

MINUTES OF THE TWO THOUSAND FIFTH REGULAR
MEETING NOVEMBER 18, 2024

On November 18, 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 7:03 p.m. Councilmember Morgan led the meeting with the Pledge of Allegiance, with the aid of Cub Scout Troop # 72.

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; Lori L. Miller, City Clerk; Mark Taormina, Planning and Economic Development Director; Sara Kasprovicz, Program Supervisor of Council Office; and Todd Zilincik, City Engineer.

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

#383-24 RESOLVED, that the Minutes of the 2,004th Regular Meeting of the Council held November 6, 2024 are approved as presented.

During Audience Communication, Kathleen McIntyre, 14455 Fairway, spoke about proposed House Bill #6088 regarding transportation in the community. Ms. McIntyre stated improvements are needed for transportation throughout the community and the services currently available are insufficient. Ms. McIntyre stated lame duck legislation in the House takes away local control and increase tax revenues for Livonia residents.

Joseph Schaeffer, 29552 Linda Street, spoke regarding concerns for safety at Rotary Park following storm damage to the pavilion area and concern for a past visit to the Civic Center Library following a rainstorm where he observed buckets in the lobby area to collect water from the leaking ceiling.

President McCullough announced there would be an X-item at the end of the meeting.

Councilmember Toy introduced Mickey Mortimer, who she stated was present in the audience and a former colleague of her years ago while working in Lansing. Councilmember Toy stated Mr. Mortimer is considering running for the vacant Council position and was here to observe Council's proceedings. Councilmember Toy also announced the passing of John Strauss, Jr., lifetime Livonia resident and co-owner and founder of Looney Bakery with his father, who passed at the young age of 64. Councilmember Toy requested a moment of silence in his honor.

Councilmember Budzinski indicated her last in-person Coffee Hour was hosted the past Saturday and one of the big topics of discussion brought to her by residents was the repair needed at the pavilion at Rotary Park. She stated Council and the Administration are aware of the delay in getting work done at Rotary Park but stated things are moving forward. Councilmember Budzinski stated questions regarding trash and recycling bins have been a very important topic and stated much information has been provided in a Q&A on the City's website. Councilmember Budzinski stated residents have the option to take the smaller 64 gallon cart sizes from Toter rather than the larger 96 gallon cart sizes. Councilmember Budzinski stated those who live on main roads will need to follow what they have always done and the trash will be picked up in the same manner.

Councilmember Budzinski also indicated she has followed up on the Committee meeting regarding the deer population. She indicated a response from the DNR is expected to provide information requested and a follow-up with the State. Councilmember Budzinski stated her 2025 coffee hours will resume in January on Saturday, January 18th. She indicated next year there will be four (4) seats on Council available and encouraged residents who want to engage in the process do so. Councilmember Budzinski concluded by recognizing Sgt. Walters of the Police Department and the Traffic Commission for his responsiveness and diligence regarding traffic safety near the Hoover Elementary School and stated she was quite impressed with his work.

Councilmember Donovic announced residents should have received mailers from the City announcing great information about the upcoming transition to trash carts. Councilmember Donovic indicated the website is "LetsRollLivonia.Org" and it provides a wealth of information for residents. Councilmember Donovic acknowledged there may be some concern regarding the carts, however, the transition will save millions of dollars over the course of the contract. Councilmember Donovic stated the industry is moving away from traditional cans bought at Home Depot and the traditional system is going away. Trash collection is moving in the direction of automation.

Councilmember Donovic thanked the resident who brought up the subject matter of the transportation issue and stated he felt it was a continued attack on local control. Councilmember Donovic stated voters rights should not be stripped away and taking away that right from local government is unfortunate. Councilmember Donovic indicated Livonia residents voiced their

concerns and opted out of SMART years ago and stated in his opinion the State legislation should not move forward as it is not in the best interests of residents. Councilmember Donovic encouraged residents to reach out to their State legislators to express their concerns.

