

MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETY FIRST**REGULAR MEETING APRIL 15, 2024**

On April 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. Councilmember Donovan led the meeting with the Pledge of Allegiance.

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

Elected and appointed officials present: Leo Neville, Assistant 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.

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

#133-24 RESOLVED, that the Minutes of the 1,990th Regular Meeting of the Council held April 1, 2024 are approved as presented.

During Audience Communication Meriem Kadi, Westland Western Wayne County Relay for Life representative, indicated the event will be held on June 8, 2024, at Tattan Park. She invited everyone to participate.

Mike Loftus, 33545 Curtis, presented a letter to Council regarding the deer population.

President McCullough explained the Urban Deer Coalition and indicated they will notify Mr. Loftus when the next meeting is scheduled.

Steve King, 33950 Coventry, spoke about the deer population, damage done by snowplows during the last snow fall, and the proposed development at Six Mile and Haggerty.

Steve Johnson, 18240 Sunset, spoke about unleashed dogs in the field by his home. He feels the Police Department should be ticketing violators with a Civil Infraction rather than a warning. He also asked if a portion of proceeds from loose dog citations could be earmarked for the Humane Society or for Livonia Dog Park maintenance.

Carla Truxall, founder of SPN Survivors, shared that the CDC along with Division of Adolescent and School Health and the National Center for Disease Prevention and Health Promotion recently came out with a guide for promoting mental health and wellbeing in schools. It is an action guide for schools and district leaders. The first focus point is increasing student's mental health literacy. SPN survivors also has a class being held on April 20, 2024 at the Livonia/Westland Chamber of Commerce called "Building a Healthy You".

Jackie Thomason, representative from State Senator Mary Kavanaugh's office, announced the Senator's Coffee Hour to be held on April 19, 2024 from 11a.m. to 1p.m. at the Motor City Java House.

President McCullough announced Agenda Item #11, regarding the proposed lot split for property located at 19200 Merriman Court, was removed from tonight's Agenda. This item will be placed on the next Regular Meeting Agenda to be held on May 6, 2024.

President McCullough announced there was New Data for Agenda Item #10, regarding subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment (CR 02-23).

Councilmember Budzinski announced the upcoming Touch a Job event on April 20, 2024, at the Schoolcraft College Manufacturing Center from 9a.m. to 1p.m.

Vice President Ptashnik shared Arbor Day information.

Councilmember Donovic announced the upcoming Livonia Community Prayer Breakfast at the St. Mary Cultural Center on May 2, 2024. He also gave a shout out to the Livonia Emergency Dispatchers in honor of Dispatcher Week.

A communication from the Department of Finance, dated March 25, 2024, re: forwarding various financial statements of the City of Livonia for the month ending December 31, 2023, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated March 26, 2024, re: forwarding various financial statements of the City of Livonia for the month ending January 31, 2024, was received and placed on file for the information of the Council.

A communication from the Department of Finance, dated March 26, 2024, re: forwarding Quarterly Investment Report for the City of Livonia for the quarter ending February 29, 2024, was received and placed on file for the information of the Council.

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

#134-24 RESOLVED, that having considered a communication from Karen Bonanno, dated March 4, 2024, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host a wedding reception with a DJ at the residence located at 31025 Munger Drive, scheduled for Saturday, June 8, 2024, from 5:00 p.m. until 11:00 p.m., the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 5:00 p.m. and 11:00 p.m. in connection with this event to be held on Saturday, June 8, 2024.

#135-24 RESOLVED, that having considered a communication from the City Planning Commission, dated March 20, 2024, approved for submission by the Mayor, which transmits its resolution #03-10-2024, adopted on March 19, 2024, with regard to Petition 2024-02-02-03 submitted by Stonefield Engineering & Design on behalf of Haggerty Six Partners, LLC, seeking special waiver use approval for a Planned General Development consisting of eleven (11) buildings, including eight (8) with approximately 143,000 square feet of retail/commercial space, a 4-story hotel with 101 rooms, a 5-story apartment building with 170 dwelling units, and an existing multi-level parking garage, located at 39200 Six Mile Road, on the north side of Six Mile Road between Haggerty Road and Fox Drive in the Southwest ¼ of Section 7, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-02-02-03 is hereby approved and granted, subject to the following conditions:

