

MINUTES OF THE ONE THOUSAND NINE HUNDRED FOURTEENTH

REGULAR MEETING OF FEBRUARY 8, 2021

On February 8, 2021, the above meeting was called to order via remote Zoom technology by President Vice President Scott Bahr at 7:00 p.m. Councilmember Rob Donovic led the meeting in the Pledge of Allegiance.

Roll was called with the following result: Rob Donovic (Deployed); Jim Jolly (Livonia, Michigan); Laura Toy (Livonia, Michigan); Scott Bahr (Livonia, Michigan); Cathy White (Livonia, Michigan); Brandon McCullough (Livonia, Michigan); and President Kathleen McIntyre (Arrived 7:05 p.m.) (Livonia, Michigan). Absent: None.

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier, City Attorney; Susan M. Nash, City Clerk; Lynda Scheel, Treasurer; Dave Heavener, Fire Chief; Brandie Isaacson, Director of Housing; LaShawn Thomas, Director of Governmental Affairs; Sara Kasprowicz, Manager of Council Office; Casey O'Neil, Director of Information Systems; Jack Engebretson, former Mayor; and Dave Varga, Director of Administrative Services.

On a motion by Jolly, supported by Toy, it was:

#22-21 RESOLVED, that the minutes of the 1913th Regular Meeting of the Council held January 25, 2021 are approved as presented.

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

AYES: Donovic, Jolly, Toy, White, McCullough and Bahr

NAYS: None

The Vice President declared the resolution adopted.

Councilmember Jolly announced the retirees for the month of January, those being Derek Washington, Personnel Analyst II, serving 27 years with the City; Kevin Church, Fire Captain, retiring with 25 years of service; and Laurie Anderson, Program Supervisor with the Police Department, retiring with 10 years of service and wished them well on their retirement.

Councilmember Toy sent condolences to the family of Henry Binder, who served on the City's Water Commission, and asked for a moment of silence in his memory.

Councilmember McCullough spoke about the death of Angie Hillman, director of the CAPA Program, and also a long time Livonia Public School teacher, and the impact she made in the Livonia community. A moment of silence was held in her memory.

Councilmember Toy also commented on Hillman's death, stating that her father, John Hillman, served on several of the City's commissions, and Angie's death is a huge loss to the City.

(President McIntyre entered the Zoom meeting at 7:05 p.m.)

Councilmember Toy stated she was approached by a member of the Greenleaf Commission on Sustainability asking that they be invited to an upcoming Public Safety, Health and Environment Committee meeting regarding the subject matter of sustainability in the City.

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

#23-21 RESOLVED, that upon the motion by Councilmember Toy, seconded by Councilmember McCullough, at the Regular Meeting held February 8, 2021, that the Greenleaf Commission on Sustainability provide an updated report on the subject matter of sustainability in the City at an upcoming Public Safety, Health and Environment Committee meeting.

Vice President Bahr wished his son Caden a Happy 15th Birthday.

(Vice President Bahr passed the gavel to President McIntyre at 7:06 p.m.)

President McIntyre stated she is wearing red to remind everyone of Women's Heart Health Day. She then reminded everyone that February is Black History

Month and there are many activities going on that people can participate in such as a virtual one that the DIA is presenting.

She then announced there will be one (1) Public Hearing being held via Zoom remote technology on Monday, March 1, 2021 on the following matter:

Petition 2020-12-01-07 submitted by Tiseo Architects, Inc., pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone portions of the shopping center property at 19043 thru 19053 Middlebelt Road and 29475 thru 29493 Seven Mile Road, located on the west side of Middlebelt Road between Clarita Avenue and Seven Mile Road in the Northeast ¼ of Section 11, from C-1 (Local Business) and P (Parking) to C-2 (General Business)

She then stated there will be an X-item at the end of tonight's Regular Agenda.

President McIntyre wished Jacob Rushlow a happy birthday and congratulated Mayor Maureen Miller Brosnan on her engagement.

Councilmember Toy congratulated Maureen Marie Key from St. Mary's Hospital on her performance at the Presidential Inauguration singing Amazing Grace.

Councilmember White, as Parliamentarian of Council, reviewed the rules for Audience Communication.

During Audience Communication Dustin Donigan, 3847 Miller Way South, Bloomfield, great grandson of the owners of Hill House at Greenmead, commented on the Caretaker's House in Greenmead being repurposed to a museum.

President McIntyre stated that any changes to anything at Greenmead having to do with repurposing a building or any project over \$15,000.00 would need the approval of City Council.

A communication from the Department of Finance, dated January 8, 2021, re: forwarding Quarterly Investment Report for the City of Livonia as of November 30, 2020, was received and placed on file for the information of the Council.

