford Field, Eddie Edgar Arena, or John Stymelski Veterans' Park or any street or parking area adjacent thereto; and the City Clerk and all other appropriate City officials and agencies are hereby requested to do all things necessary or incidental to the full performance of this resolution.

#163-24 RESOLVED, that having considered a communication from Sam Caramagno, President, Livonia Anniversary Committee, Inc., dated April 19, 2024, wherein it is requested that the following City streets be closed to through traffic from 8:00 a.m. on June 24, 2024 through 12:00 noon on July 1, 2024 (Monday to Monday):

Stark Road from The Livonia Athletic District, 14255 Stark, to Lyndon and Lyndon from Farmington Road to Stark Road

the Council does hereby concur in and grant this request in the manner and form herein submitted; further, the Council does hereby request that Farmington Road be closed from the I-96 overpass to Five Mile Road on Sunday, June 30, 2024, between the hours of 6:30 p.m. and 11:30 p.m. or until the road is returned to normal traffic operation in connection with the annual SPREE fireworks display, and does hereby authorize the City of Livonia to assume liability for any damage claims which may arise as a result of the road closure, and that Sgt. Paul Walters is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia, the action taken herein being made subject to the approval of the Police Department, Fire Department and Wayne County; and to the extent possible, SPREE is requested, in conjunction with the Police Department, to do all things necessary to alleviate traffic problems for the residents of Stoneleigh Village Subdivision during the 2024 Anniversary Celebration, including signs on the barricades indicating "local business and residents only."

#164-24 RESOLVED, that having considered a communication from Sam Caramagno, President, Livonia Anniversary Committee, Inc., dated April 19, 2024, the Council does hereby approve of the request from the Livonia Anniversary Committee, Inc. ("SPREE"), for permission to display banners advertising SPREE-74 on Farmington Road and Five Mile Road from May 24, 2024 through June 30, 2024, and to display 4' x 8' signs at City Hall and Ford Field from May 24, 2024 through June 30, 2024, at no additional cost to Spree; further, the Council does hereby permit SPREE to acknowledge supporters with banners and

signage not to exceed 3' x 5' in size on Ford Field and the ball diamonds from May 24, 2024 to June 30, 2024; and the City Clerk and all other appropriate City officials and agencies are hereby requested to do all things necessary or incidental to the full performance of this resolution.

#165-24 RESOLVED, that having considered a communication from the Human Resources Director, dated April 18, 2024, which bears the signatures of the Finance Director and the City Attorney and is approved for submission by the Mayor, and which sets forth resolution no. 24-70, adopted by the Civil Service Commission on April 17, 2024, wherein it is recommended to approve an hourly rate increase for the classification of Seasonal Laborer within the Department of Public Works, the Council does hereby concur in and approve the recommendation of the Civil Service Commission regarding those changes as outlined in the aforementioned communication and attachments thereto, to be effective the first pay period after City Council approval.

#166-24 RESOLVED, that whereas, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to units of local government to help finance community development programs; and

WHEREAS, the primary objective of such Act is the development of viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, to obtain its Fiscal Year 2024-2025 entitlement funds under the Community Development Block Grant Program as authorized by the Housing Community Development Act of 1974, the City of Livonia must submit a statement of community development objectives and projected use of funds, satisfactory assurances that the Program will be conducted and administered in accordance with appropriate federal and state laws and Department of Housing and Urban Development regulations; and satisfactory assurances that, prior to submission of its Final Statement of Community Development Objectives and Projected Use of Funds, it has (A) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities; the range of activities that may be undertaken, the estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons, and other important program requirements, (B) held a public hearing to obtain the views of citizens on community

development and housing needs, and (C) provided citizens an adequate opportunity to examine the content of and to submit comments on the proposed Statement of Community Development Objectives and Projected Use of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Livonia, Michigan, that the Final Statement of Community Development Objectives and Projected Use of Funds for the Fiscal Year 2024-2025 Community Development Block Grant Program is hereby approved and shall be submitted to the Department of Housing and Urban Development. Further, the Director of Housing, Mayor/Clerk shall have the authority to execute the sub-recipient contracts.