1. The Site Plan (Overall), Site Plan (North), and Site Plan (South) marked Drawings C-2, C-3, and C-4, respectively, all dated January 31, 2024, as revised, prepared by Stonefield Engineering & Design, are hereby approved, and shall be adhered to; except as modified below;
2. Building D, Building E, and the Hotel are approved in concept only, and more detailed plans, including site, landscaping, floor, and elevations, shall return to the Planning Commission for further review and approval before any building permits are issued;
3. The Landscaping Plans marked Drawings C-7, C-8, C-9, C-10, C-11, and C-12, and the Landscaping Details marked Drawing C-13, all dated January 31, 2024, as revised, prepared by Stonefield Engineering & Design, are hereby approved, and shall be adhered to, except that two (2) additional full-size trees shall be added to the Six Mile Road frontage to meet the ordinance requirements, and modifications shall be made to the area between the grocery store and the apartment building to provide a better visual screen using full-size evergreen trees;
4. That the Exterior Elevations labeled Apartments (Sheets A-300 & A-301), Grocery (Sheet A-300), Retail Building A (Sheet A-300), Retail Building B (Sheets A-300 & A-301), Retail Building C-1 (Sheet A-300), Retail Building C-2 identified as Retail Drive Thru (Sheet A-300), Retail Building G (Sheet A-300) and Retail Building H (Sheet A-300), inclusive, all dated January 25, 2024, prepared by Bowers + Associates, Inc., are hereby approved and shall be adhered to;
5. The Exterior Elevations for Building F Proposed Gym dated February 25, 2024, prepared by Club Studio, is hereby approved, and shall be adhered to;
6. This approval is subject to the Petitioner submitting a Development Agreement to be executed between the City and the Developer addressing items pertinent to the construction of the project as well as the long-term operation of the development, such as, but not limited to, project phasing including timing of the construction of the apartments to coincide with occupancy of any portion of the commercial buildings; divisions, leasing, and separation of ownership; parking; site design standards; permitted and

prohibited uses; dimensional standards; and maintenance of utilities;

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening that shall be compatible with the material and color of other exterior materials on the buildings;
8. The walls of the trash/recycle enclosures shall be a minimum of six feet (6') in height and constructed out of the same masonry used in the construction of the buildings, or in the event a poured wall is substituted, the wall's design, texture and color shall match that of the buildings. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass;
9. This site shall meet the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and secure any required permits, including soil erosion and sedimentation control permits;
10. All light fixtures shall not exceed a mounting height of thirty feet (30') and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent 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. 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 no LED light band or exposed neon shall be permitted on this site, including, but not limited to, the buildings or around the windows;
14. The final construction drawings shall include the following changes and additions, subject to the review of the Planning and Inspection Departments: a) bike racks and benches throughout the development, b) EV charging stations in the parking lots, c) a fountain in the detention pond, d) sidewalks along Fox Drive and the pond, and e) a sidewalk along the north side of the main entrance drive from Haggerty Road with a second crosswalk between the parking lot of the grocery store and Building B;

15. 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
16. Under Section 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.

#136-24 RESOLVED, that having considered a communication from the Mayor, dated March 15, 2024, wherein she has requested approval of the reappointment of David Cash, 14429 Yale, Livonia, Michigan 48154, to the Local Officers Compensation Commission for a seven-year term expiring April 2, 2031, pursuant to Section 2.48.020 of the Livonia Code of Ordinances, as amended, and Act No. 197 of the Public Acts of Michigan of 1975, as amended, the Council does hereby confirm and approve such reappointment.

#137-24 RESOLVED, that having considered a communication from the Mayor, dated March 15, 2024, wherein she has requested approval of the reappointment of Martha Foley, 15412 Fairfield, Livonia, Michigan 48154, to the Local Officers Compensation Commission for a seven-year term expiring April 2, 2031, pursuant to Section 2.48.020 of the Livonia Code of Ordinances, as amended, and Act No. 197 of the Public Acts of Michigan of 1975, as amended, the Council does hereby confirm and approve such reappointment.

#138-24 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated March 8, 2024, which bears the signature of the Director of Finance and is approved for submission by the Mayor, to which is attached a quote for services from Grit Services, LLC, dated February 29, 2024, regarding additional expenditure in connection with the chimney repair and replacement at the Alexander Blue House, the Council does hereby authorize an additional expenditure in an amount not to exceed \$4,500.00 from funds budgeted in Account No. 101-821-931-220, for performing all work in connection with the emergency replacement of decayed wood under the bricks of the chimneys at Alexander Blue House, to include removal and replacement of the rotten wood and covering new wood with a waterproof barrier, payable to Grit Services, LLC,

48575 Downing St., Wixom, MI 48393, making the revised final contract amount not to exceed \$22,500.00; 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.1 of the Livonia Code of Ordinances, as amended.

#139-24 RESOLVED, that having considered a communication from the Director of Public Works, dated March 14, 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 a proposed agreement between the City of Livonia and HydroCorp Services, dated February 19, 2024, relative to the City's Cross-Connection Control Program, the Council does hereby authorize a three (3) year contract, with an optional two-year extension upon mutual consent, with Hydrocorp Services, 5700 Crooks Road, Suite 100, Troy, MI 48098, in an amount not to exceed \$76,536.00 annually (\$6,378.00 monthly), for providing the "Cross Connection Control" Program for the City of Livonia to protect the public drinking water supply from contamination for the period May 1, 2024 through April 30, 2027; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$76,536.00 from funds budgeted in Account No. 592-559-818-000 (Water and Sewer Contractual Services) for the three (3) years from May 1, 2024 to April 30, 2027 for this purpose; FURTHER, HydroCorp Services is a sole source provider for a project of this magnitude and such action is taken in accordance with Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the aforesaid agreement with HydroCorp Services, 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.