On a motion by Jolly, supported by Bahr, it was:

#24-21 RESOLVED, that having considered a communication from the City Engineer, dated January 4, 2021, approved for submission by the Mayor, to which is attached a letter from Ronald Emling, dated December

29, 2020, requesting a waiver of the sidewalk requirement in front of the new industrial building to be constructed at 34422 Rosati Drive, in the S.W. ¼ of Section 28, 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 relative lack of other public sidewalks existing 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.

#25-21 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated January 13, 2021, 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 ARX, Inc., 2901 Auburn Road, Auburn Hills, MI 48326, wherein ARX, Inc. will provide the police department with (1) a customized data dashboard to work in conjunction with CLEMIS and in accordance to the department's unique requirements; (2) maintenance of data on the PACT (Police and Community Together) tab on the City's webpage; (3) continued accessibility, transparency, and increased efficiency by automating workflows through digital forms and (4) a community engagement tab to highlight community outreach and partnerships, for a period of three (3) years, commencing February 9, 2021, for a total amount not to exceed \$31,050.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$31,050.00 from Account No.: 101-304-818-000 (Professional Services) for this purpose; 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 said item without competitive bidding in accordance with Section 3.04.140D3 of the Livonia Code of Ordinances, as amended, in reliance on the report and recommendation of the Chief of Police and based in agreement with CLEMIS (which houses the police department's data) to provide ARX, Inc. access to the information and the ability to update data directly from the CLEMIS database.

#26-21 RESOLVED, that having considered the report and recommendation of the Chief of Police, dated January 13, 2021, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the quote of Thermo Scientific Portable Analytical Instruments, Inc., 2 Radcliff Road, Tewksbury, MA 01876 for the purchase of one (1) Trunarc Handheld Chemical Analyzer to replace outdated narcotic field test kit pouches currently in use, which puts the police officers at a higher risk of being exposed to dangerous substances, for a total amount not to exceed

\$29,788.26; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$29,788.26 from the Federal Forfeiture Funds Account No. 265-334-987-000 (Capital Outlay – Other Equipment) 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.D.3 of the Livonia Code of Ordinances, as amended, for the reason that Thermo Scientific Portable Analytical Instruments, Inc., is a sole source supplier and no advantage would result from requiring competitive bidding.

#27-21 RESOLVED, that having considered a communication from the Director of Housing, dated January 26, 2021, 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 Fiscal Year 2021 Municipal Credit Contract between SMART and the City of Livonia for the period July 1, 2020 to June 30, 2021, to allow for the Livonia Community Transit Program to receive Municipal and Community Credits in the amount of \$95,342.00, the Council does for and on behalf of the City of Livonia, authorize the Mayor and City Clerk to execute the Municipal Credit Contract in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#28-21 RESOLVED, that having considered a communication from the Director of Housing, dated January 26, 2021, which bears the signatures of the Director of Finance and the City Attorney, and is approved for submission by the Mayor, and to which is attached a proposed Funding Agreement between the Suburban Mobility Authority for Regional Transportation (SMART) and the City of Livonia to allow for the Livonia Community Transit Program to receive the Coronavirus Aid, Relief, and Economic Security Act grant in the amount of \$75,270.00, the Council does for and on behalf of the City of Livonia, authorize the Mayor and City Clerk to execute said funding agreement in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#29-21 RESOLVED, that having considered a communication from the Superintendent of Public Service, dated January 7, 2021, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding an additional appropriation and expenditure to perform preventive maintenance along with emergency repairs of the sanitary sewer system at the northwest quadrant of Section 12, and to amend the existing contract with Granite Inliner, LLC (f/k/a Liqui-Force Services, Inc.), previously authorized in Council Resolution No. 401-17, adopted on December 18, 2017, the

Council does hereby appropriate and authorize an expenditure in an amount of \$650,000.00, increasing the not to exceed contract amount to \$1,000,000.00, payable to Granite Inliner, LLC (f/k/a Liqui-Force Services, Inc.), 4520 N. State Road 37, Orleans, IN 47452, for performing all work required in connection with the preventive maintenance along with emergency repairs of the sanitary sewer system at the northwest quadrant of Section 12; FURTHER, the Council does hereby appropriate and authorize the expenditure of a sum not to exceed \$650,000.00 from the Unexpended Fund Balance of the Water and Sewer Fund (592) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 2.04.140.D.3 of the Livonia Code of Ordinances, as amended, since no advantage to the City would result from competitive bidding.

#30-21 RESOLVED, that having considered the report and recommendation of the Superintendent of Public Service, dated January 6, 2021, 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 amendment to the Engineering contract between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 for Phase I of the engineering design and contractor bidding process to facilitate the project of installing a Pressure Reducing Valve on a 12-inch water main at Eight Mile and Ellen Drive, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150, to provide design engineering services and contractor bidding assistance in an amount not to exceed \$32,100.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$32,100.00 from funds budgeted in Account No. 592-559-818-000 (Contractual Services).

