

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MARCH 8, 2021**

Meeting was called to order via Zoom remote technology at 8:38 p.m. by President Kathleen McIntyre. Present: Scott Bahr (Livonia, Michigan); Cathy White (Livonia, Michigan); Brandon McCullough (Livonia, Michigan); Rob Donovic (Deployed); Jim Jolly (Livonia, Michigan); Cathy White (Livonia, Michigan); and President Kathleen McIntyre (Livonia, Michigan). Absent: None.

Vice President Scott Bahr 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; Tom Goralski, Captain, LPD; Ethan Engel, Athletic Coordinator; Stephanie Manoogian, Aquatics Coordinator; Ted Davis, Superintendent of Parks and Recreation; Doug Moore, Assistant Director of Public Works; and Casey O'Neil, Director of Information Systems.

President McIntyre announced at the request of the Petitioner, Item No. 12 was removed from tonight's Agenda.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1) REQUEST TO EXTEND WAIVER USE APPROVAL TO NEW OWNER: Richard George for Hussein Zein of Zag Motors, re: Petition 2013-08-02-19, to operate a used auto dealership (Lang Auto Sales) with outdoor display of vehicles, located on the south side of Plymouth Road between Merriman Road and Milburn Avenue (30805 and 30835 Plymouth Road) in the Northwest 1/4 of Section 35. (CR 24-15)

Hussein Zein, Petitioner, presented this request to Council. He stated he is the founder of Zag Motors, it's a used auto group in Washington State that was established in 2005, it's been in business, and I located here in 2019. So, with building business in Washington State in the Seattle area and I located here two years ago, currently I live in Canton, and I've been in the search for a location for imported and luxury vehicles such as Range Rover, Mercedes, Audi, BMW and Tesla. What got my attention was this location is the large indoor showroom for the Tesla market since it's electrical. And the street fits the criteria that we look for for a successful car dealership. And we find it very classy and it does meet what we're looking for as far as area requirements for the type of vehicles we're looking to introduce in the market here.

Richard George stated he has worked in the City since 1969. In my quest to find a qualified person to run the business, because of number one, my age, I need to retire, I have health issues and my special needs son needs more attention. So, in my quest to retire, I was able to work with Hussein here who is in business and sells quality cars

and I was hoping with your help we could get him approved and he and I worked out a program where I could liquidate my inventory inside of 30805 Plymouth Road, while he would be able to operate out of 30835 Plymouth Road which is the building in front and then for one year I would do a going out of business sale. And then in January or February of next year, 2022, I would hand the building over to him and we would relinquish our license with the City of Livonia. So that's our plan, we're hoping you'll look favorably upon it.

Councilmember Jolly asked through the Chair to Mr. Taormina, that he's looking at Google Maps here and trying to figure out what this property is and what the status is and what we're talking about here.

Taormina replied this is the American Steel Motorcycle and before that it was a grocery market, going way, way back. And this petition when it was filed in 2013, approved in either January or February of 2014, there were limitations. It was originally called Lang Autos and the conditions put on by Council included a limit of thirty-one vehicles on the site. There could be repair services conducted within the building but those would be limited to vehicles that were being offered for sale, so it was not to be a repair shop open to the public. There were other special requirements in terms of setbacks from the road as far as the display vehicles. The building that Richard is referring to is where they would temporarily operate out of until the transition is complete. That was actually I believe an Eco Wheels was the name of the company that was running out of there at the time it was approved. So it was approved in 2014 and then in 2015 the license was transferred to – there was an extension and the license was transferred over to Rich. Rich has been operating a used car business in conjunction with his motorcycle sales at that facility, not nearly at the capacity that it was originally approved. But the consideration today would I think recognize the right of the new owner if it's approved to go back to the original approval with thirty-one cars for sale and all of the other limitations that were imposed by Council Resolution No. 24-15 and 25-14.