#167-24 RESOLVED, that having considered the report and recommendation of the Director of Housing, dated April 11, 2024, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, and which references proposed Hold Harmless Contracts between the City of Livonia and First Step; Fair Housing Center of Metropolitan Detroit; Wayne Metropolitan Community Action Agency; and Cares in Farmington for the period July 1, 2024 through June 30, 2025, in connection with CDBG-funded victim assistance, fair housing initiative, food assistance, and utility assistance programs, the Council does hereby authorize the Mayor, City Clerk and Housing Director, for and on behalf of the City of Livonia, to execute hold harmless contracts that are acceptable to the Law Department as to form and content, as well as to do all other things necessary or incidental to the full performance of this resolution.

#168-24 RESOLVED, that having considered the report and recommendation of the Director of Inspection, dated April 15, 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 accept the bid of Gary's Landscaping, 19347 Coyle, Detroit, Michigan 48235 for performing all services required in connection with the 2024-2027 weed cutting and property maintenance program for a total estimated amount not to exceed \$60,000.00 annually, at the unit prices of \$0.060 per square yard for mowing and \$34.00 per hour for debris removal, based upon the Inspection Department'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; the same having been in fact the lowest bid received which meets all specifications in accordance with Livonia Code of Ordinance Section 3.04.140; FURTHER, the Council does hereby authorize an advance expenditure in an amount not to exceed \$60,000.00 per year from

the Municipal Refuse Fund (Account Nos. 226-521-818-015 and 226-521-936-104) for the purpose of making payments to the contractor as the work is completed, with the provision that the Municipal Refuse Fund be reimbursed as bills for weed cutting and property maintenance are collected; and the Director of Inspection is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the Director of Inspection 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 Gary's Landscaping and to do all things necessary or incidental to the full performance of this resolution.

#169-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated April 1, 2024, which bears the signatures of the Director of Finance and the City Attorney and is approved for submission by the Mayor, to which is attached an Intergovernmental Agreement between the County of Wayne and the City of Livonia in connection with utilizing grant funds in the amount of \$100,430.00 to be used to add a playground adjacent to the existing splash pad at the Jack E. Kirksey Recreation Center, with the City's participation estimated to be \$199,570.00. Projects will be completed with City funds and then reimbursed by the County. The total cost of the projects is projected to be \$300,000, with additional monies contributed from Account 208 Unexpended Fund Balance from the Parks and Recreation fund; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the Intergovernmental Agreement in the manner and form herein submitted, 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; FURTHER, the Council does hereby authorize the grant funds to be deposited in Account No: 208-000-581-100 when received.

#170-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 2, 2024, submitted pursuant to Council Resolution 378-20, adopted on December 14, 2020, 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 proposed Contract Amendment from Hubbell, Roth & Clark, Inc., dated September 29, 2022, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract amendment between the City of Livonia and Hubbell, Roth & Clark, Inc., 555 Hulet Drive, Bloomfield Hills, Michigan 48302-0360, to provide professional architectural services

for the construction phase of the Senior Center addition and Recreation Center improvements project, in an amount not to exceed \$349,322.00; FURTHER, the aforesaid proposal is accepted without competitive bidding through the Qualification Based Selection Process, and such action is taken in accordance with Section 3.04.140.E.2.b of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize an additional appropriation in an amount not to exceed \$349,322.00 from the unexpended fund balance of the Senior Center Construction Fund (419) for this purpose.

