

MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETY FOURTH
REGULAR MEETING JUNE 3, 2024

On June 3, 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. The Livonia Laser Cats led the meeting with the Pledge of Allegiance.

State Representative, Matt Koleszar spoke about the State budget and local revenue sharing. He also spoke about Michigan's Hands-Free Law.

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

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

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

#184-24 RESOLVED, that the Minutes of the 1,993rd Regular Meeting of the Council held May 20, 2024 are approved as presented.

During Audience Communication Steve Johnson, 18240 Sunset, thanked Vice President Ptashnik and Councilmember Budzinski for sharing their time to hear his concerns. He read the letter he sent to the Mayor regarding continued noise violations at a banquet hall on Merriman Road.

Matthew Schlamb, 8844 Cardwell, spoke about violations by the Liv Lounge at 27719 Joy Road.

Kathleen McIntyre, Fairway Street, spoke about the cushion pad around the splash pad at the Kirksey Recreation Center and indicated the fees continue to rise but issues aren't taken care of on a timely basis. She voiced concerns about the Mayor attending the Annual Detroit Regional Mackinaw Policy Conference.

Jackie Thomason, representative of State Senator Mary Cavanagh, announced the Senator's upcoming coffee hours at Apothecary Coffee House and Anastasia & Katie's Coffee Shop.

Councilmember Morgan announced the City of Livonia retirees and wished them well.

Vice President Ptashnik congratulated all new High School Graduates.

Councilmember Donovic addressed the concerns about the Liv Lounge. He said he would like to see how other communities deal with these problems. He also thanked everyone that helped to build the Garden at Greenmead for disabled veterans.

Councilmember Budzinski spoke about the Greenmead Disabled Veteran's Garden. She also announced the Livonia Women's Connections upcoming event and her upcoming Coffee Hour.

President McCullough indicated there is new data on items #15, #18, and #29. He thanked Todd Zilincik for the underground work on Farmington, Ted Davis for signs with QR codes about updates and plans on the Recreation Center and Senior Center, and the Livonia Fire Department for their help with the Save Our Youth 5K. He also indicated that Spree wrist bands are currently on sale.

Vice President Ptashnik asked that item #15 be removed from the Consent Agenda and be put on the Regular Agenda

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

#185-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated April 23, 2024, which bears the signature of the City Attorney and is approved for submission by the Mayor, to which is attached a communication from Cathy S. Hasse, Chair of the 175th Annual Highland Games, on behalf of St. Andrew's Society of Detroit, requesting permission to hold the 175th, 176th and 177th Annual Highland Games at Greenmead, with the events to be held on

Friday, August 2, 2024, Saturday, August 3, 2024, Friday, August 1, 2025, Saturday, August 2, 2025, Friday, July 31, 2026 and Saturday, August 1, 2026, respectively, the Council does hereby grant permission as requested, the action taken herein being subject to the following conditions:

1. That the St. Andrew's Society of Detroit and all equipment operators shall provide the City of Livonia with appropriate insurance policies naming the City of Livonia as additional insured with liability coverage of \$1 million, and all certificates of insurance shall be submitted to the Department of Law for approval by the City prior to each event;
2. That the St. Andrew's Society of Detroit and any vendors involved in the sale of beer, wine, and/or liquor, on Greenmead property shall provide the City of Livonia with an insurance policy naming the City of Livonia as additional insured with liquor liability coverage in the amount of \$1 million, such certificate to be submitted to the Department of Law for approval by the City prior to each event;
3. That the St. Andrew's Society of Detroit shall execute a hold harmless agreement in favor of the City of Livonia in substance and form acceptable to the Department of Law;
4. That all vendors must obtain transient merchant licenses from the City of Livonia prior to the event, and all necessary licenses and permits from state and county agencies prior to each event;
5. That the St. Andrew's Society of Detroit shall pay the police fee as stated on the City of Livonia Fees/Waivers IV Category Grid as established in Council Resolution 660-03, adopted on December 17, 2003;

FURTHER, the events shall be operated as set forth in the attachment to the aforementioned correspondence, including an annual payment from the St. Andrew's Society of Detroit for use of the property in the amount of \$9,000.00 for each year 2024, 2025 and 2026, and with the further understanding that the Historical Commission will have the opportunity to realize additional profits from operating three food booths, advanced ticket sales and sales from gift shop operations.