Jolly said the only follow-up he has in looking at Google Maps and the street you provided on Google, it doesn't even look like this is really heavily operated; is that true or am I looking at something that is outdated?

Taormina replied you're probably looking at something that's fairly accurate in terms of it being operated today, it might not be too different. There's not many cars on the site. Much of the service activity and the vehicles for sale, which I mentioned motorcycles and apparel and other accessories are on the inside of the store. In discussing this with Rich he did indicate that he has had vehicles for sale on the lot periodically, but again, not nearly to the capacity that was approved. So he does maintain an active used vehicle dealer's license at this address. We did check the Michigan Department of State Records and that's been the case now for many, many years in fact.

Jolly asked if they check to see if Mr. Zein has the appropriate license before we transfer or is that something that would possibly come later on?

Taormina replied that would come later on. If the waiver is approved, Mr. Zein would have to apply to the Michigan Department of State for a used vehicle dealer license. We review that and approve this in terms of the municipality and zoning items and then they go back to the State.

Councilmember Toy stated she just celebrated her 43rd anniversary in business on Plymouth Road and there's been a lot of changes, a lot of ups and downs. I think we should be thankful that Mr. George, who's operated there since 1969, has found someone to take over that business. That building if you've been past it lately, sits way in the back so it is hard to see and it needs some sprucing up here and there. And perhaps with Mr. Zein coming in, that may happen, because Mr. George has said he has some family responsibilities and some personal things he's got to take care of. So I would applaud that and I would say let's give this gentleman his waiver use and a chance to put a shot in the arm. This business owner has been there and done a nice business for many years, Richie used to have a party store as well, and he's been a good tax paying citizen for many years and business owner. So I applaud that and I think that I would like to offer an approving resolution to go forward with this waiver in light of the situation as well.

Councilmember Donovic stated that he, too, supports this, he thinks it's a good idea to maybe sort of revitalize this successful business that's been here a long time and you have a really motivated new owner that wants to take it to the next level. I do have a question for Mr. Taormina through the Chair, this building to the north, this smaller building, will also be used in business, but the building to the south, which is the much larger building, that is the one that Mr. Zein will be utilizing and Taormina replied yes.

DIRECTION:

APPROVING

CONSENT

2) REQUEST TO EXTEND WAIVER USE APPROVAL TO NEW OWNER: Edmond Leung, re: Petition 2014-10-02-14, submitted by Elite Foot Spa, LLC, to operate a massage establishment on property located on the southeast corner of Plymouth and Stark Roads {34389 Plymouth Road) in the Northeast 1/4 of Section 33. (CR 373-14)

Edmond Leung, Petitioner, 14321 Westlake, Taylor, presented this request to Council. He stated he is here to seek Council's approval to operate a massage establishment. I believe that the type of massage or this type of service could be beneficial for the community, especially considering what we've been through for the past year, with increased stress and anxiety, etc. Proper guidelines and sanitation procedures will definitely be emphasized. I'm also aware of human trafficking issues, that is something that I loathe, I speak highly against that all the time personally. I've also spoken to the former tenant of this location and he has expressed that he is no longer interested in pursuing this type of establishment due to personal reasons. I believe this will be a good opportunity to bring some relief to the community.

Vice President Bahr asked if the Petitioner has background in this type of business and Leung replied yes, he also has family who also established this type of business in the

City of Livonia. They've been servicing the community for roughly ten years now and have had no problems. They are grateful for your support in the relationship.