#171-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 10, 2024, which is approved for submission by the Mayor, and which sets forth Parks and Recreation Commission resolution #3958-24, adopted on April 3, 2024, wherein revisions in Membership and Fees at the Jack E. Kirksey Recreation Center and outdoor pools are recommended, so as to simplify offerings and increase value to the membership, the Council does hereby concur in the recommendation of the Parks and Recreation Commission as set forth in its Resolution #3958-24, adopted on April 3, 2024, and does hereby approve of the following membership and fee changes:

1. Effective December 1, 2024, the elimination of Summer Membership and Outdoor Pool season passes;
2. Addition of Corporate Electronic Funds Transfer (EFT) fee which will be the same as the Business EFT fee;
3. Change Electronic Funds Transfer memberships to a two (2) month minimum;
4. Change the policy of a membership allowing a maximum per visit of two (2) youth visitors (age 4-12) and paying the resident rate to allowing a maximum of two (2) visitors any age and paying the age appropriate resident rate; and
5. Allow memberships to be placed "on-hold" during construction at the request of the member, with membership resuming upon request of the member or the end of construction, whichever comes first.

#172-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation and the Assistant City Engineer, dated April 8, 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 accept the bid of A & J Paving Co., Inc., 14160 Oakville Waltz Road, Willis, Michigan 48191, for performing all work required in connection with the Jack E. Kirksey Recreation Center Hockey Rink Repaving Project, in an amount not to exceed \$162,572.00, based on the engineering division's estimate of units of work involved and subject to the final payment based on the actual units of work completed in accordance with the unit prices accepted herein, said 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 \$162,572.00 from funds budgeted in Account No. 208-755-974-000 (Recreation Center Capital Fund) for this purpose; FURTHER, 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, approved as to form and substance by the Department of Law, 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.

#173-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated April 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 accept the quote of Cedar Preservation Systems, 28243 Beck Road-B-10, Wixom, Mi 48383, for performing all work required in connection with the replacement of the cedar shake roof on the Kingsley House at Greenmead Historical Park in an amount not to exceed \$34,100.00; FURTHER, the Council does hereby reject the bid submitted by Weatherseal Home Improvements in the amount of \$39,673.00 for the reasons set forth in the aforesaid communication and such action is taken in accordance with Section 3.04.140.C of the Livonia Code of Ordinances, as amended; FURTHER, an amount not to exceed \$34,100.00 is hereby authorized to be expended from Account No. 101-821-931-220 (Greenmead Maintenance) for this purpose; 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 Cedar Preservation Systems, and to do all things necessary or incidental to the full performance of this resolution.

#174-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated April 12, 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 F550 regular cab 4x4 chassis pickup truck (Id# 47), to be upfitted as a small dump truck, from Lunghamer Ford, 1960 E. Main St., Owosso, Michigan 48867, at a cost of \$64,618.00, and the upfitting of said vehicle through Truck & Trailer Specialties, 900 Grand Oaks Dr., Howell, Michigan 48843, at a cost of \$62,598.00, for a total amount not to exceed \$127,216.00, for use by the Parks Department and to replace a comparable unit that has exceeded its life expectancy; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$127,216.00 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 low State of Michigan bid price under Contract No. #071B7700180 and Macomb County Contract Bid #21-18 and the upfitting of said vehicle through the Rochester Hills Co-Op Award Agreement, reference number RFP-RH-20-023, 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; FURTHER, the Council does hereby authorize the disposal of the replaced vehicle at public auction hosted by the Michigan Intergovernmental Trade Network (MITN) or commercial auction after receipt of the new vehicle.

#175-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 8, 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 Livonia West Commerce Center 2, LLC, in conjunction with the construction of a storm drain system that provides adequate drainage for the newly constructed Livonia West Commerce Center - Phase 2 (Additional Trailer Staging) located at 13100 Eckles Road, in the North 1/2 of Section 30, 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 east of Eckles Road, North of Amrhein Road, in the North ½ of Section 30, which accommodates storm water from the newly constructed Livonia West Commerce Center – Phase 2 (Additional Trailer Staging), located at 13100 Eckles Road, with the maintenance agreement from the

proprietor, Livonia West Commerce Center 2, LLC, 2575 S. Haggerty Road, Canton, Michigan 48188, 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.

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

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

NAYS: None

President McCullough gave report on the Committee of the Whole meeting of April 3, 2024.

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

RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated April 3, 2024, submitted pursuant to Council Resolution 05-24, regarding the subject matter of raising chickens within the City, the Council does hereby refer this item to the Department Of Law to draft an Amendment to the City of Livonia Code of Ordinances requiring individuals raising fowl on RUF-zoned residential properties to register same with the City Clerk prior to undertaking such activity, or in the event such activity is already underway, to register as soon as possible.

The foregoing resolution was withdrawn by Councilmember Donovic.

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

#176-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated April 3,

2024, submitted pursuant to Council Resolution 05-24, regarding the subject matter of raising chickens within the City, the Council does hereby refer this item to the Administration for its report and recommendation regarding best practices in Municipal Regulation of Chicken Husbandry.

This item will remain in Committee.

On a motion by Councilmember Jolly, supported by Councilmember

Toy and unanimously adopted, it was:

#177-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated April 3, 2024, submitted pursuant to Council Resolution 116-24, regarding the subject matter of the Noble Library and Sheldon Park issues, the council does hereby authorize the Administration to maintain the Noble Library property so as to prevent further deterioration.

On a motion by Councilmember Budzinski, supported by Vice

President Ptashnik it was:

#178-24 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated April 3, 2024, submitted pursuant to Council Resolution 116-24, regarding the subject matter of the Noble Library and Sheldon Park issues, the Council does hereby refer this item to the Administration for its report and recommendation regarding the cost of returning Noble Library to fitness for occupancy as determined by formal inspections and tests.

President McCullough passed the gavel to Vice President Ptashnik at 8:05 p.m.

The following residents spoke in favor of saving Noble Library:

Leslie Lynch Wilson, 1803 University Drive, Lincoln Park
Betsy Calhoun, 33023 Grennada
Jeff Dutka, former Livonia resident
Lori Narsession, President of Save the Noble Library
Jimmy Crowley, 14494 Yale
Cindy Fleming, 9025 Woodring
Deb Christiansen, West Chicago Street
Barbara Glover, 33288 Myrna Court

Christopher Martin, resident, shared his concerns about having one good library rather than three mediocre libraries. He is in favor of having just one good library.

Adam Kempa, 11405 Berwick, asked that they preserve the greenspace and asked that they put in a little kiddie library.

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

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

NAYS: Morgan and Donovic

President McCullough resumed the chair at 8:18 p.m.

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

#179-24 RESOLVED, that having considered an application from Ray Franges, dated April 16, 2024, requesting permission to close Brentwood Street, between Jacqueline Drive and Meadowlark Street, on Saturday, August 24, 2024, from 1:00 p.m. to 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, August 25, 2024, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

An email communication received from Jim Harper, dated May 1, 2024, with respect to this item, was received and placed on file for the information of the Council.

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

#180-24 RESOLVED, that having considered a communication from the Department of Assessment, bearing the signatures of the Planning Director and the City Engineer, dated April 1, 2024, approved for submission by the Mayor, with regard to a request from Robert Tomanovich, 19831 Purlingbrook Road, Livonia, MI 48152, and in accordance with the provisions of 1967 PA 288, as amended, as well as Code of Ordinances Section 16.32.030 and Section 7.21 of the Livonia Zoning Ordinance, both as amended,

the Council does hereby approve of the proposed division of Tax Item No. 006-99-0022-000, located on the south side of Eight Mile Road, east of Merriman Road, just north of Pembroke, 19831 Purlingbrook Road, into two (2) parcels, the legal descriptions of which shall read as follows:

PARCEL "A" DESCRIPTION

A PARCEL OF LAND LOCATED IN THE N.W. $\frac{1}{4}$ OF SECTION 2, T. 1 S., R.9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 2; THENCE DUE NORTH ALONG THE N. & S. $\frac{1}{4}$ LINE 233.30 FEET TO THE POINT OF BEGINNING; THENCE S. $89^{\circ} 58' 12''$ W. 240.0 FEET; THENCE DUE SOUTH 100.0 FEET; THENCE S. $89^{\circ} 58' 12''$ W. 213.53 FEET; THENCE N. $00^{\circ} 03' 17''$ NE 197.66 FEET; THENCE N. $89^{\circ} 40' 28''$ E 453.35 FEET TO THE N. & S. $\frac{1}{4}$ LINE OF SAID SEC. 2; THENCE DUE SOUTH 100.0 FEET TO THE POINT OF BEGINNING, CONTAINING 1.45 ACRES, EXCEPT THE EAST 30 FEET THEREOF.

PARCEL 'B' DESCRIPTION

A PARCEL OF LAND LOCATED IN THE N.W. $\frac{1}{4}$ OF SECTION 2, T.1 S.,R.9 E., CITY OF LIVONIA, WAYNE COUNT , MICHIGAN, DESCRIBED ASA FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 2; THENCE DUE NORTH ALONG THE N. & S. $\frac{1}{4}$ LINE 133.30 FEET TO THE POINT OF BEGINNING; THENCE S. $89^{\circ} 58' 12''$ W. 240.0 FEET; THENCE DUE NORTH 100.0 FEET; THENCE N. $89^{\circ} 58' 12''$ E. 240.0 FEET TO THE N. & S. $\frac{1}{4}$ LINE OF SAID SEC. 2; THENCE DUE SOUTH 100.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.48 ACRES, EXCEPT THE EAST 30 FEET THEREOF.

as shown on the map attached to the aforesaid communication which is made a part hereof by reference; FURTHER, in accordance with Section 16.32.030 of the Livonia Code of Ordinances, as amended, and Section 7.21 of the Livonia Zoning Ordinance, as amended, the Council does hereby waive the lot width-to-depth ratio requirement set forth in the Livonia Zoning Ordinance relative to parcel A of this property division, supported by findings of facts as follows: (i) the proposed parcel A complies

with the lot width requirement, and (ii) the proposed parcel A would be consistent with the size, shape and width of lots in the vicinity, and the city clerk is hereby requested to cause a certified copy of this resolution to be recorded in the office of the Wayne County Register of Deeds.

Robert Tomanovich, petitioner, was present to answer questions.

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

AYES: Morgan, Donovic, Ptashnik, and McCullough

NAYS: Toy, Jolly, and Budzinski

Councilmember Donovic took from the table for second reading and adoption, the following Ordinance:

AN ORDINANCE AMENDING SECTION 26 TO ARTICLE VI OF ORDINANCE NO. 543, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" (Petition 2024-02-06-01)

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

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

NAYS: None

The President declared the Ordinance would become effective upon publication.

The legal description and rezoning map regarding the property located at 18340 Middlebelt, received from the City Planning Commission, with respect to this item, was received and placed on file for the information of the Council.

A communication received from resident, Carmen Kelley, 18359 Grimm St., Livonia, MI 48152, dated April 22, 2024, re: opposition to the rezoning

of property located at 18340 Middlebelt, 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:

#181-24 RESOLVED, that having considered a communication from the City Planning Commission, dated March 7, 2024, which transmits its resolution #03-07-2024, adopted on March 5, 2024, with regard to Petition 2024-01-01-01, submitted by SR&D Development, requesting to rezone the property located at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12 from RUF (Rural Urban Farm) to C1 (Local Business), and the Council having conducted a public hearing with regard to this matter on Monday, April 22, 2024, the Council does hereby approve petition 2024-01-01-01, in part, to rezone only the westerly 331.37 feet thereof, for preparation of the Ordinance for submission to Council; and the City Planner is hereby instructed to cause the necessary map for publication to be prepared indicating the zoning change herein approved and to furnish the same to the Department of Law and, upon receipt of such map, the Department of Law is requested to prepare an ordinance amending the Livonia Zoning Ordinance, as amended, in accordance with this resolution.