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

#384-24 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Council Vice President Martha Ptashnik, at the Regular Meeting held November 18, 2024, the Council does hereby refer the subject matter of a potential mass transit bill making its way through the State House of Representatives and a proposed resolution voicing the City's disapproval of the proposed legislation to the Law and Education Committee for its report and recommendation.

Vice President Ptashnik spoke about the upcoming trash carts getting underway and indicated if residents were not aware, or did not receive notification, the deadline to select the cart size was due today. Vice President Ptashnik encouraged residents to contact DPW if they have not already made their cart size selection to get their selection finalized.

President McCullough indicated there would be a Committee of the Whole meeting scheduled for Monday, December 16, 2024, in the Auditorium of City Hall for the purpose of filling the vacated position on Council at the end of the year. President McCullough stated it is open to all residents to apply and the Council Office has received many interested parties for the position. All prospective candidates will be given a three-minute time to speak before Council to express their interest and qualifications for seeking the position. President McCullough encouraged anyone interested in participating in local government and serving the community on City Council should send their correspondence directly to the Council Office for consideration. President McCullough also announced on January 26th the Livonia All Stars will play the Red Wings Alumni in the Fourth Annual Charity hockey game at Eddie Edgar Ice Arena. President McCullough stated tickets are available online for \$10.00 online and all proceeds benefit the Breaking Barriers for Livonia Families organization.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Wayne County Zoological Authority for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Wayne County Art Institute Authority for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Huron Clinton Metropolitan Authority for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the City of Livonia for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Wayne County Regional Educational Service Agency (RESA) for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Charter County of Wayne for the year 2024, was received and placed on file for the information of the Council.

A communication from the Office of the City Clerk, re: forwarding tax rate request for the Livonia Public Schools School District for the 2024 school year, was received and placed on file for the information of the Council.

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

#385-24 RESOLVED, that having considered an application from Paula C. Piccinini, Secretary, Zeal Credit Union Foundation, Inc., dated October 17, 2024, the Council does hereby take this means to indicate that Zeal Credit Union Foundation, Inc. is recognized as a non-profit organization operating in the community,

and the action herein being taken for the purpose of affording Zeal Credit Union Foundation, Inc. the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

#386-24 RESOLVED, that having considered a communication from the Fire Chief, dated October 24, 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 Billing Service Agreement between the City of Livonia and EMS Management & Consultants, Inc., the Council does hereby accept the proposal submitted by EMS Management & Consultants, Inc. (EMS/MC), 2540 Empire Drive, Suite 100, Winston-Salem, NC 27103, to provide emergency medical transportation billing services for an initial term of three (3) years, from December 1, 2024 to November 30, 2027, with an option to renew for three (3) additional one-year terms thereafter, at the rate of 5.19% of each bill collected, such costs to be expended from funds already budgeted in Account No. 101-336-818-336 for this purpose; FURTHER, EMS/MC is honoring the extension of the previous contract established by Accumed at an improved collection rate pursuant to Finance Ordinance 3.04.140.E(3) and no advantage to the City would result from requiring competitive bidding and EMS/MC is part of a government co-op providing billing services to Warren and Rochester Hills pursuant to Finance Ordinance 3.04.140.E(4).

#387-24 RESOLVED, that having considered a communication from the Chief of Police, dated October 24, 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 an Intergovernmental Agreement between Wayne County Department of Homeland Security and the City of Livonia, the Council hereby authorizes participation in the Justice Assistance Grant (JAG) Program and does, for and on behalf of the City of Livonia, accept the 2024 Justice Assistance Grant in the amount of \$13,608.00, to be used to purchase law enforcement equipment, the same to be deposited in Account No. 223-950-505-081 and appropriated for its intended purposes; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the Intergovernmental Agreement in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law.

#388-24 RESOLVED, that having considered the report and recommendation of the Director of Housing, dated October 21, 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 unit price bid of Ashton Tree Service/Ashton Contracting, 30443 Industrial Road, Livonia, MI 48150 for performing all work required in connection with the removal of 14 large trees at Silver Village, to include grinding stumps and debris removal, at a cost of \$24,200.00, and additional tree trimming to elevate the tree canopies away from sidewalks and buildings, including hauling away all wood, brush and debris, at a cost of \$7,800.00, for a total amount not to exceed \$32,000.00, 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 \$32,000.00 from funds budgeted in Account No. 538-676-938-000 for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

#389-24 RESOLVED, that having considered a communication from the Director of Public Works, dated October 23, 2024, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, the Council does hereby accept the quote submitted by Trane US Inc., 37001 Industrial Road, Livonia, MI 48150, for the purchase of one (1) air-cooled chiller unit; Model No: TPACVMV0500; to replace the current chiller unit at the Livonia Police Department, in an amount not to exceed \$132,645.00; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$132,645.00 from funds budgeted in Account No: 401-000-976-000 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 national bid price under OMNIA Racine #3341, Quote Number: M2-tLlAA0-24-001, 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; 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 Trane US Inc. and to do all other things necessary or incidental to the full performance of this resolution.

#390-24 RESOLVED, that having considered a communication from the City Engineer, dated October 15, 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, concerning the inclusion in the local street system, for Act

51 revenue computation purposes, of the following streets:

Dooley Drive (Addition)

Length: 489.98 l.f.

Termini: Lyndon Avenue to End

Legal Description:

Part of the Southeast $\frac{1}{2}$ of Section 24, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Commencing at the Center $\frac{1}{4}$ Corner of Section 24; thence S $00^{\circ}00'35''$ E, 43.00 feet along the north-south $\frac{1}{4}$ line of Section 24 to the south right-of-way line of Lyndon Avenue; thence S $89^{\circ}28'13''$ E, 147.53 feet along said right-of-way line to the Point of Beginning of the Dooley Drive right-of-way centerline; Proceeding thence S $00^{\circ}07'35''$ E, 315.26 feet; thence 21.34 feet along a 230.00 foot radius curve to the left, the chord of which bears S $02^{\circ}47'03''$ E, 21.33 feet; thence S $05^{\circ}26'31''$ E, 153.39 feet to the Point of Ending.

Fountainview (Addition)

Length: 322.74 l.f.

Termini: Dooley Drive to Nova Drive

Legal Description:

Part of the Southeast $\frac{1}{2}$ of Section 24, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Commencing at the Center $\frac{1}{4}$ Corner of Section 24; thence S $00^{\circ}00'35''$ E, 43.00 feet along the north-south $\frac{1}{4}$ line of Section 24 to the south right-of-way line of Lyndon Avenue; thence S $89^{\circ}28'13''$ E, 147.53 feet along said right-of-way line; thence S $00^{\circ}07'35''$ E, 315.26 feet; thence 8.38 feet along a 230.00 foot radius curve to the left, the chord of which bears S $01^{\circ}10'12''$ E, 8.38 feet to the Point of Beginning of the Fountainview right-of-way centerline; Proceeding thence N $89^{\circ}52'25''$ E, 284.08 feet; thence 38.66 feet along a 55.00 foot radius curve to the left, the chord of which bears N $69^{\circ}43'48''$ E, 37.87 feet to the Point of Ending.

Nova Drive (Addition)

Length: 303.79 l.f.