#31-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated January 14, 2021, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the following low bids which meet specifications for supplying the Public Service Division (Road Maintenance Section) with aggregate materials specified at the unit prices bid for the 2021 calendar year requirements:

Aggregate Purchases: 2021	Primary	Per Ton \$	Alternate	Per Ton \$
M.D.O.T. – 21AA – Limestone – D.T.Y.	Osburn	\$16.00	Ellsworth	\$17.40
M.D.O.T. – 22A – D.T.Y.	Ellsworth	\$14.50	Osburn	\$15.50
W.C.D.P.S. – 30A (Blast Furnace Slag) – D.T.Y.	Ellsworth	\$14.50	Richmond	\$21.80

M.D.O.T. – Class I – D.T.Y.	Ellsworth	\$10.60	Osburn	\$17.00
M.D.O.T. – Class II – D.T.Y.	Farmer	\$9.25	Osburn	\$9.30
M.D.O.T. – 2NS – Natural Sand – D.T.Y.	Osburn	\$14.50	Farmer	\$15.98
M.D.O.T. – 2MS – Mortar Sand – D.T.Y.	Farmer	\$14.00	Ellsworth	\$14.75
M.D.O.T. - 60-40 Washed–Conc. Aggregates–D.T.Y.	Osburn	\$18.25	Farmer	\$18.73
1” to 3” Crushed Concrete – D.T.Y.	Farmer	\$15.10	Osburn	\$17.00
M.D.O.T – 6A Natural Stone – D.T.Y.	Farmer	\$17.93	Osburn	\$18.50
Ag-Lime – “Parks”	Farmer	\$18.58	Osburn	\$18.90

#32-21 RESOLVED, that having considered the report and recommendation of the Superintendent of Public Works, dated January 14, 2021, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the bid of Decima LLC, 3200 Greenfield, Suite 300, Dearborn, MI 48120 for performing all work required in connection with replacing the Fleet Maintenance Garage electrical system, to include the disconnection and removal of existing incoming overhead electrical service and service equipment, providing new underground incoming electrical service and new service equipment, and extending all existing active branch circuits to new service equipment, for an amount not to exceed \$81,000.00; the same having been in fact the lowest qualified bid received which meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$81,000.00 from funds already budgeted in Account No. 401-000-976-000 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Law Department, 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.

#33-21 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated January 12, 2021, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, in connection with the annual renewal of the software licensing and maintenance agreement between the City of Livonia and Azteca Systems LLC, for the DPW work management system, including Cityworks Online, the Council does hereby approve the annual renewal of the software licensing and maintenance agreement, including Cityworks Online, between the City of Livonia and Azteca Systems LLC, 11075 South State Street #24, Sandy, UT 84070 for a one (1) year period commencing March 1, 2021 through February 28, 2022, in an amount not to exceed \$86,500.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$43,250.00 from Account No. 205-527-851-020 (Refuse Fund) and \$43,250.00 from Account No. 592-559-851-020 (Water and Sewer Fund) 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.D.3 of the Livonia Code of Ordinances, as amended, for the reason that Azteca Systems LLC is a sole source supplier and no advantage would result from requiring competitive bidding.

#34-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated December 22, 2020, 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 five (5) Exmark Lazer S-Series 749 mowers from Weingartz (formerly Commercial Lawnmower), 32098 Plymouth Road, Livonia, MI 48150, at a cost of \$9,475.00 each, for a total amount not to exceed \$47,375.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$47,375.00 from funds already budgeted in Account No. 401-000-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price under MI-Deal Contract No. 0-71B7700085 and through Sourcewell (formerly NJPA) Contract #062117-TTC; 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.D.4 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize the disposal of the replaced mowers at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new mowers.

#35-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, December 22, 2020, 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 five (5) John Deere Turf Vehicles, Model TH 6X4, with utility attachments, at a cost of \$11,729.32 each, for a total amount not to exceed \$58,646.60, from Bader & Sons, Inc., 20801 Pontiac Trail, South Lyon, MI 48178, to be assigned to Park Maintenance Equipment and to replace similar vehicles which have surpassed their life expectancy; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$58,646.60 from funds already budgeted for this purpose in Account No. 401-000-987-000; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended, inasmuch as the same is based upon the low State of Michigan MI-Deal bid price under Contract No. 0-71B7700085 for the new vehicle purchase; and no advantage to the City would result from competitive bidding; FURTHER, the Council does hereby authorize the disposal of the replaced vehicles at public auction

hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicles.