Bahr asked what businesses are those and Leung replied it is another massage spa located at Five Mile and Newburgh, New Life Acupressure. Bahr asked if there were any others and Leung replied not massage, but that he also has family that established a business in Laurel Park Mall, it's a noodle restaurant. Bahr asked if he is taking over Elite Foot Spa or establishing his own business and Leung replied yes, this will be his business solely. Bahr asked if it will retain the same name and Leung replied no, there will be a slight change to the name. Bahr then asked as far as employee base and operations and everything, you're just taking over the existing business and Leung replied correct. Bahr asked if he has an active role in New Life Acupressure and Leung replied he manages, he does the communications and all the emails and all the boring stuff. Bahr then asked if he owns New Life and Leung replied no. Bahr asked what relationship he has with New Life and Leung replied his mother is the owner of it. Leung said that he is somewhat familiar with this type of arena, this environment, this type of massage service. Bahr asked how did this particular business opportunity come to your attention and Leung replied that he crossed paths with the former tenants and he spoke about his personal reasons of not wanting to continue anymore and I thought it was a good opportunity. I personally believe in massage therapy; I think it's very beneficial. I know it doesn't work for everybody but I think in the majority of the cases, I think it can be very relieving and relaxing to most people.

Councilmember Jolly asked the Petitioner if he found there was an overwhelming demand for this type of service to the point where we would have to continue to offer waivers for more and more businesses like this? And I'm not asking to put you on the spot here, but I notice that we have quite a few of these that come before us quite often and I'm curious if the demand is really what it appears to be by the amount of inquiries we get before this. That's the first part and the second part is you plan on staffing one of these facilities. I'm just curious where all the employees come from and all of these separate locations in the industry, just out of curiosity where do you hire the people from in terms of their credentials and that sort of thing.

Leung replied personally based on what he researched, he sees that this type of industry is increasing, the demand is increasing, that's just based on my research. And when it comes to employees, I do have like social media and those types of resources to contact licensed massage therapists. Foot massages will heavily be emphasized at this location but also full body massages as well and I know licensed massage therapists will be heavily emphasized. And social media, I do have connections to seek people and employees through social media. I don't think that will be difficult when it comes to employees and licensed massage therapists.

Jolly then asked if the Petitioner finds with his mother's establishment that there is such a demand that she does not have the capacity to provide all the services that are wanted from her business.

Leung replied yes, he personally believes that the demand is high enough to cater to increased numbers of demand.

Councilmember McCullough asked about the term licensed massage therapist and who would be holding the license in this establishment.

Leung replied he has two therapists in mind and they are licensed, would you like their names and McCullough asked if they are part of the current establishment, the ones he is looking at. Leung said one is part of the current establishment, they are licensed, their service is very exceptional.

McCullough then asked the Petitioner to provide more back-up information prior to the next meeting.

Councilmember Toy asked what the hours will be and Leung replied they will range probably from 9:00 a.m. to 9:00 p.m., seven days a week. Toy then asked if the two employees are part of the current establishment and Leung replied at least one for sure. Toy asked how many employees would he have on staff for the twelve hour shift and he replied at first three to four. Toy asked if currently Elite does more foot massage and Leung replied yes, that will be emphasized the foot reflexology massage, deep tissue Swedish. Toy then asked if Leung is licensed and he replied he is certified as a massage therapist apprentice, so he does have some experience, and has been practicing in the business for roughly ten years.

Councilmember Toy offered an approving and denying resolution for the Regular Agenda.

Vice President Bahr asked Leung what his role would be in the day to day operation of the business and he replied, managing, communication with the customers, making sure the relationship is up to par, everyone is satisfied.

DIRECTION:	1)APPROVING	REGULAR
	2)DENYING	

3) REQUEST FOR AUTHORIZATION TO PURCHASE TWELVE MARKED/SEMI-MARKED PATROL VEHICLES AND UNMARKED POLICE VEHICLES UTILIZING STATE OF MICHIGAN AND MACOMB CONSORTIUM BID PRICING: Division of Police, re: from budgeted funds.

Captain Tom Goralski, LPD, presented this request to Council. He stated this is a request for authorization to purchase twelve marked/semi-marked and unmarked vehicles this year and to waive the sealed bid process because as always they're going through the Consortium, utilizing the State of Michigan and Macomb Consortium Bid Pricing to make these purchases. Five of these are marked and semi-marked vehicles for the Uniformed Division, four are unmarked for the Intelligence Division, and two are unmarked for the Investigative Division. