

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Monday, March 31, 2025

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on March 31, 2025.

MEMBERS PRESENT: Martha Ptashnik, Vice President
Carrie Budzinski
Rob Donovic
Scott Morgan
Lynda L. Scheel

MEMBERS ABSENT: Brandon McCullough, President
Laura M. Toy

OTHERS PRESENT: Carter Fisher, City Attorney
Todd Zilincik, City Engineer
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 6:22 p.m. with Council Vice President Martha Ptashnik presiding. This item is regarding a Proposed Special Assessment Street Lighting Project for the Sunset View Site Condominium and Sunset Subdivision, located on Sunset Avenue, north of Kenwood Court, in the Northwest 1/4 of Section 2. (To Determine Necessity)

This item will be moved to the Regular Meeting of **April 14, 2024**.

The Public Hearing is now open. There were approximately 13 persons in the audience.

Ptashnik Mr. Zilincik

Zilincik I have maps here. I hope everybody here has a map of Sunset that's here from Sunset. I'd like to provide it to you. All right, this one has a little history to it, so I'll go into that regarding a proposed development back in 1997 there's a special assessment that was taken by the City Council, in which, the developer provided \$4,000 for potentially placing five street lights on that development when the 10 homes were built. Then it was put back in abeyance, back in 2005 per Council Resolution 245-05. So, originally, this location on Sunset, 10 homes were built, five lights that were on 18-foot post with 100-watt high pressure sodium was going to be constructed. I think what happened was, there's some read to the history that DTE was under a reorganization, and they never got done, and that with there's talks of meeting, having the west side developed at some certain time frame. Fast forward to 2024 the developer comes on board. Again. We collect anticipated funds for putting streetlights as part of the requirements. We sent the information over to DTE and they requested

three streetlights. They asked the developer, if you grant an easement on lots eight and nine, to have a cable come through that location to help save cost. So, then streetlights would be placed on the on the west side of new development side between lots eight and nine, five and six, two and three. That total cost would be \$9,054.03 and that would encompass 10 homes from the existing development and 10 homes that are being proposed for development. Based on information and looking at the energy cost per the agreement by DTE, I believe the overall cost per resident would be in the amount of \$48.35 per lot for the 20 lots. So again, three lights, \$48.35 spread out among the 20 residents along that corridor. Any further questions, I'd be happy to answer those. Thank you.

Ptashnik Thank you. Councilmember Budzinski.

Budzinski So a resident ask, perhaps related to the 1997 assessment, are they currently paying a street light assessment of those 10 homes.

Zilincik No, the bill, actually, I think the Treasurer sends out the bill in December. You know it shows on your winter tax bill I believe when they're sent out on December 1st.

Donovic Thank you, Madam VP. So, Mr. Zilincik, again, thanks. Thanks for presenting this item. It's my understanding that when this was originally developed, the intention was always to develop both sides of the street. So, the developer, the first developer, way back when, put money into this fund. The residents on Sunset have not been paying the street light assessment because there's currently no streetlights there.

Zilincik Correct, because the Council Resolution said to put it in abeyance until an appropriate time.

Donovic Right, so now that there's a new developer that finished the development, did the 10 homes on their side, now that second developer put more money to the fund to pay for the street lights, and then residents, all 20 residents, will pay for the street lights, and that payment will be spread out amongst 20 residents for a grand total of \$48.35 a year. We'll pay for electricity, the developer always pays for the streetlights, and it gets contribution made from DTE to then help to put towards it. And sometimes we make the developer fall short on the funding, or they may have an excess. It's like we talked about the previous one. When the developer paid \$500 based on the cost agreement, he would get \$104 and some change back where this one, \$4000 was put back in 1997 put in abeyance and the developer provided \$8000 they'll get a refund of just over \$3500, but that's because he granted easement. Actually, if he didn't grant the easement, it would cost even additional money to the developer to provide the streetlighting.

- Donovic He saved some money by granting those easements. I feel for the City Engineer and the residents, I'm assuming, the residents, as some letters we've have gotten, do not want streetlights. And this is unique, because a lot of times this is what happens. We have infill lots a lot of times our new subdivisions, it's a completely new subdivision. There're streetlights in the subdivision, whereas in these scenarios you have infill opportunities, and these residents may or may not want streetlights, and I'm sympathetic to that as well. I understand that. And as we heard from the first item they want, and it happened assuming the second item might go the same way, we will see that Vice President So, but yeah, thank you. I appreciate it.
- Ptashnik Mr. Morgan, yes.
- Morgan Mr. Zilincik, I have a question for you regarding these homes. Do these homes have coach lights, or any lighting on the front yard, anything like that that are proposed?
- Zilincik that would be in the bylaws, back to the developer would have to write information. He was more welcome to come tonight there. I don't believe, I don't believe so, but again, that's up to each condo developer. But I emailed the developer and made sure that they were aware of it. But I'm not, I'm not sure.
- Morgan No, I'm pretty sure that I did speak with the builders over the last couple weeks. But I did not ask that question, because I wanted to know exactly what was going on and they were, they were actually fairly okay with whatever you had determined. But I have a problem myself.
- Zilincik I don't determine this is just to clarify. We try to try to make sure we provide the coverage in the area for, again, snow plowing, things that nature, I go by their advice, and we present to you guys for your final blessing.
- Morgan All right, I mean, are there any streetlights on that street at this point?
- Zilincik Again, there were five proposed back in 1997, there's none at this time. Just, you know, the cost at that time was going to be \$148 per resident. Over \$148 for high pressure sodium. So, they've been paid for the last 20 years of that that they were installed, they were put in abeyance per the Council Resolution.
- Morgan Okay, does anyone have remember if there was in that plan?
- Donovic Madam Vice President, there are coach lights, garage door lights, porch lights and whatnot. I looked at the plans.
- Ptashnik Ok, I'm going to go to the residents. Just name and address for the record.

Abbott Hi. Juliet Abbott, 20226 Sunset Street, so we live directly across from the proposed light between five and six. So, I'd like to address a couple of things. First off, I know the Council had no choice but to approve the buildings that we don't want across the street from our houses, but you do have a choice in this. So, I speak on behalf of the majority of the homeowners on Sunset Street who currently live there. Nine of the ten houses are who I speak for. Now in terms of safety, I've said this in front of this Council before, our street doesn't get plowed. Our neighbor does that. So, in terms of safety, in terms of plowing, that is a non-issue, because Ed is very good at that. In terms of the lighting that we already have, originally, before last year, across the street, there were trees, so there was absolutely no lighting. Now we have a lot of ambient lighting. There are five lights on the apartment complex, which is on the other side of the new build, the trees were completely clear cut. There is nothing there. We have full view of the apartments and their parking lot with those five giant lights. In addition to that, the Greek bakery that's on an eight mile backs up to our subdivision. The trees are no longer there, so we have their light as well. So, there is more lighting on our street now than there is on Fargo, than there is on Millburn, than there is on any of the streets in the area already because of that ambient light. I question DTE motives and want to add so many lights just because obviously they're going to make money off of this. The homeowners don't want this. We didn't want the builds to begin with. We know you didn't have a choice in that, but having us pay \$50 a year on lighting that we didn't want would be salt in the wound of an already damaged community. Because we miss our trees. Thank you.

Ptashnik Thank you. Mrs. Budzinski.

Buzinski We've heard from other residents directly as well, and email on this issue, and I want to you know I respect their position and what they wanted their neighborhood. So, I'll offer a denying motion for this as well.

Ptashnik All right, we have a motion to be moved to the Regular meeting of April 14 agenda with a denying motion. With that, the Public Hearing is now closed.

As there were no further questions or comments, the Public Hearing was declared closed at 6:32 p.m.

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Todd Zilincik, City Engineer
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 6:01 p.m. with Council Vice President Martha Ptashnik presiding. This item is regarding a Proposed Special Assessment Street Lighting Project for the Baci's Estates Condominium, located on the south side of Parkdale Avenue, east of Levan Road, in the Northeast 1/4 of Section 32. (To Determine Necessity)

This item will be moved to the Regular Meeting of **April 14, 2024**.

The Public Hearing is now open. There were approximately 13 persons in the audience.

Ptashnik Mr. Zilincik?

Zilincik Good evening, this is for the Baci Estates SAD, item number one on the public hearing, there is approximately five homes that will be constructed on South side of Parkdale, just east of Levan Road. In doing so, the developers are placing three streetlights, two on wood poles on the south side and one at the intersection of Levan and Parkdale. So, a total of three lights will be placed. As you know, in the past, they would be LED lights. The properties to the North will benefit. There are four properties, 36176, 36164, 36152 and 36140. The installation of the pole streetlights, the developer paid \$500 for the installation of the streetlights, and the anticipated cost for the eight homes, sorry, nine homes, I believe in the packet there, was going to be \$85.44 on a yearly basis, once installed. So, any further questions, we have to answer those, but they're basically three streetlights, LED lights, attached to wood poles for the development.