Termini: Lyndon Avenue to End

Part of the Southeast $\frac{1}{2}$ of Section 24, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Commencing at the Center $\frac{1}{4}$ Corner of Section 24; thence S $00^{\circ}00'35''$ E, 43.00 feet along the north-south $\frac{1}{4}$ line of Section 24 to the south right-of-way line of Lyndon Avenue; thence S $89^{\circ}28'13''$ E, 358.34 feet along said right-of-way line; thence 131.11 feet along a 990.52 foot radius curve to the right, the chord of which bears S $85^{\circ}40'42''$ E, 131.02 feet to the Point of Beginning of the Nova Drive right-of-way centerline; Proceeding thence S $00^{\circ}21'49''$ W, 256.51 feet; thence 47.25 feet along a 55.00 foot radius curve to the right, the chord of which bears S $24^{\circ}58'53''$ W, 45.81 feet to the Point of Ending.

Emerson Court (Addition)

Length: 457.46 l.f.

Termini: West Chicago Avenue to End

Legal Description:

Part of the Northwest $\frac{1}{4}$ of Section 36, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Commencing at the West $\frac{1}{4}$ corner of Section 36; thence N $89^{\circ}52'10''$ E, 2,172.33 feet along the east-west $\frac{1}{4}$ line; thence N $00^{\circ}07'50''$ W, 43.00 feet to the north right of way line of West Chicago Avenue and the Point of Beginning of the Emerson Court right-of-way centerline; Proceeding thence N $00^{\circ}07'50''$ W, 76.00 feet; thence 23.11 feet along a 125.00 foot radius curve to the left, the chord which bears N $05^{\circ}25'34''$ W, 23.08 feet; thence N $10^{\circ}43'19''$ W, 39.53 feet; thence 23.11 feet along a 125.00 foot radius curve to the right, the chord which bears S $05^{\circ}25'34''$ E, 23.08 feet; thence N $00^{\circ}07'50''$ W, 214.91 feet; thence 7.33 feet along a 75.00 foot radius curve to the right, the chord of which bears N $5^{\circ}40'10''$ E, 7.32 feet; N $5^{\circ}28'06''$ E, 73.48 feet to the Point of Ending.

Tulipwood (Addition)

Length: 436.58 l.f.

Termini: Emerson Court to Harrison Avenue

Legal Description:

Part of the Northwest $\frac{1}{4}$ of Section 36, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Also commencing at the Center corner of section 36; thence N 0°19'06" W, 303.01 feet along the north-south ¼ line of section 36; thence S 89°52'10" W, 43.00 feet to the west right-of-way line of Harrison Avenue and the Point of Beginning of the Tulipwood right-of-way centerline; Proceeding thence S 89°52'10" W, 228.44 feet; thence 20.47 feet along a 375.00 foot radius curve to the right, the chord of which bears N 88°34'02" W, 20.46 feet; thence N 87°00'14" W, 71.20 feet; thence 20.47 feet along a 375.00 foot radius curve to the left, the chord of which bears N 88°34'02" W, 20.47 feet; thence S 89°52'10" W, 96.00 feet to the Point of Ending. the Council does hereby authorize the City Engineer acting as the Street Administrator to apply to the Michigan Department of Transportation for the inclusion of said streets in the City's Local Street System for the purpose of computing the City's share of Act 51 revenues.

AND BE IT FURTHER RESOLVED that the streets are approved public streets and are open for public purposes; and FURTHER, that said streets are accepted into the City's local street system and are located within a right-of-way under the control of the City of Livonia and that said streets were open to the public as of December 31, 2024.

#391-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 21, 2024, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed agreement, MDOT Contract 24-5313, between the City of Livonia and the Michigan Department of Transportation (MDOT) for the bridge replacement and road reconstruction of Old Highway M-14 (Ann Arbor Road) from Newburgh Road to Market Street with 12.5% responsibility for Parts A, B & D and 100% responsibility for Part C (the under bridge lighting) of the City of Livonia estimated to total \$727,300.00, the Council does hereby authorize the Mayor and the City Clerk, for and on behalf of the City of Livonia, to execute this agreement in the manner and form herein submitted; FURTHER, the Council does hereby authorize an expenditure in the amount of \$727,300.00 from funds budgeted in Account No. 202-463-818-125 (Major Street Fund - City Participation in County and MDOT Projects) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary, but this authorization does not entitle the City Engineer to authorize any increase in the not-to-exceed amount or to contract with other parties.

#392-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 17, 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, regarding additional appropriation and expenditure for the installation of streetlights along Ann Arbor Road from Plymouth Road to Newburgh Road, the Council does hereby determine as follows:

1. Authorize an appropriation and expenditure in an amount not to exceed \$102,793.05 from the Unexpended Fund Balance of the Capital Projects Fund (401) in the amount of \$51,396.53 and \$51,396.52 from Plymouth Road Development Authority (PRDA) Funding from Account Number #248-000-974-000;
2. Authorize the Mayor and City Clerk to execute the proposed agreement, attached to the aforesaid communication, with DTE Electric Company;
3. Authorize a Contribution-in-Aid Construction payment in an amount not to exceed \$102,793.05 payable to DTE Electric Company, Community Lighting Group, 8001 Haggerty Road, Belleville, Michigan 48111 to be included with the agreement; and
4. Authorize the City Engineer 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.

#393-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 17, 2024, which bears the signatures of the Director of Public Works, the Director of Finance, and the City Attorney, and is approved for submission by the Mayor, the Council does hereby approve the proposed 2025 Road Repair Program as proposed by the Department of Public Works and as reviewed by the Citizens Advisory Committee on Roads for the third year of the ten-year road paving millage approved by Livonia residents, as shown in the attachment to that report.

WHEREAS, the Citizens Advisory Roads Committee identified roads that were in need of repair that were not under the jurisdiction of the City of Livonia, but Wayne County Department of Public Service; Furthermore, road repairs under construction or completed by WCPDS maintenance forces or direction by subcontractors, utilizing Act 51 and/or Federal Aid Committee (FAC) Funds were greatly appreciated for the investment and improvements to the road infrastructure.

NOW, THEREFORE BE IT RESOLVED, that the City Clerk deliver this resolution to Wayne County Executive Warren Evans, Wayne County Department of Public Service Engineering and Roads Division, and Wayne County Commissioner, Terry Marecki (District 9) and David Knezek, Jr. (District 8).

#394-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 18, 2024, submitted pursuant to Council Resolution No. 336-21, adopted on November 22, 2021, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 for the 2025 Asphalt Road Program (Contract 25-A), 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 to provide design engineering services for the 2025 Asphalt Road Program (Contract 25-A), in an amount not to exceed \$107,500.00, said amount being based on the preliminary construction cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$107,500.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#395-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 22, 2024, submitted pursuant to Council Resolution 336-21, adopted on November 22, 2021, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for the 2025 Concrete Road Program (Contract 25-C), 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 Anderson, Eckstein and Westrick, Inc. to provide design engineering services for the 2025 Concrete Road Repair Program (Contract 25-C), in an amount not to exceed \$193,500.00, said amount being based on the preliminary construction cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$193,500.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#396-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 23, 2024, submitted pursuant to Council Resolution 336-21, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for design engineering services for the 2025 Concrete Road Maintenance/Selective Slab Program (Contract 25-J), 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 Anderson, Eckstein and Westrick, Inc. to provide design engineering services for the 2025 Concrete Road Maintenance/Selective Slab Program (Contract 25-J), in an amount not to exceed \$42,400.00, said amount being based on the preliminary construction cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$42,400.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

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

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

NAYS: None

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

AN ORDINANCE ADDING CHAPTER 25 (CAPITAL IMPROVEMENT) TO TITLE 2 OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

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

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

NAYS: None.

The President declared the foregoing Ordinance duly adopted and would become effective on publication.

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

#397-24 RESOLVED, that having considered an email communication from Geralyn Morris, Protective Parents Michigan Founder, dated November 7, 2024, wherein a request is made for Proclamation for Family Court Awareness Month to raise awareness of the need for child safety in Michigan family courts, the Council does hereby determine as follows:

WHEREAS, family courts play a critical role in protecting children from abuse and ensuring their well-being during custody disputes; and

WHEREAS, an alarming number of children are subjected to unsupervised contact with abusive parents, leading to tragic outcomes; and

WHEREAS, recent cases in Michigan highlight the devastating consequences of failing to address abuse adequately in family court; and

WHEREAS, Family Court Awareness Month (FCAM) aims to promote judicial education on the importance of evidence-based practices, including training on domestic violence, child abuse, and childhood trauma; and

WHEREAS, FCAM seeks to ensure family court decisions prioritize the safety of children and encourage the use of scientifically validated treatment programs and practices.

NOW, THEREFORE, the Council does hereby declare the month of NOVEMBER to be Family Court Awareness Month.

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

#398-24 RESOLVED, that having considered the report and recommendation of the Director of Finance, dated October 31, 2024, approved for submission by the Mayor, in connection with renewal options for the City's Liability and Property Insurance coverage, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute a contract with the Michigan Municipal Risk Management Authority (MMRMA), 14001 Merriman Road, Livonia, Michigan 48154, for the period December 1, 2024 to November 30, 2025, for the City's liability and property insurance coverage for a total premium of \$1,537,398.00 and for the period December 1, 2025 to November 30, 2026, with a premium increase to be based upon reinsurance increases incurred by MMRMA in 2025, not to exceed eight percent (8%), as detailed in the aforementioned report; FURTHER, estimated annual premiums in the amount of \$1,537,398.00 to be partially reimbursed from net asset distributions, the same to be expended from funds budgeted in the Liability Insurance Account No. 101-263-961-100 for this purpose; and the Director of Finance is hereby requested to do all other things necessary or incidental to the full performance of this resolution.

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

#399-24 RESOLVED, that having considered a communication from the Director of Finance, dated November 5, 2024, which bears the signature of the Human Resources Director, and is approved for submission by the Mayor, with regard to proposals received from insurance carriers in connection with the City's self-insurance program for workers' compensation, the Council does hereby

authorize the Mayor and the City Clerk to enter into a contract for the period December 1, 2024 to November 30, 2026 with Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Suite 300, Chesterfield, Missouri 63017, to provide the City with excess insurance coverage when losses from any one claim reach \$600,000.00 for general employees and \$650,000.00 for police and fire staff, for a total estimated annual premium cost of \$184,030.00, the same to be expended from funds budgeted in Account No. 101-264-956-100 for this purpose; said estimated premium is based on the quoted cost of \$0.3497 per \$100 payroll and was the sole bid received which offers a self-insured retention of less than \$750,000.00 for police and fire claims; FURTHER, the Council does hereby authorize the Mayor and City Clerk to enter into a contract for the period December 1, 2024 to November 30, 2026 with The ASU Group, 2120 University Park Drive, Okemos, MI 48864, to provide the City with claims administrative services for a total estimated premium cost of \$38,000.00 per year, the same to be expended from funds budgeted in Account No. 101-264-956-100 for this purpose; and the Director of Finance is hereby requested to do all other things necessary or incidental to the full performance of this resolution.

On a motion by Councilmember Toy, supported by Vice President

Ptashnik, and unanimously adopted, it was:

#400-24 RESOLVED, that having considered the report and recommendation of the Director of Finance, dated November 5, 2024, approved for submission by the Mayor, identifying those areas where the budget-to-actual comparison is sufficiently favorable to allow reallocation of \$2,000,000.00, the Council does hereby authorize an additional contribution to the Voluntary Employees' Beneficiary Association ("VEBA") fund in an amount not to exceed \$1,000,000.00 to reduce the unfunded liability for retiree healthcare, based on available revenue in excess of expenditures at the final closing of the fiscal year finance results; FURTHER, the Council does hereby authorize an additional contribution to the Building Improvement Capital Projects Fund (418) in an amount not to exceed \$1,000,000.00 to be used for building projects, based on available revenue in excess of expenditures at the final closing of the fiscal year finance results; FURTHER, the Council does hereby authorize a budget amendment to the amounts in the following accounts:

<u>General Fund Account #</u>	<u>Account Description</u>	<u>Increase</u>
<i>Revenue Accounts:</i>		
101-000-573-000	Local Community	\$83,000

101-000-665-000	Stabilization Auth. Interest Income	\$600,000
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Expenditure Accounts:

101-265-995-418	Contrib. to Building Improv. Fund	\$1,000,000
101-265-995-737	Contrib. to VEBA	\$1,000,000

It should be noted that the actual amount contributed to the Building Improvement and VEBA funds may vary from this budget request based on the actual financial results of the fiscal year ending November 30, 2024. These budget amendments are only intended to apply to operating income from the current fiscal year and will not be made from existing accumulated fund balance amounts.

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

#401-24 RESOLVED, that having considered a communication from the Director of Finance, dated November 12, 2024, which bears the signature of the City Attorney, and is approved for submission by the Mayor, the Council does hereby authorize the Department of Law to resolve the MMRMA claim for damages as a result of a sewer backflow event in accordance with the aforesaid communication, and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

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

#402-24 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 Councilmember Donovic, supported by Councilmember Toy, and unanimously adopted, it was:

#403-24 RESOLVED, that having considered a communication from the City Planning Commission, dated October 22, 2024, which transmits its resolution #10-50-2024, adopted on October 8, 2024, with regard to Petition 2024-09-08-06 submitted by CESO, on behalf of Wal-Mart, requesting approval of all plans to construct a

1,272 square foot addition for grocery pickup to the west end of the existing Walmart Supercenter at 29555 Plymouth Road, located on the south side of Plymouth Road between Middlebelt Road and Milburn Street in the Northeast ¼ of Section 35, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2024-09-08-06 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as OGP-2.0, dated September 05, 2024, as amended, prepared by CESO, is hereby approved and shall be adhered to;
2. Cart control devices and technology shall be installed and permanently maintained so that shopping carts from the store cannot exit the footprint of the Walmart property. Before permits are issued for the building addition, the Petitioner shall provide to the Inspection Department details on cart control system, including information on the technology and hardware components, the contractor installing the system, and the timing of the installation. No certificate of occupancy, temporary or otherwise, shall be issued for the building addition and the operation of the grocery pick-up service on the west side of the property until the cart control system is fully operational;
3. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required;
4. The Elevations Plan, identified as A2, dated June 03, 2024, as amended, prepared by WD Partners, is hereby approved and shall be adhered to;
5. All seasonal truck parking shall conform to the Storage Container Exhibit, as referenced and attached in the correspondence from the Inspection Department, which designates the area, maximum number and time period seasonal storage containers can be parked on site;
6. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
7. No unshielded LED light band or neon shall be permitted on this site, including the building or around the windows;
8. Unless approved by the proper local authority, any type of

exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited;

9. 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

10. Pursuant to 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 City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Rachel Carl, Director of Public Affairs for Wal-Mart, and Plymouth Road Store Manager, Thomas Bundy, were present on behalf of petitioner to answer any questions of Council.

During Audience Communication, Glenn Moon, 34461 Wood, spoke regarding how to follow him on his various Facebook accounts.

Cyndy Fleming, 9025 Woodring, stated she attended a recent Coffee Hour hosted by Senator Dayna Polehanky at Coffee & Cream and she believed the previously discussed House Bill #6088 was brought to the Senator by Livonia residents and constituents who do not feel the current transportation program in Livonia serves all members of the community.

On a motion by Councilmember Toy, supported by Vice President Ptashnik and unanimously adopted, this 2,005th Regular Meeting of the Council of the City of Livonia was adjourned at 8:00 p.m.

Lori L. Miller, City Clerk