#186-24 RESOLVED, that having considered an application from Lauren Feigel, Country Homes Estates, dated May 2, 2024,

requesting permission to close the Five Mile Service Road from 36996 to 36916 Five Mile Road, on Sunday, June 30, 2024, from 12:00 p.m. until 10:00 p.m., for the purpose of conducting a 4th of July Celebration block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

#187-24 RESOLVED, that having considered an application from Nicholas Scott, dated May 1, 2024, requesting permission to close Ohio Street, between the corner of Maryland and California, and the corner of Wisconsin and Colorado, on Friday, July 5, 2024, from 3:00 p.m. until 10:00 p.m., for the purpose of conducting a 4th of July Celebration block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

#188-24 RESOLVED, that having considered an application from Carol Dobos, dated May 1, 2024, requesting permission to close Cranston Street between Scone and Perth Streets, on Saturday, August 24, 2024, from 4:00 p.m. until 9:00 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.

#189-24 RESOLVED, that having considered a communication from the Mayor, dated May 1, 2024, the Council does hereby approve of and concur in the reappointment of Ian Wilshaw, 36376 Fairway, Livonia, Michigan 48152, to The City Planning Commission for a term of three years, which will expire on June 9, 2027.

#190-24 RESOLVED, that having considered a communication from the Mayor, dated May 3, 2024, the Council does hereby approve of and concur in the reappointment of Wafa Dinaro, 15680 Huff Street, Livonia, Michigan 48154, to the City Planning Commission for a term of three years, which will expire on June 9, 2027.

#191-24 RESOLVED, that having considered a communication from the Mayor, dated May 1, 2024, wherein she has requested approval of the reappointment of Susan Harvey, 2575 S. Haggerty, Suite 500, Canton, Michigan 48188, as a member of the Plymouth Road Development Authority for a three-year term expiring May 16, 2027, pursuant to Section 3.16.060 of the Livonia Code of Ordinances, as amended, and Act No. 57 of the Public Acts of

Michigan of 2018, as amended, MCL 125.4101, et seq., the Council does hereby confirm and approve such reappointment.

#192-24 RESOLVED, that having considered a communication from the Mayor, dated May 8, 2024, wherein she has requested approval of the appointment of Rhett Gronevelt, 34000 Plymouth Road, Livonia, Michigan 48150, to the Plymouth Road Development Authority to fill the unexpired term of John Hiltz which is set to expire on May 16, 2025, pursuant to Section 3.16.060 of the Livonia Code of Ordinances, as amended, and Act No. 57 of the Public Acts of Michigan of 2018, MCL 125.4101 et seq., as amended, the Council does hereby confirm and approve such appointment provided that Mr. Gronevelt takes the Oath of Office as required in Section 2, Chapter X of the City Charter, to be administered by the office of the City Clerk.

#193-24 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated April 19, 2024, which bears the signature of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed agreement between the City of Livonia and Axon Enterprise, Inc., 17800 N. 85th Street, Scottsdale, Arizona 85255, wherein Axon Enterprise, Inc. will provide the Police Department with Axon in-car and body-worn cameras, Taser brand energy control devices and data storage system, to include 138 Body Cameras (Body 4) and Electrical Controlled Devices (Taser 10), 45 In-Car Cameras (Fleet 3 Advanced), five (5) Interview Rooms, and six (6) Drone Pilot licenses and the renewal of the 5-Year Officer Safety Plan 10 with Axon, effective July 1, 2024 through June 30, 2029, at a cost of \$550,000.00 per year, for a total amount not exceed \$2,750,000.00, the Council does hereby authorize an expenditure for year 1 in an amount not to exceed \$550,000.00 from Account No. 101-325-818-000 (Contractual Services) for this purpose, with grant monies sought through the Michigan Municipal Risk Management Authority post-delivery of equipment and services; FURTHER, the Council does hereby approve the agreement in the manner and form herein submitted and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to affix their signatures to the said agreement, subject to approval as to form and substance by the Department of Law; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended, for the reason that Axon Enterprise, Inc. is a sole source provider to supply the Police Department with in-car cameras, body cameras and TASER brand energy devices to continue with one united system for the protection of both the public and police

officers that is compatible with the current infrastructure and Axon Enterprises is the sole manufacturer of TASER Brand energy devices and Axon branded products. Axon is also the sole developer and has proprietary rights to Evidence.com (data management services) and no advantage would result from requiring competitive bidding.

#194-24 RESOLVED, that having considered the report and recommendation of the Information Systems Director, dated April 30, 2024, which bears the signature of the Director of Finance and is approved for submission by the Mayor, in connection with the renewal of the contract between the City of Livonia and ESRI, Inc. for the City's Geographic Information System (GIS), the Council does hereby approve a renewal of the contract between the City of Livonia and ESRI, Inc., 380 New York Street, Redlands, California 92373, to provide software maintenance for the City of Livonia's Geographic Information System (GIS), for a one (1) year period from July 17, 2024 to July 16, 2025, in an amount not to exceed \$23,470.00, the same to be expended from funds budgeted in Account No. 101-228-851-020 (Computer Software Maintenance) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with the provisions set forth in Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended, for the reason that ESRI, Inc. is a sole source supplier and no advantage would result from requiring competitive bidding.

#195-24 RESOLVED, that having considered a communication from the Director of Housing, dated May 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 bid of Good Neighbor Heating and Cooling, 420 Eureka #172, Wyandotte, MI 48192 for performing all work required in connection with the purchase and replacement of fifty-four (54) 30-gallon Lochinvar hot water heaters at Silver Village, in an amount not to exceed \$65,718.00, the same having been the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$65,718.00 from Account No. 538-676-987-000 for this purpose; 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.

#196-24 RESOLVED, that having considered a communication from the Director of Housing, dated May 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 bid of Detroit Boiler Company, 2931 Beaufait St., Detroit, MI 48207 for performing all work required in connection with the purchase and replacement of four (4) Lochinvar 90-gallon hot water heaters at Mcnamara Towers Buildings 1 and 2, in an amount not to exceed \$51,000.00, the same having been the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$51,000.00 from Account No. 232-800-818-678 for this purpose; 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.

#197-24 RESOLVED, that having considered a communication from the Director of Housing, dated May 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 bid of Great Lakes Supply, 1275 Grand Oaks Dr., Howell, MI 48843 for performing all work required in connection with the purchase and replacement of eighty-one (81) white Frigidaire 15 cubic foot refrigerators at Mcnamara Towers, in an amount not to exceed \$42,687.00, the same having been the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$42,687.00 from Account No. 232-800-818-678 for this purpose; 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.

#198-24 RESOLVED, that having considered a communication from the Director of Housing, dated May 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 bid of Solar Contract Carpet, 12227 Beech Daly Road, Redford, MI 48239 for performing all work required in connection with the purchase and replacement of carpet in all public/common areas at McNamara Towers Building #2 (5-story), in an amount not to exceed \$102,946.80, the same having been the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$102,946.80 from Account No. 232-800-818-678 for this purpose; 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.

#199-24 RESOLVED, that having considered a communication from the City Engineer, dated April 18, 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 bid of Bidigare Contractors, Inc., 939 S. Mill Street, Plymouth, Michigan 48170 for performing all work required in connection with the 2024 Water Main Replacement Project - Westfield Avenue and Harrison Road in an amount not to exceed \$3,286,245.00, with costs for 120 inspector days to be included in the construction engineering (ce) costs, to be approved by City Council, based upon the Engineering Division's estimate of units involved and subject to the final payment based on the actual units completed in accordance with the unit prices accepted herein, said amount and unit prices having been in fact the lowest qualified bid received and meets all specifications; FURTHER, the Council does hereby authorize an appropriation and expenditure in an amount not to exceed \$3,286,245.00 from funds in the Unexpended Fund Balance of the Water and Sewer Fund for this purpose, said amount to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds; 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, for and on behalf of the City of Livonia, to execute a contract with the aforesaid bidder 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: Jolly, Ptashnik, Donovic, Budzinski, Morgan, and McCullough

NAYS: None

Councilmember Donovic offered a motion, supported by Councilmember Budzinski, to move item #15 to the Regular Agenda. The motion was withdrawn to allow for a first read on all items related to Agenda item #15.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 040 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 120 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 130 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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.