Ptashnik Council?

Donovic Madam Vice President?

Ptashnik Mr. Donovic.

Donovic Thanks, Madam Vice President. Mr. Zilincik, what is that amount? So, all nine homes will be paying that yearly amount now, not just the five homes, but all nine homes within that area?

Zilincik Yeah, with the proposed improvements, you have each individual home, the five homes I talked about, the new five homes that will be constructed, and the four homes, the North that will benefit, everyone will anticipate the cost of electricity would be \$85.44.

Donovic And that cost is in perpetuity forever?

Zilincik That's correct.

Donovic Thank you, sir.

Ptashnik Mr. Morgan.

Morgan Mr. Zilincik, I have a question for you. Do you know how many streetlights we have in that subdivision? Just generally, I don't need an exact number, because I lived there for 20 some years.

Zilincik I think the street to the north doesn't have any but to the north at Elmira has three. So, I don't know. I know the exact count. I'd have to look at the DTE map. Each case is different throughout the city. Some people like my subdivision, go back in 1967 or 63 to 67 has no street lights. So, the ideas have the information brought to the City Council for an SAD to be approved or not approved. And each case is different. There's many SADs throughout the year for each individual subdivision as it being built or constructed.

Morgan Okay, well, I have a question. I'm not quite clear on this. You know, I mean, these builders who are putting this in, I'm kind of wondering why we're having them pay for city infrastructure on our bills. Because this has one that's not even on the property whatsoever. It's on the west side of Levan, on the north side of Parkdale, which is not even that builder's property, why would we?

Zilincik Because of the intersection For safety, as you know, if you are a police officer, you want to make sure it's safe for people to come to that location, the intersection, and then five homes that are built on the south side. So, we're trying to make it safe for the neighborhood. And then you have the additional streetlights that are attached to the pole itself. So, most of the

requests we get in Councilman Morgan, is for intersections or locations where people come off the cross streets. If you look out throughout the city, most of the streetlights are along major roads and along intersections, so people can find their way to get to the fire or a police issue.

Morgan I guess what I'm saying is, if that's the case, why wasn't streetlights put up prior to this?

Zilincik Again, this is because it's part of the ordinance of a development. You're required to bring this in front of City Council for their approval. It's part of development. It's part of the ordinance.

Morgan Yeah, but what I'm saying is that this is not even on his property, this is not even close to his property. This is on the west side of Levan, on the south, north side, or south side of Parkdale. That is not the developer's property. That is someone else's property, if it's not the city's property.

Zilincik Again, go back to, we give the information to DTE, they provide the locations exactly where the streetlights are at. And again, for \$500, normally it should cost \$2,000 per...

Morgan I don't care about the cost, Mr. Zilincik. I'm talking about, why are we making a builder do this when it's not even close to his property, it's across the neighborhood?

Zilincik Its for safety.

Morgan We're imposing a cost on a builder that really has nothing to do with that, but we're saying it's safety.

Zilincik We collected \$500, the developer is getting back almost \$104, Councilmember Morgan.

Morgan I don't care about the cost, that's not my point. Why are we making this this person, whoever's this, in this particular situation, do this. That's what I'm trying to say.

Zilincik So again, we send information to DTE. They provide the locations they believe in an effort to make it safe, which is, again, the intersection. When people come home there, there's an intersection that has to be illuminated. You want to have the intersection illuminated, correct, for plowing, for police. They have to get to an emergency. They need to be able to find that. So, again, we are given information from DTE. They provide us with an agreement. We then take it to City Council for your final designation, as far as what needs to take place here. Again, the developer paid \$500, you'll get \$104 back. If you guys want to make it two lights, you want to make it one light, that's up to you guys. We're just providing what

our information that we get from DTE to provide this to this residence there make it safe for that area.

Morgan This is for the council. You know, I wouldn't be opposed to having one light put up there, but it shouldn't be on the developer's property. Streetlights or coach lights or something like that will probably be put on these houses. But three is a lot, and it seems to me that we are trying to impose a situation onto the builder that is not really his responsibility. Then it's an ongoing cost forever, which I'm assuming that the cost that you want to pose on this secondary subject is the same cost that would be on this subject. Is that correct?

Zilincik Can you repeat that question as far as what you're asking?

Morgan The second subject that we're going on to, that we're talking about cost wise, that would be the same cost and ongoing, which is 80 some dollars.

Zilincik If they're reducing the homes, if they're reducing the addresses, there's 5 on the south side and four on the north side.

Morgan Right, so, would there be any costs on the homeowner, I guess.

Zilincik On the west side of the street, at Levan?

Morgan Yes.

Zilincik There's no cost at that at this particular time, for that particular location.

Morgan So there's no, there will be no ongoing cost to the homeowner?

Zilincik On the west side of Levan?

Morgan That's correct

Zilincik There's no cost. If you look at the picture, I was just out there, if you look at, if you go out there and actually take a look at it.

Morgan What about the

Zilincik It's basically wooded, it's a wooded tree line behind the DTE pole at that location itself. Then the houses are off to the west.

Morgan What about the east side, any cost for them?

Zilincik Yes, the four houses, which I mentioned, 36176 through 36140, because there'll be two streetlights would be placed on the south side and then provide illumination for the four houses that will be benefiting from that. SAD. Again, I'm not making this. It's what DTE provides me. We provide

the SAD information for the City Council for the decision itself. I talked to Mr. Soave at the counter, actually, Wednesday, he was more than welcome to attend the meeting about what was going on with these streetlights, and he was getting a refund of \$104 back. So, he was well aware of what's happening here.

Morgan Okay, I'm not necessarily concerned with that as much as I am with the streetlights being put in place, and then there's nothing in any other areas, then we're imposing more costs on homeowners in the future.

Zilincik Again, forefathers, again, my subdivision doesn't have any streets, or lot of subdivisions may not have lights, but again, I think the point is trying to make it the goal was walkability, bike ability. Safe city, for having streetlights plowing snow, police, fire, to be able to see streetlights at intersections in which way they need to go to a safe call, or wherever we need to be.

Ptashnik I'm going to go to Mr. Donovic, but I just want to remind you, this is a Public Hearing, so if anyone from the public would like to speak, you can make your ways to the podiums, and we'll call on you after Mr. Donovic speaks. Mr. Donovic.

Donovic Thank you, Madam Vice President. So earlier, we talked about if the proposed three streetlights would happen, it'd be roughly \$85 a year forever. But naturally, as energy rates go up, that number or higher, impossible to predict that in three years might be 700 years from now, might be \$100 a year. And then from the Council's perspective, I understand Engineer's role here. It's your job to this is what it says. We have to have streetlights well, the council can impose streetlights, but at the same time, Council doesn't have to impose streetlights. So, I think we'll hear from the residents here tonight. We'll have two items, and for the residents to know, the Engineer is just doing their job. So, when the residents ask, where did this come from? This comes from the ordinance that says if we're building new residential, that there will be streetlights installed, but the Council has the purview to approve the presented plan, approve a variation of that plan, or deny them altogether. So, Council, we're going to have our perspectives tonight. We're not going to actually take a vote. We'll offer a few motions, and then the following meetings when we take a vote, and that would say if we're going to approve or deny them. But the Public Hearing is a legal method, and legal for you guys to come out and talk to us and tell us why you do want street lights, why you don't want streetlights. Maybe you only want one, maybe you want all three. But that's kind of Council's role here, the engineer is doing their job, and as you can see, Council is delivering a lot in doing our job. So, thanks.

Ptashnik Thank you. Mr. Morgan, then we'll go to the audience.

- Morgan Yes, I have one other question. Where would I find that in the ordinance, Mr. Zilincik?
- Zilincik Section 310, of chapter 24 Title 16. And when we get to the next one, you actually see what it was back in the day on Sunset, of when the ordinance was approved too, back in that that street for 10 homes. So, look at Section 310, Chapter 24, Title 16.
- Carter So, to provide a little clarity on the ordinance. The City Engineer is correct, that is the correct site, and what Councilman Donovan sort of laid out is the general rule here. So, when there is a new development or a new subdivision that's put in place, the developer is required to provide some form of streetlighting, and it then does come to the Council for approval of exactly where the streetlights go and the layout of the streetlights. So, you're not required to have three in this instance, and they're not required to extend beyond the new subdivision, the new construction. But as Mr. Zilincik said, DTE makes recommendations on these items of where they think streetlights would be appropriate in terms of both power and safety. So that's what is being brought before Council for their consideration, per the ordinance. And then
- Donovic If I may again, Council, we don't have to approve any lights. We don't want to. There are already coach lights out there, but really just, I mean, we will continue delivering here from residents but just to add that commentary. Thanks, Madam Vice President.
- Ptashnik Thank you. Sir, if you like to approach the podium, just name and address for the record, please.
- Hall My name is Mike Hall, 36140 Parkdale. I've talked to a bunch of neighbors. We do not want any kind of light there. First of all, the newer section you're talking about, that's Elmira. I think that was in the 70s when they put the houses there. But it's out of place, even there, people I talk to I know down there, they don't really care for that. What does it really do? Make your taxes go up and pay \$85, was that a year? Yeah, I'm on fixed income. I need this. If I need a light, I have a flagpole that gives me enough light in front of my house. If we need more light than that, our houses have lights on the outside, porch lights. I think that's what they should do. If they're going to pay that much money, they should be able to throw a light or two on the garage, and that would be plenty of light for that location. Another thing, I like to sit on my front porch at night. Look at the skies, and it's kind of cool. It's not as dark as the dark skies up north. But still, I still enjoy that. It's taking every kind of pleasure you have away from that area. It used to be all trees right there. That's one of the main reasons we bought the house, and along with everybody on that street right there, we used to have block parties over there. We had a lot of fun there. But was it five condominiums. But no, we are, people I know, we do not want the lights, especially if we're going to have to pay for it, and if it's going to go up, I

hope there's only one at the most, and we shouldn't have to pay for anything. I've been there for 20 years, so we like what we got. Thank you.

Ptashnik Thank you. Welcome. Name and address.

Sicks My name is Nancy Sicks. I live at 35559 Leon and there are lights on Levan. My home was built in, I believe, 1970, and I have the last ugly streetlight in front of my home. I hate it. I prefer the rest of the neighborhood that is very dark. Everyone uses their porch lights. It's a look that I think is very out of place in the neighborhood. I have one question I hope somebody can answer. Will these condos face Parkland? If they do, they should have porch lights. If there needs to be, there is no intersection that has a light in the neighborhood. This is not a safety concern. Nobody cared about our safety. You know, since, until these condos are going to be built, I would like to keep the neighborhood as it is, and I don't think the four people that are impacted should have to pay a dime, that's not fair. If someone needs to put in a light, put it in the backyards of those condos and see if they like it. Thank you.

Donovic I will note to the residents, when I look at the site plan for these original houses, there are coach lights the driveway lights, the porch lights, so there won't be those on these houses, Madam Vice President.

Ptashnik Welcome

Gagin Hi. My name is Pam Gagan. I'm at 36176 Parkdale, the corner. I'm on the northeast corner, so I'll be across from these said five condominiums. I've been there 25 years. Never had any safety concern, fire, police, ambulance, they can all come through and find our houses without a problem. Every one of us, pretty much always has a porch light on. Some even have little lantern lights on their yard. Some have them facing the house. My neighbor, he's got the flagpole with the light above his flag. It's lit up enough. We don't need any more lights, I'm against it. It shouldn't be. If the poles are going to be on the south side of Parkdale, not the north side, on the north side, then those people should be paying for it. Those people those new five builds, not us. Three, four lights is way too many. One is too much. It's always been a nice and quaint country feel, and it's going to be changing. I know there's nothing we can do about these condos going up, but we sure can try to fight this light situation. Thank you.

Ptashnik Thank you. Mr. Morgan.

Morgan Yes, I would like to offer a denying motion for Parkdale and Levan. Any lights going up.

Ptashnik We have a motion. This item will be moved to the regular meeting of April 14, 2025, which is at which time we will vote on the motion.

Zilincik Just for clarification to the City Attorney, technically in order to be denied a motion, but doesn't the developer have to come back to ask for an exemption from getting any streetlight? We can deny this. But technically, I don't know how that would confirm in the resolution as far as making sure that we may deny it, but that's right? As far as the petitioner has come before the City Council to ask for streetlights to be removed from the proposed development. We've got other developments that have private lights. The developer chose private lights instead, such as Livonia Manor I and Livonia Manor III, but again, just making sure clarification, we may deny it, but it's up to the developer come back and resolve that outstanding issue.

Carter I'm going to have to get back to you on that, the streetlighting ordinance does not make that clear from my reading. But I'll have to come back to some research on that.

Ptashnik Mr. Morgan.

Morgan Yeah, I'd like to just rebut it regarding the builder. The builder's intent was to comply with whatever Mr. Zilincik said. We denied it, so I'm not quite sure why that would be necessary.

Ptashnik Thank you. Okay. This item is closed.

As there were no further questions or comments, the Public Hearing was declared closed at 6:21 p.m.