

**MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETY NINTH**  
**REGULAR MEETING AUGUST 26, 2024**

On August 26, 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.

President McCullough announced Deputy Clerk DeMarco would be taking the place of Clerk Miller at today's meeting.

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

Elected and appointed officials present: Carter Fisher, City Attorney; Doris DeMarco, Deputy 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 Toy, supported by Vice President Ptashnik, and unanimously adopted, it was:

**#269-24** RESOLVED, that the Minutes of the 1,998<sup>th</sup> Regular Meeting of the Council held August 7, 2024 are approved as presented.

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

**#270-24** RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Councilmember Laura Toy, at the Regular Meeting held August 26, 2024, requesting reconsideration of a proposed lot split for the property located on the South side of Eight Mile Road, West of Newburgh and East of I-275, in the

Northeast 1/4 of Section 6 (38449 Eight Mile Road) and to waive the deficiency in lot area requirements relative to Parcels "A" and "B" (Tax Item 021-99-0004-008), which failed due to lack of support at the August 7, 2024 Regular Meeting, the Council does hereby direct that this item be placed on the agenda for reconsideration at the next Regular Meeting of September 9, 2024.

During Audience Communication, Christopher Martin, Michigan resident, spoke about free speech. He asked if the City had rules related to obscenity at public meetings.

President McCullough requested clarification from the Law Department as to what rules apply to speakers at public meetings.

Javion Johnson, Community Outreach Liaison for Wayne County Executive Warren Evans office introduced himself and asked that any outstanding work orders for the Wayne County DPW be shared with him. He also shared the road repair hotline number to be used for potholes or excessive weeds at intersections.

Alicia Strong, Wayne County Treasurers office, reminded everyone they are going into the foreclosure proceedings for 2022. She explained there are many payment plans available to help keep people in their homes. It is also auctioning time for foreclosed homes.

Councilmember Donovic thanked the Wayne County representatives in attendance. He also wished a happy third birthday to Livonia resident, Julianna.

Vice President Ptashnik wished President McCullough a happy birthday.

Councilmember Budzinski indicated her Coffee Hour will be held on September 14<sup>th</sup> and the topic is Wayne County. Terry Marecki will be attending. She is also hosting a fire safety talk for seniors on September 10, 2024, at the Senior Center.

President McCullough wished Judge Kavanaugh a happy birthday on August 29, 2024. He also indicated there will be a Senior Citizens, Families & Environment Committee meeting on September 4, 2024, regarding senior transportation issues.

A communication from the Department of Finance, dated July 19, 2024, re: forwarding various financial statements of the City of Livonia for the month ending May 31, 2024.

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

**#271-24** RESOLVED, that having considered an email communication from Nick Cornell, General Manager, Supernatural Brewing Company, dated July 16, 2024, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, to host the Wildwood Sourfest event with live music in front of Supernatural Brewing Company, located at 36685 Plymouth Road, on Saturday, August 31, 2024, from 3:00 p.m. to 11:00 p.m., the Council does hereby grant and approve this request in the manner and form herein submitted.

**#272-24** RESOLVED, that having considered an application from Karen Werden, dated July 3, 2024, requesting permission to close Flamingo Blvd. between St. Martins and Bretton Streets, on Saturday, September 7, 2024, from 3:00 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, September 8, 2024, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

**#273-24** RESOLVED, that having considered an application from Deborah Lindlbauer, dated July 14, 2024, requesting permission to close Sussex Street between Sherwood and Fitzgerald Streets, on Saturday, September 14, 2024, from 12:00 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, September 15, 2024, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

**#274-24** RESOLVED, that having considered an application from Rebecca Drzewicki, dated July 10, 2024, requesting permission to close Parklane Street between Clarita and Margareta Streets, on Saturday, September 28, 2024, from 12:00 p.m. to 5:00 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, October 5, 2024, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

**#275-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, approved for submission by the Mayor, which transmits its resolution #07-33-

2024, adopted on July 16, 2024, with regard to Petition 2024-06-02-11 submitted by Penske Automotive, requesting waiver use approval to demolish the existing commercial buildings and use five (5) parcels totaling approximately 3.06 acres for the storage and display of vehicles in connection with an automobile dealership (Bill Brown Ford) at 32400, 32450, 32460, 32510, and 32516 Plymouth Road, located on the northwest corner of Plymouth Road and Hubbard Avenue in the Southwest ¼ of Section 27, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-06-02-11 is hereby approved and granted, subject to the following conditions:

1. That the Dimensional Site Plan identified as Sheet No. C3, dated June 13, 2024, as revised and prepared by Nowak & Fraus Engineers, is hereby approved and shall be adhered to;
2. That the number of vehicles to be stored and displayed on this site shall be limited to 344, and unless waived by a two-thirds majority of City Council, no vehicles for sale shall be displayed closer than twenty feet (20') to the front and side lot lines adjacent to Plymouth and Hubbard roads;
3. Except for what may be authorized under the Zoning Ordinance as part of a temporary sales event, any type of exterior advertising related to the sale of the vehicles designed to attract the attention of passing motorists, such as promotional flags, streamers, or car lifts, shall be prohibited;
4. The Landscape Plan identified as Sheet No. L1, dated July 12, 2024, as revised and prepared by Nowak & Fraus Engineers, is hereby approved and shall be adhered to;
5. The Petitioner shall work with the Planning Department to install additional screening, either in the form of landscaping or fencing, along the site's north property line;
6. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding;
7. The Petitioner shall install additional brick piers and ornamental fencing along Plymouth Road;
8. The Petitioner shall secure all required stormwater management and soil erosion and sedimentation control permits from the Michigan Department of Transportation, Wayne County, and the City of Livonia;

9. Pole-mounted light fixtures shall not exceed twenty (20') feet above finish grade and shall be shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways;

10. Site lighting shall be adjusted so that the average illumination levels are consistent with the adjacent dealership property to the west. All pole-mounted lights shall be turned off or dimmed after business hours;

11. Only conforming signs are approved. Additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals;

12. 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

13. 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 and construction is commenced, this approval shall be null and void at the expiration of said period.

**#276-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, approved for submission by the Mayor, which transmits its resolution #07-33-2024, adopted on July 16, 2024, with regard to Petition 2024-06-02-11 submitted by Penske Automotive, requesting waiver use approval to demolish the existing commercial buildings and use five (5) parcels totaling approximately 3.06 acres for the storage and display of vehicles in connection with an automobile dealership (Bill Brown Ford) at 32400, 32450, 32460, 32510, and 32516 Plymouth Road, located on the northwest corner of Plymouth Road and Hubbard Avenue in the Southwest ¼ of Section 27, the Council does hereby waive the twenty foot (20') separation requirement of no vehicles being stored and displayed from the front and side lot lines adjacent to Plymouth and Hubbard Roads, as set forth in section 6.05(3) of the Livonia Zoning Ordinance.

**#277-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, approved for submission by the Mayor, which transmits its resolution #07-34-2024, adopted on July 16, 2024, with regard to Petition 2024-06-02-12 submitted by Tiseo Architects, Inc., on behalf of The Rack, requesting waiver use approval to utilize a Class C liquor license

(sale of beer, wine and spirits for consumption on the premises) in connection with the operation of the existing billiard hall at 28410 Joy Road, located on the north side of Joy Road between Floral and Harrison Avenues in the Southeast  $\frac{1}{4}$  of Section 36, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2024-06-02-12 is hereby approved and granted, subject to the following conditions:

1. That a waiver of the 400-foot separation requirement between this location and the church at 28350 Joy Road shall be approved, pursuant to Section 6.22(2)(B) of the Livonia Zoning Ordinance;
2. That the Floor Plan identified as Sheet No. P3, dated June 12, 2024, prepared by Tiseo Architects, Inc., is hereby approved and shall be adhered to, and the maximum customer seating count in the bar service area shall not exceed a total of twenty-six (26) seats; and
3. This waiver use and the operation of a Class C liquor license remain valid only as long as the property is owned by its current owner and the building retains its current use as a pool hall which shall be maintained in substantial compliance with the submitted floor plan, Sheet P3, dated June 12, 2024, as prepared by Tiseo Architects, Inc.

**#278-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, approved for submission by the Mayor, which transmits its resolution #07-34-2024, adopted on July 16, 2024, with regard to Petition 2024-06-02-12 submitted by Tiseo Architects, Inc., on behalf of The Rack, requesting waiver use approval to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of the existing billiard hall at 28410 Joy Road, located on the north side of Joy Road between Floral and Harrison Avenues in the Southeast  $\frac{1}{4}$  of Section 36, the Council does hereby waive the 400-foot separation requirement between this location and the church located at 28350 Joy Road, as set forth in section 6.22(2)(b) of the Livonia Zoning Ordinance.

**#279-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, which transmits its resolution #07-35-2024, adopted on July 16, 2024, with regard to Petition 2024-06-08-02 submitted by Laurel Investment, L.L.C. requesting approval of all plans in connection with a proposal to demolish a portion of the existing Holiday Inn and construct three (3) new buildings including a five-story hotel (Home

2 Suites by Hilton), and two (2) freestanding full-service restaurants (Cooper's Hawk and Capital Grille), at 17117 and 17123 Laurel Park Drive, located on the west side of Laurel Park between I-275 and Newburgh Road in the Southeast ¼ of Section 7, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2024-06-08-02 is hereby approved and granted, subject to the following conditions:

1. The Site Plan, identified as Drawing No. C-3.0, dated May 24, 2024, prepared by PEA Group, is hereby approved and shall be adhered to;
2. The maximum customer seating for Cooper's Hawk shall not exceed 300, including 260 interior seats and forty (40) outdoor patio seats, and the maximum customer seating for The Capital Grille shall not exceed 246;
3. The Landscape Plan and Landscape Details, identified as Drawing No. L-1.0 and Drawing No. L-1.1, dated May 24, 2024, prepared by PEA Group, are hereby approved and shall be adhered to;
4. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding;
5. Underground sprinklers must be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition;
6. The Elevation Plans and Exterior Material sheet for Cooper's Hawk, prepared by Design Collective, as received on June 5, 2024, are hereby approved and shall be adhered to, except that masonry shall be added to the exterior of the building, subject to the approval of the Planning Department;
7. The Elevation Plans for The Capital Grille, identified as Sheets SD1.5 and SD1.6, dated March 11, 2024, prepared by JKRP Architects, are hereby approved and shall be adhered to, except that masonry shall be added to the exterior of the building, subject to the approval of the Planning Department;
8. The Elevation Plans for Home 2 Suites by Hilton, identified as Sheets A-300 and A-301, dated May 10, 2024, prepared by Bowers & Associates, Inc., are hereby approved and shall be adhered to, except that masonry shall be added to the exterior of the building, subject to the approval of the Planning Department;

9. The Elevation Plans for Holiday Inn, prepared by Bowers & Associates, Inc., as received on June 5, 2024, are hereby approved and shall be adhered to;

10. All rooftop mechanical equipment shall be concealed from public view on all sides by screening compatible with the building's exterior materials in character, material, and color;

11. The walls of the refuse enclosures shall consist of materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting solid panel fiberglass;

12. All pole-mounted light fixtures shall not exceed twenty feet (20') above finish grade and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring onto adjacent properties and roadways;

13. Only conforming signs are approved with this petition. Additional signs shall be submitted for review and approval by the Zoning Board of Appeals;

14. No exposed LED light bands or neon shall be permitted on this site, including, but not limited to, the buildings or around the windows;

15. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department when 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 and construction is commenced, this approval shall be null and void at the expiration of said period.

**#280-24** RESOLVED, that having considered a communication from the City Planning Commission, dated July 18, 2024, which transmits its resolution #07-36-2024, adopted on July 16, 2024, with regard to Petition 2024-06-08-03 submitted by TRUE Credit Union requesting approval of all plans in connection with a proposal to demolish the existing building and construct a new TRUE Credit Union building with drive-thru operations, at 36525 Plymouth Road, located on the south side of Plymouth Road between Raleigh Avenue and Levan Road in the Northwest ¼ of Section 32, the Council does hereby concur in the recommendation of the Planning

Commission and Petition 2024-06-08-03 is hereby approved and granted, subject to the following conditions:

1. That the Site Layout Plan, identified as Sheet No. C2.0, dated June 12, 2024, prepared by Mayotte Group Architects, is hereby approved and shall be adhered to;
2. All regular parking spaces shall be double-striped and measure ten feet (10') in width;
3. The Landscape Plan, identified as Sheet No. C6.0, dated July 1, 2024, prepared by Mayotte Group Architects, is hereby approved and shall be adhered to;
4. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding;
5. Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and then permanently maintained in a healthy condition;
6. The Exterior Elevations Plans, identified as Sheet No. A200 and Sheet No. A201, dated June 12, 2024, prepared by Mayotte Group Architects, are hereby approved and shall be adhered to;
7. All rooftop mechanical equipment shall be concealed from public view with screening compatible with the building's exterior materials;
8. The walls of the refuse enclosures shall consist of materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting solid panel fiberglass;
9. All exterior 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;
10. Only conforming signs are approved with this petition. Additional signs shall be submitted for review and approval by the Zoning Board of Appeals;
11. No exposed LED light band or neon shall be permitted on this site including, but not limited to, the building or around the windows;

12. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department when the building permits are applied for; and

13. Under Section 13.13 of the Livonia Zoning Ordinance, as amended, this approval is valid for a period of one year only from the date of approval by the City Council. Unless a building permit is obtained and construction is commenced, this approval shall be null and void at the expiration of said period.

**#281-24** RESOLVED, that having considered a communication from the Director of Public Works, dated July 10, 2024, which bears the signatures of the Superintendent of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby authorize an amendment to the three-year contract with Hydro-Corp Services, 5700 Crooks Rd., Suite 100, Troy, MI 48098, pursuant to council resolution 139-24, adopted on April 15, 2024, to include all the necessary testing of the 89 City of Livonia owned backflow devices, relative to the City's Cross-Connection Inspection Program, for the period May 1, 2024 through April 30, 2027, in an annual amount not to exceed \$10,235.00, said amount being in addition to the \$76,536.00 annual cost of the current Cross-Connection Inspection Program; FURTHER, the Council does hereby authorize an additional expenditure in an annual amount not to exceed \$10,235.00 from funds budgeted in Account No. 592-559-818-000 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.

**#282-24** RESOLVED, that having considered the report and recommendation of the Assistant City Engineer, dated July 9, 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 Land Partnership, LLC, a limited liability company, in conjunction with the construction of a storm drain system that provides adequate drainage for Haggerty Square Phase II, located at 19750 Haggerty Road, in the Southwest 1/4 of Section 6, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the east side of Haggerty Road, north of Seven Mile Road, in the

S.W. ¼ of Section 6, which accommodates storm water from Haggerty Square Phase II, located at 19750 Haggerty Road, with the maintenance agreement from the proprietor, Livonia Land Partnership, LLC, a limited liability company, 13685 S. West Bay Shore, Traverse City, Michigan 49684, 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.

**#283-24** RESOLVED, that having considered the report and recommendation of the City Engineer, dated July 17, 2024, which bears the signature of the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby authorize the release to Heritage Square Livonia LLC, c/o Enrico Soave, Kucyk, Soave & Fernandes, P.L.L.C., 37771 Seven Mile Road, Suite C, Livonia, Michigan 48152, the proprietor of Heritage Square Site Condominium, located east of Newburgh Road, south of Six Mile Road, in the N.W. 1/4 of section 17, the financial assurances previously deposited pursuant to Council Resolution 403-18, adopted on November 19, 2018, specifically:

As-Built Drawing Bond      \$10,000.00  
Released from Account No. 702-285-101 (Bonds)

FURTHER, all other financial assurances now on deposit with the City, if any, with respect to this subdivision shall remain the same and unchanged; and the action herein being taken is for the reasons indicated in the aforementioned report of the City Engineer that all these improvements have been satisfactorily installed in accordance with the rules and regulations and ordinances of the City of Livonia.

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

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

NAYS:           None

Councilmember Jolly reported on the Finance and Budget Committee meeting of August 12, 2024, regarding the subject matter of Advance Budget Reviews Fiscal Year 2024-2025 Pre-Budget Meeting. (CR 161-12)

The 2024 Assessment Data booklet from the City Assessor, dated June 18, 2024, was received and placed on file, for the information of the Council. This item will remain in Committee.

Councilmember Donovic reported on the Capital Outlay and Infrastructure Committee Meeting of August 12, 2024, regarding the subject matter of the solid waste/recycling contract. (CR 57-15 and 932-98)

Councilmember Donovic noted the contractor, Priority Waste, has changed the terms of the contract as proposed therefore Council has declined to vote. The solid waste/recycling contract and the purchase of recycling carts will remain in Committee.

Mayor Brosnan shared that she appreciates the stance Council has taken on this issue.

A communication received from the Director of Finance, dated August 19, 2024, forwarding a financial analysis of the Municipal Refuse Fund, with respect to this item, was received and placed on file for the information of the Council.

President McCullough reported on the Committee of the Whole Meeting of August 19, 2024 regarding the subject matter of Petition 2023-06-02-07 submitted by Seven Mile/Farmington Venture, LP requesting Special Waiver Use approval to develop a Planned General Development consisting of a 75,466 square-foot Meijer grocery store and a 102-unit multi-family residential townhome complex on the property at 33500 W. Seven Mile Road, located on the Southeast ¼ of Section 4. (CR 257-24)

Cris Jones, Senior Real estate Manager for Meijer, thanked Council and spoke about the SDM. He explained that it is a critical component of a grocery store.

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

**#284-24** RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated August 19, 2024, submitted pursuant to Council Resolution 257-24, regarding the subject matter of Petition 2023-06-02-07 submitted by Seven Mile/Farmington Venture, LP, requesting Special Waiver Use approval to develop a Planned General Development consisting of a 75,466 square-foot Meijer grocery store and a 102-unit multi-family residential townhome complex on the property at 33500 W. Seven Mile Road, located on the Southeast  $\frac{1}{4}$  of Section 4, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2023-06-02-07 submitted by Seven Mile/Farmington Venture, LP is hereby approved and granted, subject to the following conditions:

1. The Preliminary Site Plan, identified as drawing C-2.0, dated August 19, 2024, as revised and prepared by PEA Group, is hereby approved and shall be adhered to;
2. The Landscape Plans, identified as drawings L-1.0, L-1.1, L-1.2, L-1.3, L-1.4, and L-1.5, all dated August 14, 2024, as revised, prepared by PEA Group, are hereby approved and shall be adhered to;
3. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding;
4. Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and then permanently maintained in a healthy condition;
5. All parking spaces, except the required handicapped spaces, shall be double-striped and ten feet (10') wide;
6. The revised Exterior Building Elevation Plan identified as Meijer LVA (75K) - Grocery Format - Formliner, prepared by Fishbeck, dated July 10, 2024, is hereby approved;
7. The townhome elevation plans identified as Sheets A201, A202, and A203, all dated June 18, 2024, prepared by Spire Design Group, are hereby approved and shall be adhered to;
8. Installation of the traffic signal on Farmington Road shall be deferred until after the grocery store has been open for at least one (1) year. The developer shall provide a traffic study with actual

counts to be reviewed by the Wayne County Traffic Division, the Livonia Traffic Bureau, and the City of Livonia Engineering Department within 45 days following the one-year period. The Petitioner shall install the signal if warranted, as determined by the traffic study and confirmed by Wayne County and the City of Livonia. However, if traffic conflicts or excessive delays related to traffic patterns result six (6) months after the store has opened as determined by the Livonia Traffic Bureau based on observations, accident data, or complaints, then the developer shall install a traffic signal within a reasonable time frame upon notification by the City;

9. The maximum height of all pole-mounted light fixtures shall be twenty feet (20') and shall be located and shielded to prevent light trespassing and glaring on adjacent properties;

10. The walls of the dumpster enclosures shall be constructed of masonry that matches or compliments the masonry on the buildings. The enclosure gates shall consist of steel or durable composite panels;

11. The design of the stormwater detention system shall meet either the City of Livonia engineering standards or the Wayne County Storm Water Management Ordinance, whichever applies;

12. The developer, all contractors, and subcontractors shall employ best management practices to prevent, reduce, and mitigate the problems associated with soil erosion and airborne dirt and dust from migrating off-site;

13. All signs shall conform with the plans entitled #683 Exterior Signage Review, dated August 15, 2024, as prepared by Meijer Real Estate Store Development, subject to the approval and any changes by the Zoning Board of Appeals;

14. The existing privacy wall shall be extended to a minimum height of six (6) feet and repainted;

15. Cart control devices and technology shall be installed and permanently maintained so that shopping carts from the Meijer Grocery Store cannot exit the footprint of the combined townhouse and Meijer site;

16. Trash receptacles shall be placed near outdoor seating and gathering areas and shall be permanently maintained and regularly serviced to ensure that the site is free of litter and debris consistent with the requirements of Chapter 13.36 of the City of Livonia Code of Ordinances;

17. Stationary outdoor art shall be installed and permanently maintained in good condition and repair by the development owner after consulting with and receiving suggestions from the Livonia Art Commission;

18. Shade trees shall be installed and permanently maintained in healthy condition in the public outdoor seating and gathering areas around the exterior of the development;

19. Under Section 5.02(5), a Development Agreement shall be submitted and executed between the City and the developer/owners that addresses items pertinent to the construction of the project and its long-term operation, such as but not limited to land divisions, project phasing, timing of the construction of the apartments in relation to the occupancy of the grocery store, parking, site design standards, permitted and prohibited uses, store hours, delivery hours, truck idling, and outside storage including trailers; and

20. 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 and construction commences, this approval shall be null and void at the expiration of said period.

Marsha McLean, 20075 Edgewood Ave, thanked the resident who spoke about building materials at a past meeting and voiced concerns about the proposed closing time.

The following residents spoke in favor of the project:

Christopher Martin

Bob Klanseck, 17786 Country Club

President McCullough passed the gavel to Vice President Ptashnik at 8:08 p.m. to speak in favor of the project. He resumed the gavel at 8:16 p.m.

Councilmember Jolly gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTIONS 030, 050,  
AND 090 OF TITLE 3, CHAPTER 12 (SENIOR  
CITIZENS HOUSING TAX EXEMPTION) OF THE  
LIVONIA CODE OF ORDINANCES, AS AMENDED.

Christopher Martin, resident, verified this is unrelated to the veteran who spoke at a previous meeting.

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.

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

**#285-24** RESOLVED, that having considered the report and recommendation of the Chief of Police, dated July 19, 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 Bongero Construction Co., David Bongero, 33346 Glendale Ave., Livonia, MI 48150, for performing all work required in connection with the manufacture and construction of a 1,700 sq. ft. slab two-story scenario training structure (according to blueprints) to enhance training at the Livonia Glendale Training Center, to include excavation, slab foundation, roofing, rough lumber, framed carpentry & labor, doors, windows and lights, electrical, wiring, painting and permits, in an amount not to exceed \$196,547.00, the same 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 \$196,547.00 from forfeiture funds budgeted in Account No. 262-333-976-000 (Capital Outlay-Building Improvement) for this purpose; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract, approved as to form and substance by the Department of Law, with the aforesaid bidder, and to do all things necessary or incidental to the full performance of this resolution.

Livonia Police Chief Goralski was present to answer any questions.

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

**#286-24** RESOLVED, that having considered a communication from the Director of Finance, dated July 30, 2024, approved for submission by the Mayor, the Council does hereby determine to conduct a Finance and Budget Committee Meeting on Monday, September 16, 2024, at 7:00 p.m., in the 5<sup>th</sup> floor gallery, and a Public Hearing on Wednesday, October 2, 2024, at 7:00 p.m., at the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the annual budget for the fiscal year ending on November 30, 2025; and the City Clerk shall give adequate public notice of said public hearing in accordance with provisions of law and City Charter.

Debra Lichtenberg, Finance Director, was present to answer questions.

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

**#287-24** RESOLVED, that having considered a communication from the Department of Law, dated August 14, 2024, approved for submission by the Mayor, the Council does hereby, by a two-thirds roll call vote in accordance with Section 7(1) of the Open Meetings Act, direct that a Closed Committee of the Whole meeting be held for the purpose of discussing litigation matters and attorney/client privileged communications in connection with pending litigation, Gail E. Sullivan v City Livonia of; Wayne County Circuit Court Case No. 23-009613-NO.

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

On a motion by Councilmember Toy, supported by Vice President Ptashnik and unanimously adopted, this 1,999<sup>th</sup> Regular Meeting of the Council of the City of Livonia was adjourned at 8:25 p.m.

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Lori L. Miller, City Clerk