

MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETY SEVENTH
REGULAR MEETING JULY 15, 2024

On July 15, 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. A Livonia Lasercat hockey player, Jackson, led the meeting with the Pledge of Allegiance.

Councilmember Jolly presented a Commendation to McKenzie Siroky in honor of per participation in the Olympic Trials.

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

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

#239-24 RESOLVED, that the Minutes of the 1,996th Regular Meeting of the Council held July 1, 2024 are approved as presented.

Councilmember Toy recognized Sue Williams who has done many good things for the City of Livonia.

During Audience Communication a representative of State Senator Mary Cavanagh's office announced her upcoming coffee hour.

Susan Chewy, 32700 Hees, requested help with a rat infestation in her neighborhood. There is a sunken inground swimming pool at 32637 Indiana that has been there for years. This was determined to be the source of the rat

infestation by a pest control company she hired. There is a rat run in the yard behind hers, 32625 Indiana, that comes from under a trampoline. The rats have burrowed into the mulch under the trampoline. She has spent over \$1600 on pest control over the last year. She indicated her husband and a neighbor catch them in traps and shoot them with pellet guns. She has complained to the Ordinance Department without any results.

Harold Hoskins, resident, had a sewage backup on May 15th and filed a claim with the city a week and a half later. He said Jim Duffy said it was approved and now says he didn't tell him that. He is looking for help with the claim. President McCullough asked him to reach out to Council through their office.

Kathleen McIntyre, 14455 Fairway, announced that longtime Stevenson High School principal, Dr. Dale Collier, passed away.

Vice President Ptashnik congratulated Livonia Public Schools on the grand opening of the Early Childhood Center. She also thanked the Livonia Public School Educational Foundation for their recent golf outing.

Councilmember Budzinski commented that the Early Childhood Center is beautiful, and she announced her upcoming coffee hour.

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

#240-24 RESOLVED, that upon the motion by Councilmember Carrie Budzinski, seconded by Councilmember Rob Donovic, at the Regular Meeting held July 15, 2024, the Council does hereby refer the subject matter of long-term infrastructure investments and planning, including consideration of long-term facilities maintenance plans, to the Capital Outlay and Infrastructure Committee for its report and recommendation.

Councilmember Toy spoke about state funding for the Early Childhood Center.

Councilmember Donovic spoke about the attempted assassination of former President Trump. He gave condolences to the Comperatore family due to the loss of their father, a former fire chief, who was a true hero when he dove over his family to shield them.

President McCullough passed the gavel at 7:26 p.m. He wished City Treasurer, Susan Nash, a happy birthday. He also announced the Public Hearing to be held on 7/22/2024.

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

#241-24 RESOLVED, that upon the motion by Council President Brandon McCullough, seconded by Councilmember Carrie Budzinski, at the Regular Meeting held July 15, 2024, the Council does hereby refer the subject matter of a proposed responsible contractor ordinance to the Committee of the Whole for its report and recommendation.

President McCullough resumed the chair at 7:29 p.m.

A communication from The Livonia Housing Commission, re: for the fiscal year ending December 31, 2023, excluding Silver Village, Newburgh Village, the Community Development Block Grant Program and single-family, city-owned properties was received and placed on file for the information of the Council.

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

#242-24 RESOLVED, that having considered an application from Allison Adams, dated May 29, 2024, requesting permission to close Flamingo Blvd., between Clarita Avenue and Pickford Street, on Saturday, July 20, 2024, from 3:00 p.m. until 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 Saturday, July 27, 2024, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#243-24 RESOLVED, that having considered an application from Alex Quint, dated June 11, 2024, requesting permission to close Fairfield Street, between Plymouth Road and Orangelawn Street, on Saturday, August 24, 2024, from 3:00 p.m. until 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

#244-24 RESOLVED, that having considered an application from Margaret McGrane, dated May 31, 2024, requesting

permission to close Rayburn Street, between Williams Street and Levan Road, on Saturday, August 24, 2024, from 2:00 p.m. until 10:00 p.m., for the purpose of conducting a block party, the Council does hereby grant permission as requested, the action taken herein being made subject to the approval of the Police Department.

#245-24 RESOLVED, that having considered a communication from the Director of Public Works, dated June 12, 2024, submitted pursuant to Council Resolution No. 311-22, adopted on October 5, 2022, which bears the signature of the Director of Finance, 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 OHM Advisors in connection with the inspection and hydro-excavation of water service lines within the City, 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 Ohm Advisors, 34000 Plymouth Road, Livonia, Michigan 48150, to perform asset management plan updates and water service line distribution system materials inventory (dsmi), as required by the State of Michigan's revised lead and copper rules, to include construction engineering and contract administration services, interior inspection, data collection and processing, and public notification through December 31, 2024, in connection with the hydro-excavation and inspection of water service lines at randomized locations within the city, in an amount not to exceed \$70,450.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$70,450.00 from funds budgeted in Account No. 592-559-818-000 for this purpose, with the provision that said amount be reimbursed from the proceeds of the Drinking Water Asset Management (DWAM) Grant funds; 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.