#36-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated January 13, 2021, which bears the signature of the Director of Finance, is approved by the Director of Public Works and approved for submission by the Mayor, regarding repair of sidewalks in the City of Livonia pursuant to the 2020 Sidewalk Program, Contract 20-G, at the locations and in the amounts indicated in the attachment to the aforesaid communication (the "Attachment"), which work was done pursuant to Council Resolution 123-20, adopted on April 27, 2020, and in accordance with the provisions of Section 340 of Title 12, Chapter 4 of the Livonia Code of Ordinances, as amended, the City Treasurer is hereby directed to send a statement of charges to all property owners in the amounts listed in the Attachment in accordance with Section 150 of Title 3, Chapter 8 of the Livonia Code of Ordinances, as amended, and the Council does hereby establish the evening of Monday, June 14, 2021, at 7:00 p.m., at the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan, as the time and place when the Council shall meet for the purpose of adopting a resolution placing a special assessment upon said property for such charges unless the same are paid prior to the date of such meeting; and the City Clerk and City Treasurer are hereby requested to do all things necessary or incidental to the full performance of this resolution.

#37-21 RESOLVED, that having considered the recommendation of the City Planning Director and a communication from Kyle Morton, Vice President, Ashley Capital, dated January 7, 2021, to which is attached a proposed Development Agreement between Livonia West Commerce Center 2, LLC, a Michigan limited liability company, 2575 S. Haggerty Road, Suite 500, Canton, Michigan 48188 and the City of Livonia, providing certain terms and conditions on the re-use and maintenance of 12950 Eckles Road, pursuant to authorization established by Revitalizing Auto Communities Environmental Response (RACER) Trust under a Settlement Agreement in U.S. Bankruptcy Court, the Council does hereby approve the Development 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.

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

result:

AYES: Donovic, Jolly, Toy, Bahr, White, McCullough and McIntyre

NAYS: None

The President declared the resolutions adopted.

Bahr gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 31.04 (NP DISTRICT REGULATIONS) OF ARTICLE XXXI OF ORDINANCE NO. 543, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE." (Petition 2020-09-06-02)

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for word repeated herein.

The above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

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

#38-21 RESOLVED, that having considered a communication from Victoria and Denise Gorans, dated January 2, 2021, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, for the purpose of hosting a country music performance with sound system in the backyard of their home located at 32915 Illinois Street, from 6:30 p.m. to approximately 7:45 p.m. on Friday, April 30, 2021, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 6:30 p.m. and 7:45 p.m. in connection with this event to be held on Friday, April 30, 2021.

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

#39-21 RESOLVED, that having considered a communication from the Department of Law, dated January 15, 2021, approved for submission by the Mayor, transmitting for Council acceptance of a Grant of Easement from Ashley Equities, LLC, executed by Kyle T. Morton, Its Authorized Agent, for a public utility easement in connection with the construction of a water main at the subject location in the Southwest 1/4 of Section 25, more particularly described as:

Twelve-Foot Wide Water Main Easement

A twelve-foot (12') wide water main easement located in the North ½ of Southwest ¼ of Section 25, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan. Being more particularly described as:

Commencing at the West ¼ Corner of said Section 25, thence S 00°33'50" W, 49.50 feet; thence S 89°25'50" E, 104.90 feet; thence S 89°25'50" E, 1873.92 feet along the south line of the CSX Railroad right-of-way (99.00 feet wide); thence S 00°19'37" W, 237.36 feet; thence N 89°38'30" W, 24.10 feet to the point of beginning of the centerline of a twelve-foot wide public water main easement; thence N 00°41'56" E, 3.42 feet; thence N 44°41'00" W, 20.00 feet; thence N 89°41'05" W, 149.95 feet; thence S 00°21'30" W, 12.44 feet; thence N 00°21'30" E, 12.44 feet; thence N 89°39'59" W, 264.02 feet; thence S 45°20'34" W, 14.15 feet; thence S 00°21'30" W, 7.32 feet to the point of ending of the centerline of a twelve-foot wide public watermain easement.

The Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Grant of Easement and the City Clerk is hereby requested to have the same recorded in the Office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

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

#40-21 RESOLVED, that the Council does hereby suspend their rules for procedure as outlined in Council Resolution 574-82 so as to permit consideration of items that do not appear on the Agenda.

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

#41-21 RESOLVED, that having considered an email communication from Veronica Cruz, Chair, Livonia Kids & Family, dated February 2, 2021, the Council does hereby take this means to indicate that Livonia Kids & Families, Inc. is recognized as a non-profit organization operating in the community, and the action herein being taken for the purpose of affording Livonia Kids & Families, Inc., the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

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

On a motion by Jolly, supported by Toy, and unanimously adopted, this 1,914th Regular Meeting of the Council of the City of Livonia was adjourned at 7:33 p.m. on February 8, 2021.

Susan M. Nash, City Clerk