#140-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated March 21, 2024, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) 2024 Case Backhoe Model 580SN, with quick coupler attachments, for use by the Roads Department (ID# 401), utilizing the Sourcwell Purchasing Program (formerly NJPA) which was awarded to Southeastern Equipment Company, 48545 Grand River Ave., Novi, MI 48374, in an amount not to exceed

\$125,236.76, including the quick coupler attachment at a cost of \$5,200.00, a 48-month extended premier warranty package (which includes all maintenance for four (4) years), at a cost of \$5,881.00, prep and delivery charges at a cost of \$4,590.00, but less \$15,000.00 trade-in credit for two (2) out of service backhoes; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$125,236.76 from funds budgeted in Account No. 226-528-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize this purchase without competitive bidding inasmuch as the same is based upon the low Sourcewell bid price under Contract No. 032119-CNH 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.

#141-24 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated March 21, 2024, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) Spartan Pro Self-Contained leaf vacuum from Bell Equipment, 78 Northpointe Dr., Lake Orion, MI 48359, in an amount not to exceed \$131,990.00, to be utilized by the Roads Department (ID# 177) and to replace an older unit whose repair costs and dependability exceed its value; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$131,990.00 from funds budgeted in Account No. 226-528-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize this purchase without competitive bidding inasmuch as the same is based upon the low MI Deal contract bid process under Contract Agreement No. 071B7700091, 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.

#142-24 RESOLVED, that having considered a communication from the City Engineer, dated March 22, 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 proposal to amend the Engineering contract between the City of Livonia and OHM Advisors in connection with the Newburgh Road Reconstruction Project and the replacement of five (5) traffic signals, 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, MI 48150, for Preliminary Engineering (PE) design services in connection with the Newburgh Road Reconstruction Project from Ann Arbor Trail to Plymouth Road and the replacement of five (5) traffic signals along the Newburgh Road corridor at Churchill High School, Ann Arbor Trail, Hines Drive, Plymouth Road and Seven Mile Road, in an amount not to exceed \$320,000.00; 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 additional appropriation and expenditure in an amount not to exceed \$320,000.00 from the unexpended fund balance of the Road, Sidewalk and Tree Fund (204) for this purpose, with the provision that a portion of this cost (\$50,000 to \$90,000) be reimbursed by Wayne County; 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.

Betsy Calhoun, 33023 Grennada, spoke about item number two on the agenda and how sustainability and more green space should be considered for the development.

Steve King, 33950 Coventry, spoke about item number two on the agenda. He suggested an additional level be added to the parking structure and used as green space. He said many incoming businesses could also be housed in Laurel Park Place.

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

AYES: Donovic, Budzinski, Ptashnik, and McCullough

NAYS: None

A communication from Plante Moran Real Point, dated April 10, 2024, re: containing the City of Livonia Engagement Update & Summary, was received and placed on file for the information of the Council. (CR 02-23)

Councilmember Donovic provided an update for the Capital Outlay and Infrastructure Committee meeting held April 10, 2024, re: the subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment. This matter will remain in Committee. (CR 02-23)

Susan Nash, City Treasurer, thanked Deputy Treasurer Sharon Dolmetsch for her years of service and wished her well in retirement. She also introduced newly appointed Deputy Treasurer Julie Alexander.

Julie Alexander introduced herself, spoke about her background, and thanked Council for the opportunity to serve the City of Livonia as Deputy Treasurer.

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

#143-24 RESOLVED, that having considered a communication from the City Treasurer, Susan Nash, dated April 4, 2024, the Council does hereby appoint Julie Alexander to the Office of Deputy Treasurer of the City of Livonia, effective April 26, 2024, upon taking the Oath of Office as required in Chapter X, Section 2 of the City Charter; FURTHER, the Council does hereby establish an annual full-time salary for this position in the amount of \$80,766.40 with the understanding that all benefits as previously approved by the Council for other appointed positions within the City be also extended to this position.

During Audience Communication, a representative of Toni Vacru, 37749 Pickford, gave additional information regarding the proposed lot split at 19200 Merriman Court to Council for the next meeting to be held on May 6, 2024.

On a motion by Vice President Ptashnik, supported by Councilmember Donovan and unanimously adopted, this 1,991st Regular Meeting of the Council of the City of Livonia was adjourned at 7:43 p.m.

Lori L. Miller, City Clerk