Vice President Ptashnik gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 050 OF
TITLE 13, CHAPTER 28 (INDUSTRIAL WASTE
SURCHARGE) OF THE LIVONIA CODE OF
ORDINANCES, AS AMENDED.

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.

Kathleen McIntyre thanked Debra Lichtenberg for the presentation on the water rates.

Councilmember Donovic gave report on the Capital Outlay and Infrastructure Committee Meeting of May 15, 2024, regarding the subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment. (CR 02-23). This matter will remain in Committee.

An email communication received from Keith Szymanski, Principal, Government, Plante Moran, dated May 23, 2024, regarding the inclusion of an “emphasis of matter” paragraph in the 2023 auditor’s report, with respect to this item, was received and placed on file for the information of the Council.

The Independent Auditor’s Report from Plante & Moran, dated May 24, 2024, was received and placed on file for the information of the Council.

The draft Federal Awards Supplemental Information from Plante & Moran, November 30, 2023, was received and placed on file for the information of the Council.

The Financial Report with Supplemental Information, November 30, 2023, from Plante & Moran, was received and placed on file for the information of the Council.

The Audit Presentation, November 30, 2023, from Plante & Moran, was received and placed on file for the information of the Council.

Vice President Ptashnik gave report on the Finance and Budget Committee Meeting of May 22, 2024, regarding the subject matter of the Annual

Audit Reports for the period December 1, 2022, to November 30, 2023. (CR 367-02). This item will remain in committee.

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

#200-24 RESOLVED, that having considered an email communication from Matthew Rowe, dated April 22, 2024, seeking to waive the driveway ordinance requirement for property located at 36804 Sunnydale Street, Livonia, Michigan 48154, the Council does hereby waive the Driveway Ordinance requirement and waives City Ordinance 12.04.250(b)(1), curb cuts, from a maximum of twenty-five (25) feet to thirty (30) feet, subject to complete inspection and permit for the curb cut.

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

#201-24 RESOLVED, that having considered a report and recommendation from the City Engineer, dated April 29, 2024, approved for submission by the Mayor, to which is attached a communication from Brittany and Nicholas Onifer, dated April 8, 2024, requesting a waiver of the sidewalk requirement in front of the newly constructed home located at 15940 Ingram, in the S.E. ¼ of Section 15, the Council does hereby approve this request inasmuch as omitting the sidewalk on the subject property would have no detrimental effect upon the neighboring properties at this time due to the road ditches and the absence of sidewalks within the neighboring area; FURTHER, the Council does hereby reserve the right to require sidewalks at this location in the event that additional sidewalks are installed in this area at some future date.

Councilmember Jolly gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 050 OF TITLE 8, CHAPTER 24 (KEEPING WILD ANIMALS, BIRDS AND BEES PROHIBITED) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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.

Councilmember Jolly gave first reading to the following Ordinance:

AN ORDINANCE AMENDING CHAPTER 23
(DEPARTMENT OF INFORMATION SYSTEMS) OF TITLE
2 OF THE LIVONIA CODE OF ORDINANCES AS
AMENDED.

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.

Councilmember Donovic gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 12 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 2024-01-01-01)

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.

Councilmember Donovic took from the table, for second reading and adoption, 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)

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

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

NAYS: None

Vice President Ptashnik took from the table, for second reading and adoption, 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)

Barry Good, 37379 St. Martins, confirmed that there will be a sidewalk along the wooded area provided by the City.

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

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

NAYS: None

Councilmember Jolly recused himself to avoid appearance of a conflict of interest at 8:12 p.m.

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

AN ORDINANCE AMENDING SECTION 11 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 2022-12-01-02)

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

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

NAYS: McCullough

Brandon Grysko, petitioner’s representative, was present to answer questions.

Trevor Wilson, 17538 Hillcrest, verified this is only for the Montessori School.

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

#202-24 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 #04-16-2024, adopted on April 23, 2024, with regard to Petition 2024-02-02-04 submitted by Basilica of St. Mary, requesting waiver use approval to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-02-02-04 is hereby approved and granted, subject to the following conditions:

1. The Overall Site Plan identified as Sheet SP-05 and the Dimensional Site Plan identified as Sheets SP-06 and SP-07, dated April 30, 2024, as revised, prepared by Nowak & Fraus Engineers, are hereby approved, and shall be adhered to;
2. All parking spaces, except the required handicapped spaces, shall be double-striped and measure ten feet (10') in width;
3. The Tree Preservation Plan, Overall Landscape Plan, and Enlarged Landscape Plan, identified as Sheets L1, L2, and L3, respectively, dated April 30, 2024, as revised, prepared by Nowak & Fraus Engineers, are hereby approved, and shall be adhered to, except that evergreens shall be added along the eastern edge of the parking lot in an effort to shield car headlights, subject to the review and approval of the Planning and Inspection Departments. A temporary barrier, such as snow fencing, shall be installed along the construction limits in select areas on the property's north side to prevent intrusion into the wetlands and floodplain areas;
4. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding;
5. Underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection

Department and permanently maintained in a healthy condition;

6. The Exterior Elevations Plans, identified as Sheets A.201 and A.202, dated November 3, 2023, prepared by G.A.V. Associates, Inc., are hereby approved and shall be adhered to;
7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening and shall be compatible with material and color with other exterior materials on the building;
8. The three walls of the trash dumpster area shall be constructed of materials that complement the building. The enclosure gates shall be made of obscuring panel steel or durable, long-lasting panel fiberglass;
9. The developer shall secure all required stormwater management permits, wetland permits, and soil erosion and sedimentation control permits from Wayne County, the City of Livonia, and the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE);
10. All light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways;
11. The overall average illumination level for the parking lots shall be 1.0-foot candle as provided under Section 7.22 of the Zoning Ordinance;
12. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
14. Under Section 13.13(13) of the Livonia Zoning Ordinance, as amended, this approval is valid for one year only from the date of approval by the City Council. Unless a

building permit is obtained, this approval shall be null and void at the expiration of said period.

Father George Shalhoub of St. Mary Church thanked the Planning Department and City Council for their help with this project.

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

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

NAYS: McCullough

Councilmember Jolly resumed his seat at 8:24 p.m.

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

#203-24 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 #04-15-2024, adopted on April 23, 2024, with regard to Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-02-02-05 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as Sheet Number SP-103, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to;
2. Approval is subject to the City Council waiving the minimum sixty-foot (60') setback requirement from Ann Arbor Trail;
3. A perpetual cross-access and parking agreement with the adjacent parcel shall be recorded with the Wayne County Register of Deeds. The agreement shall be submitted to the Inspection Department as part of the building permit application process;

4. All parking spaces, except the required handicapped spaces, shall be double-striped at ten feet (10') wide by twenty feet (20') in length as required by the Zoning Ordinance;
5. The submitted Landscape Plan, Sheet SP-201, dated September 13, 2023, is approved in concept. A final landscape plan with the species types, quantities, and sizes of all plant materials shall be submitted to the Planning Department for approval before the issuance of any building permits;
6. All disturbed lawn areas shall be sodded instead of hydroseeding;
7. Underground sprinklers are to be provided for all landscaped and sodded areas, and all planted materials shall be installed to the satisfaction of the Inspection Department and permanently maintained in a healthy condition;
8. That the Elevations Plan identified as Sheet Number A-402, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to;
9. All rooftop mechanical equipment shall be concealed from public view on all sides by screening, which shall be compatible with the materials and colors of the other exterior materials on the building;
10. The three walls of the trash dumpster area shall be constructed out of building materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass;
11. That any illumination of the pump island canopy shall be restricted to the undercarriage, and all light fixtures shall be recessed and made flush with the established ceiling; provided, however, that this section shall not apply to those specified signs which are expressly allowed by the district regulations of the Zoning Ordinance;
12. The gas pump island canopy shall not exceed eighteen feet (18') in height, and its support columns shall be

covered with the same brick used in the construction of the building;

