

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MARCH 22, 2021**

Meeting was called to order via Zoom remote technology at 9:21 p.m. by President Kathleen McIntyre. Present: Cathy White (Livonia, Michigan); Brandon McCullough (Livonia, Michigan); Rob Donovic (Deployed); Jim Jolly (Livonia, Michigan); Laura Toy (Livonia, Michigan); Scott Bahr (Livonia, Michigan); and President Kathleen McIntyre (Livonia, Michigan). Absent: None.

Councilmember Cathy White led the meeting in the Pledge of Allegiance.

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier, City Attorney; Susan Nash, City Clerk; LaShawn Thomas, Director of Governmental Affairs; Josh Sabo, Director of Community Resources; Captain Tom Goralski, Livonia Police Department; Ted Davis, Superintendent of Parks and Recreation; and Casey O'Neil, Director of Information Systems.

Councilmember Toy informed everyone that the University of Michigan had won their basketball game that night.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1) REAPPOINTMENT OF GLEN LONG JR. TO THE LOCAL OFFICERS COMPENSATION COMMISSION: Office of the Mayor, re: for a seven-year term to expire on April 2, 2028.

LaShawn Thomas, Director of Governmental Affairs, presented this request to Council. She introduced Glen Long, Jr., and stated he is no stranger to our community. He is currently both the Chairman of the Local Officers Compensation Commission and Vice Chairman of the Planning Commission. He has also served as President of Livonia's Civic Arenas and held numerous positions within the Livonia Hockey Association. Mr. Long works as the Chief Financial Officer, DVT Administration, for the Detroit Economic Growth Corporation, an organization he has been with for nearly thirty years. He received a B.A. in accounting from Michigan State University, and an M.B.A. from Wayne State University. On behalf of the Mayor's Office, thank you for considering this reappointment.

Councilmember Jolly offered an approving resolution for the Consent Agenda and stated that Ms. Thomas left off an important qualification as Mr. Long is a Catholic Central graduate and he's obviously served our community quite well over the years and we're happy to have him.

DIRECTION:

APPROVING

CONSENT

2) AWARD OF BID: Communication Department and Department of Community Resources, re: for L Magazine agreement for Fall 2021 through Spring/Summer 2023, from budgeted funds.

Josh Sabo, Director of Community Services, presented this request to Council on behalf of his department and Parks and Recreation. Accepting this bid is the final step in our consideration of merging L Magazine with the Livonia Park and Recreation guide and what we internally call "Love Livonia" which residents might know as the City's 20-24 page magazine that focuses more on City services generally. This merger has been something that's been considered for years previously and that's in large part the reason that the contracts for the two existing magazines expire very close to the same time, so that we could consider the possibility of putting out a single magazine instead.

In considering this as an option we looked at four key factors: first, would merging the magazines to save us money? The answer is yes, over the course of the contract we are discussing here, the City would save nearly \$50,000; about \$24,000 annually in printing and postage costs. Second, would this move help us streamline the work that goes into producing these magazines? It would. We find that there's anywhere between eight to twelve pages of duplicative material between the two as they exist right now. Third, would merging the magazines create a more effective communication product? And we believe it will because it's going to put more information in front of a city-wide audience in a single place, a single magazine. And finally, would this proposal increase the quality of the Parks and Recreation program and class guide? And it will because this proposal will upgrade that magazine from the newsprint, which is largely a black and white product, to a full color magazine with a quality that is more consistent with the quality of the Parks and Recreation Departments are offering. So all of these factors are made possible through IB Enterprises bid. This is a company our Parks and Recreation Department has worked on with for this product, specifically "L Magazine", since 1987. To us they're a known commodity with a clear and workable production timeline and they're a vendor with whom we have an effective working relationship. Thanks for your consideration of this item, and I'd be happy to answer any questions.

Councilmember White offered an approving resolution for the Consent Agenda and stated she's happy to find out that there's a cost savings of \$50,000 to the City and I think it will eliminate some duplicates of the efforts on behalf of people that put this together.

Councilmember Donovic asked Sabo how many pages he anticipates the magazine to be and Sabo replied they are looking at the proposed magazine being 68 pages, which would be a slight decrease if you just combined the two magazines together. Right now the Parks and Recreation magazine is about 50 pages in recent issues; our Love Livonia magazine ranges between about 20 and 24, and actually is what we pay for it now despite our recent issue was 20, so that would be at least 70 pages. So, some of that duplicative material is what will allow us to be able to combine some things and obviously it's less than the total page count, not just adding the two booklets together, a higher quality issue, instead we'll be able to eliminate some things that appear in both, and frankly, they appear in both in the exact same way. So in that way kind of having

those things together is definitely something that's going to streamline our process internally and devote less staff time to producing these two magazines.

DIRECTION: APPROVING CONSENT

3) REQUEST FOR AUTHORIZATION TO PURCHASE ONE (1) 2022 FORD E450 CUTAWAY VAN THROUGH THE STATE OF MICHIGAN BID PROCESS: Housing Department, re: for use by Livonia Community Transit from budgeted funds.

Felicia Cross, Livonia Community Transit, presented this request to Council. She said they're asking for approval of a 2022 E450 Cutaway Van, which is a combination of a taxi and a bus, thirteen passenger vehicle, and the money is coming from budgeted funds.

Councilmember McCullough offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

4) REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND TO PURCHASE THIRTY-SIX (36) DELL DESKTOP AND LAPTOP WORKSTATIONS: Division of Police, re: to replace workstations that are out of warranty or at end of life, from budgeted funds.

Captain Tom Goralski, Livonia Police Department, presented this request to Council. He stated this is a request for authorization to waive the City's bid process and purchase thirty-six Dell Desktop and Laptop Workstations. As you know, we have desktops in our building, plus we have laptops in our vehicles. The current desktop and laptop workstations, this is a yearly event, we replace half our number hopefully every year and it's about the same each year and we do it through the State of Michigan contract pricing bid and we are under budget on it again this year, which we always like.

Councilmember Donovic asked what happens to the old laptops and desktops that are being replaced and Goralski replied there are times when we can and where we do it's to other police departments that may not have the equipment that they need. But typically these things are end of life and they're not really re-sellable so typically we don't do that but on occasion we have done it with our smaller departments that need the help.

Donovic then offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

5) REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND TO PURCHASE NEW LIFESCAN SYSTEMS: Division of Police, re: to replace the current Lifescan™ System that will no longer have access to support through CLEMIS, from budgeted funds.

Captain Tom Goralski, Livonia Police Department, presented this request to Council.

more efficient in our filter process for the pool and then when we decide to move forward in replacing the tanks in the near future, those valves can be replaced. The second project is a removal of the current marcite and replacement. Also, the low bid for that was Advanced Pools as well and these come from budgeted funds.

Councilmember Jolly offered an approving resolution for the Consent Agenda and said it's fortunate for our community that we've been able to invest a lot of money into our pools and aquatics over the last couple years, but Botsford is definitely in need of some love. We spent a little bit of money out there a couple years ago putting in a water feature for some younger tots, and I think this will complement it well. It's important to note that this is pool that does serve the north side of the City and it's one of the few City facilities in that general area, so it's money well spent.

President McIntyre asked Manoogian who did the work at the Kirksey pool and she replied that would be OP Aquatics, they're a subcontractor of Midwest Pools. OP Aquatics no longer operates in Michigan, they have exclusively moved to Ohio. McIntyre asked if that was the company that did the liner and Manoogian replied no, that was the company that ended up putting the marcite in it.

DIRECTION:

APPROVING

CONSENT

8) AWARD OF BID: Department of Parks and Recreation, re: Sheldon Pool Deck Paving, from budgeted funds.

Stephanie Manoogian, Aquatics Coordinator, presented this request to Council. She stated for Sheldon Pool they are asking to award the bid to Luigi Ferdinandi to do the concrete replacement for the decking at Sheldon Pool, it's in need of some repairs to operate the pool without objections from the Health Department. A lot of the concrete on the deck currently is uneven and could be a trip hazard. This is the minimum amount of decking that we could get done to allow it for us to operate it. The low bid was Luigi Ferdinandi & Sons Cement Company, so we're asking Council to award it to that company from budgeted funds.

Councilmember White offered an approving resolution for the Consent Agenda.

President McIntyre asked if the Sheldon Pool was open in 2020 and Manoogian replied that it did not open in 2020, the last time it was operated it was in 2019 but due to the pandemic and circumstances regarding the contractors coming out to open it, that would not happen until July.

McIntyre then asked what the lifespan of the concrete work would be and Manoogian replied this is her first concrete project but the average lifespan of concrete should last ten, twenty years, but she will look into it further.

President McIntyre then stated with the upcoming Parks and Recreation Master Plan, but given we haven't been able to open the library over there, and I understand that's an area of the City where we would very much like to ensure recreational facilities over.

She then asked Manoogian if Sheldon was the smallest pool and she replied she would say it's the smallest right now and it's the least used pool out of the three.

President McIntyre then said given that we've got a lot of free space over there and we have a library that we haven't been able to be open now for two years, if this is the right time to be putting a significant amount into. So I don't mind it being on the Agenda with an approving resolution, but ask that it be placed on the Regular.

Councilmember Toy asked if Luigi was out of the east side and Manoogian replied they are from Roseville. Toy asked if there were any numbers with the Sheldon Pool from the last time they were open and if there was any PR planned for the upcoming improvements and Manoogian replied this is a great pool for outdoor swim lessons and with the limitations and reduced capacities they have currently indoors, it would help expand that program to help alleviate some of our current wait list hopefully this summer. So in terms of that, it would be great to get this minimal work done just to get it up and operating. It is in the "L Magazine" for summer right now, that it is open, and that issue just got mailed out to all of our residents. Toy then asked if there were any shelters over there and Manoogian replied there is a pavilion at the park, but she's not aware how often it gets rented. Toy stated that is a heavily populated area over there and it would be really nice to jazz it up a bit. She then thanked Manoogian for her handling of the Aquatics program.

DIRECTION:

APPROVING

REGULAR

9) REQUEST TO DESIGNATE CONSULTANT THROUGH THE QUALIFICATION BASED SELECTION (QBS) PROCESS AND AMEND ENGINEERING CONTRACT WITH OHM ADVISORS, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES: Engineering Division, re: for the Drinking Water State Revolving Fund (DWSRF) No. 7453-01, Project Areas 4, 5 and 6, in an amount not to exceed \$372,000 (CR 372-20 and 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He said as you know, we've been doing the Drinking Water State Revolving Fund for many years, this one is in Section 1 and Section 12, actually up near the Botsford Pool area, west of Inkster, north of Seven Mile. Looking to do some water main improvements. We have 3.9 miles of water main to be replaced, six-inch and eight-inch pipe burstings. We're looking for OHM to provide that CE Construction Engineering inspection. As you know DWSRF will be coming out for bids, the bids will be obtained on April 13th and we'll be bringing that forward to you on April 26th for your resolution to be approved, once we find the lowest qualified bidder. But obviously OHM and Jessica Caters, we've worked with her before, last year, and does a great job on doing the contract administration. She's on board if you have any questions or myself, but looking forward to moving forward with this project and getting this completed.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

10) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE 2021 ASPHALT ROAD REPAIR PROGRAM BY EXTENDING CONTRACT 20-A UNIT PRICES WITH NAGLE PAVING COMPANY INC.: Engineering Division, re: for Contract 21-A in the amount not to exceed \$3,841,504.29 for one year. (CR 102-20)

Todd Zilincik, City Engineer, presented this request to Council. He stated that Nagle had bid this project last year, they were about \$450,000 less than the second bidder, which was Cadillac Asphalt. We were able to coordinate with them and extend their year prices except for several items related to this year's program. Obviously, we have a very good working relationship with them and want to see the project move forward. They were able to give us a great quote to do the project that we needed to. A couple highlights of this year's program is Victor Parkway. We're going to take that road from Pembroke to Eight Mile and make it a road diet, go from four lanes to three. About ten years ago we did some patching up there so the timing is perfect now to mill that off, resurface it, and make a bike lane on both sides for that area that hopefully connecting to Greenmead and continue on with obviously connectivity and bike/walk in that area. The other one is Hubbard Road from Five Mile to Buchanan, we're going to extend the east side there, 6-foot lane, and try to connect up from Rotary to Buchanan on the east side. The west side is a little bit more difficult but we are hopeful to continue on and get the west side so that we can stripe it as a bike lane, but this project itself went out for a widened shoulder for the future is set up to make it a designated bike lane on both sides. But the biggest thing we just talked about before in Section 1 and 12, we have road improvements in there in Section 1, we have to wait for the water main to get done and this will be the last location that Nagle will do for the water main and for the locations on road repairs and water mains. They will actually be down in Section 35 off of Joy Road to finish up last year's DWSRF projects, and fix those streets up there, Fremont, Hugh, Louise, those streets there to make sure it's all put back together.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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11) REQUEST TO AMEND THE CONTRACT WITH OHM ADVISORS FOR THE CONSTRUCTION ENGINEERING SERVICES FOR THE 2021 ASPHALT ROAD PROGRAM (CONTRACT 21-A): Engineering Division, re: for same. (CR 365-16)

Todd Zilincik, City Engineer, presented this request to Council. He stated OHM has been a great asset to help make sure that we obviously do a great job on our infrastructure on our road improvements. We're looking for their Construction Engineering Services for this project, it's based on the construction costs we just talked about, they've done a great job over the last nineteen years and looking forward to working with them again.

Councilmember Donovic stated we have a longstanding relationship with OHM Advisors, they are a local company, and he then offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

12) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE 2021 CONCRETE ROAD REPAIR PROGRAM BY EXTENDING CONTRACT 20-C UNIT PRICES WITH HARD ROCK CONCRETE: Engineering Division, re: for Contract 21-C in the amount not to exceed \$4,900,000 for one year. (CR 103-20)

Todd Zilincik, City Engineer, presented this request to Council. He said Hard Rock Concrete was the bidder last year, they're almost a million dollars cheaper than the second low bidder in 2020 before Covid hit. So obviously we want to save the taxpayers money by going and extending this contract based on the year's prices. The only thing that changed was the mobilization costs because we're making them bounce around the City, but overall they kept the unit prices, looking forward to working with them again and AEW. There is a little hiccup, we do have a couple streets that were left over from last year because of the late start. We have Ladywood, Williams, a portion of Marler, and Roycroft will be done this year as a first priority and then working into the 35 segments that we have left to complete for concrete itself. So, again, 4.9 million dollars, a lot of work to get done before the end of the year. We're in the ninth year of the renewal of the millage, looking forward to completing these streets and appreciate all of your efforts behind the scenes with City Council and your support over the years to make sure that we get these roads done and do a great job for our residents to last twenty, thirty years.

Vice President Bahr stated he's always happy to extend unit prices from a contract that was already low bid, and offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

13) REQUEST TO AMEND THE CONTRACT WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE 2021 CONCRETE ROAD PROGRAM (CONTRACT 21-C): Engineering Division, re: for same. (CR 365-16)

Todd Zilincik, City Engineer, presented this request to Council. He stated again, this is based on the construction costs of the project, AEW provides Construction Engineering Services, which includes passing an inspection obviously for quality, we want to make sure we have a long lasting road. Our residential streets are seven-inches thick and so they'll do the testing, do the concrete strength test, working with G-2 on this project itself, they do a great job every year. Scott Lockwood, the Executive Vice President, he must be on Cloud 9 tonight because Michigan won, since he's a Michigan man, so he's in the wings there. Look forward to working with their team, they do an excellent job, and again, it's a year round start with April to November, and I appreciate all the efforts behind the scenes to get this project completed with our concrete streets.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

14) AWARD OF CONTRACT: Engineering Division, re: for 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J, from budgeted funds.

Todd Zilincik, City Engineer, presented this request to Council. He stated they received six bids for this project in which we do selective slab repairs, it culminates from DPW and Engineering, we get a master list together. We try to pick twenty-five locations a year. They are where the trees have heaved up the pavement or caused significant ponding of water damage, prioritize, we get that done along with other sections of road, this year the folks on Blue Skies from Five Mile to Jamison. Looking for your support to have Great Lakes Contracting Solutions, low bidder at \$844,815.77 to do this project. Again, there were six bidders and the highest bid went all the way up to \$1,365,787.00. We've worked with Great Lakes before, a great contractor, looking forward to another great job to be done by the end of August and appreciate your support in this yearly endeavor to make sure we fix these selective locations to help our residents and improve the quality in front of their house.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

15) REQUEST TO AMEND THE CONTRACT WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR THE CONSTRUCTION ENGINEERING SERVICES FOR THE 2021 CONCRETE ROAD MAINTENANCE/SELECTIVE SLAB PROGRAM (CONTRACT 21-J): Engineering Division, re: for same. (CR 365-16)

Todd Zilincik, City Engineer, presented this request to Council. He stated AEW will be providing the Construction Engineering Services for this, looking to work with their team to go out and get these areas completed by the end of August. We've done this before, this is our fourth or fifth year now, breaking it out to get it completed early, the reconstruction portion has been successful and it's obviously with the support of DPW, Trisha Gabriel and Dave Lear, they get their department to help solidify these locations and get these things completed.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

16) AWARD OF CONTRACT: Engineering Division, re: for 2021 Pavement Crack and Joint Sealing Program, Contract 21-D, from budgeted funds.

Todd Zilincik, City Engineer, presented this request to Council. He stated that Michigan Joint Sealing was the low bidder, there were twelve bids taken back on March 9th on MITN, in the amount of \$165,230.50. The second low bidder was \$208,598.00.

Michigan Joint Sealing is one of the most predominant joint sealing companies out there, and asking for your approval to get our local major roads completed this year to help prolong the pavement life. As you know, we try to do get the roads after three years of being asphalted, sealed back up, and some of the concrete, get them routed after they've shrunk and avoid getting that water down in the concrete to make the pavement last longer. Again, looking forward to working with Michigan Joint who has been our contractor from 2004 to 2006, and again in 2018 to 2020.

Vice President Bahr offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

17) PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Planning Department, re: to amend the Historic Preservation Commission Ordinance Chapter 2.56, Section 020 (Definitions), Section 050 (Historic Preservation Commission--Creation and Membership), and Section 060 (Commission--Powers and Duties).

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He said these changes to Chapter 2.56, the Historic Preservation Commission, ordinances are required by the State Historic Preservation Office, in order for the City to qualify under the Certified Local Government Program, as previously authorized by the Council back in 2020.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

President McIntyre stated this item would have to be placed on the Regular Agenda.

DIRECTION:	FIRST READ	REGULAR
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18) REQUEST FOR THREE-YEAR EXTENSION OF SITE PLAN APPROVAL: Planning Commission, re: Petition 2014-02-08-02 submitted by Victor East, L.L.C., previously approved by the City Council on May 8, 2017, in connection with a proposal to construct a one-story office-research building (Victor East) on property located on the north side of Seven Mile Road between Newburgh Road and Victor Parkway (37640 Seven Mile Road) in the Southeast Y. of Section 6. (CR 138-18, 166-17, CR 228-16, CR 125-15 and CR 104-14)

Mark Taormina, Director of Planning and Economic Development, presented this request to Council.

Councilmember Jolly asked does this continue to be a placeholder here in hopes of development and Taormina replied that is correct. He then asked if it is typical to renew it for three years and Taormina replied it's not typical but that Council did approve it for a three-year period. We have done two years in the past, that's probably more common than three years, of course one year extensions are very common.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is the site of the former Romano's Macaroni Grill, it's a one-story, 8,200 square foot restaurant that was opened in 1992 with a maximum seating of around 280. This is an aerial photograph. The slide shows the layout of the existing restaurant which you can see here where the building is in relationship to the site, it's on the west side of the property, parking on the west, the south and the east side, extending all the way to the eastern border of the site. The Petitioner seeks to demolish and remove the existing restaurant and replace it with two new freestanding buildings. One would be a new full service Shake Shack Restaurant and then the other would be a branch bank. The Shake Shack would be on the westerly part of the site in the same general location as the existing restaurant as identified as Parcel A. Parcel B contains the bank and you can also see from this, both buildings would have a drive-thru facility. The Shake Shack is about 3,400, almost 3,500 square feet, so less than half the size of the existing restaurant. It would have 74 interior seats, 74 seats inside, 70 outside, for a total of 114. The outside patio is shown on the south and the east sides of the building. The building complies with all of the setback requirements of the ordinance. Interior layout submitted showing the dining area, kitchen and bathrooms. As you can see here, too, the drive-thru facility associated with this restaurant would commence on the east side of the building and then wrap around. This is all one way circulation, traveling in a counter-clockwise direction. This is a double drive-thru lane. This would be Shake Shack's first drive-up restaurant. The building itself contains a

combination of fluted concrete panels as well as cement fiber siding. These are the renderings of what it would look like with the canopies surrounding the outdoor seating area. This is the composite material; the white area is the concrete and then can see some painted brick along the rear of the building on the east side where the pick-up window would be located. The bank on the other hand, this is only a conceptual plan, once the user is identified they would have to submit detailed plans for a formal review. The bank complies with all of the ordinance requirements in terms of the setbacks. There are some issues related to the spacing of the aisles for the drive-up operation, but those are details that we would look at when that plan is submitted for approval. Again, this is only conceptual. The drive-up operation would be on the east side. Traffic would circulate in a counter-clockwise direction, with the canopy here on the east side for the three ATM lanes that would be created. There are two driveways that provide access to the site, one is on Haggerty, one is on Seven Mile Road. The drive approaches remain in the same current location. There would be configuration adjustments to the Seven Mile approach, this would be restricted to right out and right in only, so it would not allow for left hand turns from that location. Left hand turns would be allowed from the Haggerty driveway. This is something the County is restricting, the turn limits on the Seven Mile Road approach. There could be additional limitations on the left turn movement as it relates to the Haggerty approach once this matter is resolved by the County. Parking is fully compliant on the site; storm water management would be handled by means of an underground detention system that would be located beneath the parking lot. And the Planning Commission on a split vote approved this project at its meeting on March 9th.

Councilmember Jolly said I think this is exciting to actually have Livonia on the forefront of attracting this kind of new opportunity. This is very similar to the Chik-Fil-A. The very thing that is a little bit more exciting about this to me is we would be receiving the first one and it would be the first in the area. I think from an architectural design with my limited knowledge here, this looks like a real cool restaurant. I like the idea that we have an outdoor seating built in directly here, I think it will be well utilized. My only concern obviously would be the concern that I think that has been expressed, would be the traffic. Mark, one question for you, with the site plan as it is, would there be any easy access into the neighboring parcels to the north if need be to line up any sort of overflow traffic?

Taormina replied good question and the answer to that is no, nothing that could easily be accomplished. The site is confined by a drainage course that runs along its entire north boundary. That prevents any direct connections to the development to the north. There would be the opportunity to potentially to connect to Chippewa Drive to the east, that's a private drive. That's the same drive that we had the issue with Beaumont where the developers in that case are not willing to allow that connection. So hopefully that answers your question.

Jolly said it does and I appreciate the answer. The only thing I would say here, I'm obviously excited about this, I think it's a great addition. When we dealt with Chik-Fil-A, I asked that something be added to the site approval plan stating that if there was a

need for overflow traffic direction, that we put an item stating that the operator of the restaurant would be responsible for reimbursing the Livonia Police, we talked about it, I think you have to mention that as well. But I think that might be the appropriate thing to do here as well, honestly, just to play it fair, and they're two similar circumstances with potential traffic problems. This is already a congested area but if we can make it work I think we should do everything we can to make it work.

Councilmember McCullough asked Taormina do the same stipulations go along as we did with Chik-Fil-A, meaning that the restaurant six weeks prior to opening would have to submit their traffic plan for approval to the Commission?

Taormina replied that language was not added to the approving resolution. If that's something that Council basically thinks would be helpful in this case, we could provide that language. This doesn't have a history like Chik-Fil-A does obviously, we knew going in that that was going to present traffic issues. We don't know that in this case but it might be better to be cautious in that sense.

McCullough stated for the record I am super excited. Shake Shack having this in the City of Livonia is a huge win, especially the old Macaroni Grill site, I've drove by there a lot and it's just such a prime corner so to see this development is awesome. Obviously the first thing that comes to everybody's mind is that Haggerty is going to be, between Haggerty and Seven Mile we're just loading up on development. So I'm going to defer obviously to the traffic studies and the lights being timed, but overall I think this is a huge win for the City, a huge win for all of the area to get this type of a restaurant in there. With it being a drive-thru, I don't know, has there been a motion made yet? I don't think so. I'd be happy to offer an approving for Regular, but to add the language that six weeks prior to the restaurant opening, a traffic plan would be submitted and approved by the Traffic Commission. Pretty much the same language that we used on Chik-Fil-A, if I may.

Councilmember Toy stated I have heard nothing but good things about this restaurant and all it had to offer. I would concur with what's been said on it and there might be a little traffic here but I think like has been said the drive-thru will help and I just think it's a welcome addition for Livonia, it really speaks well for us.

Taormina stated just to clarify for the benefit of the Applicant, what is being asked for is a plan that would essentially present a way of handling traffic in what we sometimes call the honeymoon period, with the expectation that there could be substantial traffic, so how that traffic would be routed and where all the staging and stacking would take place. So, the review, Mr. McCullough, you said the Traffic Commission, and I believe the previous development we required that to go before the Traffic Bureau for its review, is that what you were referring to?

McCullough replied that is correct, yes. Whatever the language, if it's the Traffic Bureau, let's get that same kind of language, just like you said, you hit the nail on the head with the honeymoon period.

Councilmember Jolly asked can you make to put that contracting language in there as well, just if need be, and it would give them an incentive to figure out themselves to not even go down that path. The whole idea there is not that we want to make money, it's that our professionals directing traffic if need be, and not their employees out on Haggerty and Seven Mile doing it themselves.

Attorney Bernier said there's one problem in this that we don't seem to have with Chik-Fil-A, is that corner there's another jurisdiction on that, I believe it's Northville Township on the other side of the road but we'll try to figure something else.

Jolly stated in his experience in non-law enforcement trying to direct traffic off a site of a restaurant, scares me for many reasons. There are people in the cars and the people trying to direct the traffic as well, so I'd just rather have the professionals involved and hopefully it doesn't come to that, that's obviously the hope.

Vice President Bahr asked Taormina how is somebody supposed to head back east out of this property? They can't turn east on the south side of the property, we can't turn south on Haggerty on the west side of the property, so we're all excited but this isn't Livonia but we're pushing everybody out of Livonia, nobody can come back in. What's been the thinking with the Planning Commission stuff, as to how that traffic flow would work for what I would assume is a significant amount of cars are going to want to head east.

Taormina replied in those instances and if there is a prohibition on left turns onto Haggerty Road, they've had sidewalk put in as well.

Bahr asked if it was Wayne County that is forcing that on the south side of the property?

Taormina replied the Petitioner's traffic consultant is here and she can describe what the County said, but yes, Wayne County's preliminary review of this, they've indicated the restriction on left turns at Seven Mile. They would still allow left turns onto Haggerty, but consideration would be given to periods probably during the p.m. peak period, that left turns would be prohibited. So in those instances, it would not be possible.

Bahr then said similar to the Chik-Fil-A side, I just feel like these turn restrictions are actually going to cause more problems than what they solve. And I mean that driveway onto Seven Mile, the entrance onto Seven Mile has been there, I understand that the traffic patterns are different here but I also in reading the traffic study, got the impression they were making the case, they had some pretty compelling reasons for why they don't necessarily think that this is going to drive increased incremental traffic to the extent some people to think, you know, the high pass by I think they called it. You said the traffic consultant is here, Madam President, is it possible for us to speak to her or him?

Taormina stated her name is Julie Cole.

Julie Kroll, traffic consultant, addressed the Council. She said to answer Vice President Bahr's question, they did meet with Wayne County and their traffic engineer, Pete Milakovich, several months ago for this site. Because it's a change of use, that gives the approving authority to make changes to the site access, even though the access has been there for years. Because it's a change of use, that allows them to then review the site access permits again for safety. So because of the concerns associated with safe access on Seven Mile, particularly with the left turns entering at Chippewa, that will be blocking the egress movement from this driveway and basically the conflicting back to back left turns between Chippewa and Haggerty, that would be blocking the site access, that's why they restricted access to right in and right out on Seven Mile. Now they understood that we were causing some part of a hardship for this development so they said they would look at the site access on Haggerty and that potentially only restrict that access during the p.m. peak hours. So, the rest of the 22 hours a day that that site access wouldn't be restricted, it would just be during those afternoon peaks where egress left turns be restricted for the site. So during those brief periods, as Mr. Taormina said, that those vehicles would have to find another route to go back to the east.

Vice President Bahr asked what the level of effort that was put into seeking an agreement with Pentagon because when I look at this and not having put the time in nor having the expertise that you do to analyze these things, but the thing that seems to me to be the best solution, similar to what happened with a similar project recently, is to tie this into that drive at the light that goes by the Hilton Garden Inn that's up there. How aggressively did the Petitioner look into an agreement to do that?

Kroll stated that was honestly the first thing when I saw this site plan, is I asked them did you guys try and talk to the Pentagon Association, and I can defer to the Applicant regarding those discussions but I do know that they had those discussions and met with a similar response that the Beaumont team also met with.

Bahr asked if Pentagon was just asking too much money and Cole deferred to the Applicant to answer that.

Chip Erickson, Applicant/Developer, for the property stated in quick answer to that, yes, starting back in 2019 we actually engaged Pentagon to find out if there was a possibility for joint access and they rejected us in writing. We came back in 2020 and made further overtures that were not accepted, not well accepted, so we stopped conversation and have moved on.

Bahr stated I'm pretty irritated with Pentagon after the last project and this project, I mean they are holding these things hostage and what's going to end up happening here, people coming out of Shake Shack that want to go east, you know what's going to happen? They're going to head north on Haggerty and they're going to circle through the Pentagon property, that's what they're going to do. So Pentagon is probably not even paying attention to this tonight, I don't know, but this is not – I'm excited about Shake Shack, don't get me wrong, but there's a very obvious solution to the traffic pattern thing here and just not happy with them at all. You know, there's going to come

a day that they come before us looking for approval for something, and they've not been much of a corporate citizen with these two developments. And that day, and not that I'm wishing ill on anybody, but based on some economic factors going on, that day might be sooner than they want.

Erickson replied he understands and appreciates very much that comment, thank you.

Bahr stated we're excited to have you guys in the community, I think it's going to be a great project for Livonia.

Councilmember Donovan stated I am also excited about this project, I've been to one in downtown Detroit and the one in Troy, I believe, great service, great experience. And like Councilmember Jolly mentioned earlier, it's awesome to see that they are building their first, proposing their first drive-thru concept and we see with Covid and what not, drive-thrus have become more popular than ever so I think it will just lead to a more successful business plan for your company. This question was also asked earlier about cross access to anybody who is going north, and I know that's not possible, and through the Chair to Mr. Taormina, just a clarification, with a bank and a restaurant, will there be cross access in between?

Taormina replied yes, there will have to be a cross access agreement in place between those two parcels and that would be a requirement at the time the property is built.

Donovic then said he knows it's a proposed bank, has the bank been identified and Erickson replied not as of yet, but through their marketing campaign, we've identified a number of users, financial institutions, banks, credit unions, that we think would be appropriate here and that are not in the market or could better their position by being in this property. And we do not have one under agreeable terms yet, so we're sort of leaving that to Phase II of the development project. We're really focused on Shake Shack and the issues surrounding them and what the role is what's the best way to get them open as soon as possible, so we're spending our energy on that.

Donovic asked just out of curiosity with the rising costs in building, do you foresee any sort of issues with building these two buildings or you're not necessarily worried about that?

Erickson replied we're always worried about that, that's a great comment. No, it's a real thing for sure so we're conscientious of the size of the buildings, the materials that are going to be used, all of that goes into the soup, so we're certainly very concerned about that as we move forward. But it's a fantastic, high-profile intersection and property that deserves first quality materials and first quality tenants and it's very high profile so I think in the end in the long run, we're going to get two fantastic users at this property with the appropriate architecture and design.

Donovic stated I don't see any concerns and I wish you well and I look forward to this successful project.

DIRECTION:

APPROVING

REGULAR

AUDIENCE COMMUNICATION None heard

As there were no further questions or comments, President McIntyre adjourned the Study Session at 10:38 p.m. on Monday, March 22, 2021.

For the 1,918th Regular Meeting of April 12, 2021

DATED: March 30, 2021

SUSAN M. NASH, CITY CLERK