#246-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated June 12, 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 authorize the Mayor and City Clerk to execute a two-year contract, with the option to extend the contract up to three (3) times at 2-year intervals with a not more than 3% increase per extension, for and on behalf of the City of Livonia, with Eganix, Inc., 1091 Centre Road, Suite 120, Auburn Hills, MI 48326, for performing all work required in connection with bi-annual fat, oil and grease ("fog") inspections (140 inspections annually) of all restaurants and food processing facilities within the City of Livonia,

in an annual amount not to exceed \$148,000.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$148,000.00 per annum from funds budgeted in Account No. 592-559-818-050 (Fat, Oil & Grease Prevention) for this purpose; 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.

#247-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated June 12, 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 Aristeo Construction, Inc., a Michigan corporation, in conjunction with the construction of a storm drain system that provides adequate drainage for Aristeo Corporate Office Headquarters, located at 12822 Stark Road, in the N.E. ¼ of Section 28, 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 Stark Road, south of Schoolcraft Road, in the N.E. ¼ of Section 28, which accommodates storm water from Aristeo Corporate Office Headquarters, located at 12822 Stark Road, with the maintenance agreement from the proprietor, Aristeo Construction, Inc., 12811 Farmington Road, Livonia, Michigan 48150, 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.

#248-24 RESOLVED, that Leo Soave, as proprietor, having requested the City Council approve the proposed Sunset View Site Condominium Development, located on the west side of Sunset Avenue, between Eight Mile Road and Kenwood Court in the Northwest 1/4 of Section 2, (hereafter the "Condominium"), and further appearing that approval of the Master Deed, bylaws and site

plan for the Condominium was given by the City Council pursuant to Council Resolution 379-23, adopted December 4, 2023, and further appearing that such site plan, together with Development Plans and specifications for improvements, have been examined and approved by the Department of Public Works as set forth in the report of that Department, dated June 19, 2024, therefore, the City Council does hereby determine as follows:

- (1) All the public improvements, utilities and grading shall be constructed, installed and accomplished in conformity with the provisions of the ordinances of the City of Livonia, including Sections 18.62 and 18.63 of Ordinance No. 543, as amended, and the provisions referenced therein, and the regulations and specifications of the Department of Public Works and the Development Plans submitted by the proprietor and approved by such Department; all such improvements to be constructed, installed, accomplished and completed within a period of two (2) years from the effective date of this resolution; failing this, the approval granted by the City shall be considered null, void and of no effect whatsoever;
- (2) That all inspection fees and other charges due to the City of Livonia shall be fully paid at the time and in the manner provided in the said ordinance provisions;
- (3) That the installation of all such improvements shall be subject at all times to the supervision and inspection and final approval of the Department of Public Works, and such improvements shall not be considered as having been satisfactorily and completely installed until there is filed with the City Council the certificate as provided in such ordinance provisions;
- (4) That the proprietor shall enter into an agreement with the City of Livonia agreeing to construct, within the prescribed period of time and in the prescribed manner, all improvements required to the extent required by the City of Livonia and as shown on the approved Development Plans;
- (5) That as a condition of obtaining necessary engineering permits prior to commencing the required improvements, the proprietor shall file with the City of Livonia a corporate surety bond, certified check, cash bond, irrevocable letter of credit, or other financial

assurance in such form as may be approved by the Department of Law guaranteeing the satisfactory installation of all such improvements, utilities and grading by the proprietor within the prescribed period in the following amounts:

General Improvement Bond	\$193,249.00 (\$19,325.00 minimum cash)
Sidewalk Bond	\$40,726.00 (\$4,073.00 minimum cash)
Grading & Soil Erosion Control Bond	\$1,800.00 (all cash)
Entrance Markers/Landscaping	\$2,500.00 (all cash)
Monuments and Markers Bond	\$1,000.00 (all cash)
As-Built Drawings Bond	\$10,000.00 (all cash)

And require cash payments in the amount of \$24,569.00.

- (6) That all required cash deposits and certified checks which shall be established by the City Engineer pursuant to Article XVIII of Ordinance 543, Section 18.66 of the Ordinance, shall be deposited with the City prior to the issuance of engineering permits for this condominium development; and
- (7) That the distribution lines for telephones and electric service are to be placed underground and ornamental streetlights are to be provided throughout the Condominium, in accordance with City ordinances.

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

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

NAYS: None

Councilmember Donovic reported on the Capital Outlay and Infrastructure Committee meeting of July 8, 2024.

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

#249-24 RESOLVED, that having considered the report and recommendation of the Capital Outlay and Infrastructure Committee, dated July 8, 2024, submitted pursuant to CR 02-23, adopted on January 18, 2023, the Council does hereby authorize the City to proceed with the issuance of General Obligation Limited Tax Bonds in the not-to-exceed amount of \$45,000,000 for the purpose of paying all or part of the cost of acquiring, constructing, furnishing and equipping certain capital improvement projects within the City, as further outlined below:

WHEREAS, the City Council of the City of Livonia (the "City") intends to issue general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in one or more series, in an aggregate principal amount of not to exceed Forty-Five Million Dollars (\$45,000,000) (the "Bonds") for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping certain capital improvement projects within the City, including necessary rights of way, site improvements and ancillary facilities therefor, consisting generally of (i) acquiring, constructing, furnishing and equipping a new city hall (ii) demolishing the existing city hall facility; (iii) improving the existing city hall site; and (iv) renovating and improving various city facilities (collectively, the "Project"); and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

Now, therefore, be it resolved that:

1. Notice of Intent Authorized. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Detroit Legal News*, a newspaper of general circulation in the City.
2. Form of Notice of Intent. The notice of intent shall be published as a display advertisement not less than one-

quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. Approval of Notice of Intent and Publication. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. Reimbursement Declaration. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
 - (a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from the funds of the City subsequent to sixty (60) days prior to today.
 - (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$45,000,000.
 - (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.
5. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as bond counsel for the Bonds.

6. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

EXHIBIT A

NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF LIVONIA OF INTENT TO ISSUE BONDS AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City of Livonia, County of Wayne, State of Michigan (the "City"), intends to issue and sell its general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in one or more series, in an aggregate principal amount of not to exceed Forty-Five Million Dollars (\$45,000,000) for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping certain capital improvement projects within the City, including necessary rights of way, site improvements and ancillary facilities therefor, consisting generally of (i) acquiring, constructing, furnishing and equipping a new city hall (ii) demolishing the existing city hall facility; (iii) improving the existing city hall site; and (iv) renovating and improving various city facilities (the "Project").

SOURCE OF PAYMENT OF BONDS

The principal of and interest on said bonds shall be payable from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

BOND DETAILS

Said bonds will be payable in not more than thirty (30) years from the date of issuance of each series of bonds and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

The bonds will be issued without a vote of the electors unless a petition requesting such a vote signed by not less than 10% of the registered

electors residing within the boundaries of the city is filed with the City Clerk within forty-five (45) days after publication of this notice. if such petition is filed, the bonds may not be issued without an approving vote of a majority of the qualified electors residing within the boundaries of the city voting thereon.

This notice is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Lori L. Miller
City Clerk, City of Livonia

Mayor Brosnan spoke regarding this subject matter. She thanked the individuals involved in getting this project where it is today.

Steve King, 33950 Coventry, said he was at the Committee of the Whole meeting and suggested future meetings be held in the City Hall Auditorium. He also indicated he is not in favor of a 45-million-dollar City Hall.

John Perkins, Michigan Regional Council Carpenter & Millwrights, indicated they are in full support of this project.

Kathleen McIntyre, Fairway Street, spoke regarding the proposed budget for this project. She asked if the amount designated for Noble Library is the cost to demolish it.

Scott Randall, 9456 Bassett, is in favor of this project but would like to see smaller numbers if possible.

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

#250-24 RESOLVED, that having considered the report and recommendation of the Capital Outlay and Infrastructure Committee, dated July 8, 2024, submitted pursuant to CR 02-23, adopted on January 18, 2023, regarding Plante Moran Realpoint, LLC's ("PMR") Proposal for Owner Representation Services for the City of Livonia, dated June 26, 2024 (the "Proposal"), regarding the Civic Center and Fire Facilities Program as described in the Proposal, and Exhibit A thereto, and pursuant to the Terms and Conditions laid out in Exhibit B to the Proposal, the Council does hereby approve the proposal and authorizes the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract between the City of Livonia and PMR, 3000 Town Center, Suite 100, Southfield, Michigan 48075, subject to approval as to form and

substance by the City's Department of Law, in an aggregate amount of fees and reimburseables not to exceed \$5,485,000.00; FURTHER, the Council does hereby authorize an expenditure of such amounts for such purposes as incurred from Account No. 418-000-813-000 (Professional Fees); FURTHER, the Council does hereby authorize such action without competitive bidding because in light of a) the fact that PMR has heretofore performed the City's needs assessments and thus has unique insights into this project, and b) the expertise of PMR's 130 employees specializing in real estate development, legal, planning, engineering, and other applicable services, and the unusual scope of this project, mean no advantage to the City would result from requiring competitive bidding, and such action is taken in accordance with Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended.

This item will remain in Committee.

During Audience Communication Gini Krenz, 34075 Pembroke, spoke about an area at Five Mile and Farmington that needs work. She also spoke about the new garbage company and doesn't feel that the 75-gallon dumpsters are ADA compliant or should be used for seniors. She also asked if there would be a watchdog on the 7 mile and Farmington project.

Barb Krushka, 34775 Pembroke, asked what happens to citizen concerns that are brought up at meetings. Councilmember McCullough explained that they are directed to contact the Council Office and Councilmembers will try to find answers for people.

On a motion by Councilmember Toy, supported by Councilmember Jolly and unanimously adopted, this 1,997th Regular Meeting of the Council of the City of Livonia was adjourned at 8:11 p.m.

Lori L. Miller, City Clerk