13. All light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;
14. No outside storage, placement, or merchandise display shall be permitted at any time on this site;
15. Under Section 6.26 of the Zoning Ordinance, free air shall be provided whenever this station is open for business. The free air shall be dispensed at the point of service without entering the station or performing any extra action to obtain the air without charge;
16. There shall be no vehicle vacuum equipment or outdoor storage of propane cylinders on the site;
17. The sale of ice shall be restricted to the inside of the building;
18. Only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
19. No LED lightband or exposed neon shall be permitted on this site, including, but not limited to, the pump island canopy, building, or around the windows;
20. Any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited unless approved by the proper local authority;
21. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
22. Under Section 13.13(13) of the Livonia Zoning Ordinance, as amended, this approval is valid for one year only from the date of approval by the City

Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

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

#204-24 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 #04-15-2024, adopted on April 23, 2024, with regard to Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33, the Council does hereby waive the minimum sixty-foot (60') setback requirement from Ann Arbor Trail set forth in section 6.26(3) of the Livonia Zoning Ordinance, as amended.

A communication received from the Director of Finance, dated May 31, 2024, forwarding additional data with respect to this item, was received and placed on file for the information of the Council.

An email communication received from resident, Patrick C. Maher, PGK, CFP®, dated May 24, 2024, with respect to this item, was received and placed on file for the information of the Council.

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

#205-24 RESOLVED, that having considered the report and recommendation of the Director of Finance, dated April 24, 2024, which bears the signature of the City Attorney, and is approved for submission by the Mayor, wherein a request is made to authorize the implementation and collection of a property tax administration fee in the amount of 1% on the School Operating and Plymouth Road Development Authority (PRDA) tax levies, the Council does hereby adopt the following resolution:

WHEREAS Section 44 of the “General Property Tax Act” Public Act 206 of 1893, as amended, authorizes a local assessing unit to implement a one percent (1%) administration fee to offset costs incurred in assessing property values, collecting the property tax levies, in the review and appeal processes, and

WHEREAS Section 44(4) of the General Property Tax Act authorizes a local assessing unit to waive all or any part of the administration fee, and

WHEREAS it is the intention of the local assessing unit in this case to waive the one percent (1%) administration fee as to properties not subject to the Plymouth Road Development Authority Levy or the School Operating Levy, and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer of the City of Livonia is hereby authorized to implement a property tax administration fee in the amount of 1% on the School Operating Tax Levy and the Plymouth Road Development Authority Tax Levy in accordance with the provisions of Section 44 of the General Property Tax Act, as amended, effective immediately and only for the 2024 tax season starting with the July 1st summer tax bills.

Kathleen McIntyre, Fairway Street, indicated this is a tax and voiced her opposition to the matter.

Alison Smith, CFO for Livonia Public Schools, clarified that the school district would not have gone out for additional millage if the agreement had not been reached. She also offered additional context about the new agreement.

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

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

NAYS: Donovic

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

#206-24 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated April 3, 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 proposed contract with LGC Global Facility Management for custodial services at the Jack E. Kirksey

Recreation Center for fiscal years 2025, 2026 and 2027, and upon the motion by Councilmember Carrie Budzinski, seconded by Councilmember Rob Donovic, at the Regular Meeting held June 3, 2024, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

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

#207-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated May 16, 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 amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315 in connection with the West Chicago Reconstruction Project, Harrison Road to Inkster Road, 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 Anderson, Eckstein and Westrick, Inc. (AEW), 51301 Schoenherr Road, Shelby Township, MI 48315, for construction engineering services in connection with the West Chicago Reconstruction Project, Harrison Road to Inkster Road, in an amount not to exceed \$224,556.18; such action is taken without competitive bidding through the Qualification Based Selection Process and 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 expenditure in an amount not to exceed \$224,556.18 from Account No. 202-463-818-125 for this purpose; FURTHER, the Council does hereby authorize the Mayor and City Clerk to execute the proposed third party agreement, attached to the aforesaid communication, with MDOT, including any minor revisions as required by them to allow approval for AEW to provide Construction Engineering (CE) Services in an effort to obtain reimbursement for 81.85% of the costs on behalf of the City of Livonia for the West Chicago Reconstruction Project from Harrison easterly to approximately 125 west of Inkster Road; 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.

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

On a motion by Vice President Ptashnik, supported by Councilmember Jolly and unanimously adopted, this 1,994th Regular Meeting of the Council of the City of Livonia was adjourned at 8:57 p.m.

Lori L. Miller, City Clerk