Nick Sielicki, 18347 Grimm Street, spoke in opposition to a parking lot abutting his property.

Carmen Kelly, 18359 Grimm, spoke in opposition to the rezoning.

The petitioner spoke about trying to make improvements to the existing structure and has no plans to add more vegetation. She is trying to make improvements and keep the neighbors happy.

A communication received from the Department of Law, dated May 14, 2024, approved for submission by the Mayor, submitting a proposed Ordinance, with respect to this item, be RECEIVED AND PLACED ON FILE for the information of the Council.

Councilmember Donovic gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 5 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 2024-03-01-02).

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for word repeated herein. The above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

A communication received from the Department of Law, dated May 14, 2024, approved for submission by the Mayor, submitting a proposed Ordinance, with respect to this item, be received and placed on file for the information of the Council.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 5 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 2024-03-01-03).

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for word repeated herein. The above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

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

#182-24 RESOLVED, that having considered a communication from the City Planning Commission, dated April 24, 2024, approved for submission by the Mayor, which transmits its resolution #04-12-24, adopted on April 23, 2024, with regard to Petition 2024-03-02-06, submitted by Wade Shows, Inc. requesting waiver use approval

to conduct a carnival in the parking lot of the former Sears, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games, and food concessions from May 29, 2024, through June 10, 2024, on the property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast $\frac{1}{4}$ of Section 2, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-03-02-06 is hereby approved and granted, subject to the following conditions:

1. The carnival shall be limited to May 29, 2024 through June 10, 2024;
2. The carnival shall be confined to the areas illustrated on the plan received by the Planning Commission on March 11, 2024;
3. All rides, food concessions, booths, and other equipment and apparatus relating to the carnival operation shall be at least sixty feet (60') from the rights-of-way of Seven Mile and Middlebelt Roads;
4. The temporary housing and storage of trucks and equipment associated with the carnival shall be in the property's southwest corner, as shown on the plan, no closer than sixty feet (60') from the right-of-way of Seven Mile Road;
5. The hours of operation shall be limited to Monday through Friday from 4:00 p.m. to 11:00 p.m., and on Saturday and Sunday, from 12:00 p.m. to 11:00 p.m.; and
6. Permits and inspections are required. Wade Shows shall request a pre-event meeting with the Director of Inspection, Fire Marshal, and Emergency Preparedness.

On a motion by Councilmember Toy, supported by Vice President

Ptashnik and unanimously adopted, it was:

#183-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated April 26, 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 quote of Rotondo Construction, Inc., 38807 Ann Arbor Road, Suite 2, Livonia, MI 48150, for performing all work required in connection with the Fire Station #5 Concrete Driveway Replacement Project at 18910 Middlebelt Road, utilizing the unit pricing established in Contract 24-G (2024 Sidewalk Program) with Rotondo Construction, Inc., pursuant to Council Resolution 074-24, adopted on February 28, 2024, in an amount not to exceed \$45,000.00, 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 \$45,000.00 from funds budgeted in Account No. 401-000-971-000 for Land Improvements, payable to Rotondo Construction, Inc., 38807 Ann Arbor Road, Suite 2, Livonia, MI 48150; FURTHER, the Council does hereby authorize such 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.3 of the Livonia Code of Ordinances, as amended; FURTHER, 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, subject to approval as to form and substance by the Department of Law, for and on behalf of the City of Livonia, with Rotondo Construction, Inc., 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.

On a motion by Councilmember Toy, supported by Councilmember Jolly and unanimously adopted, this 1,993rd Regular Meeting of the Council of the City of Livonia was adjourned at 8:49 p.m.

Lori L. Miller, City Clerk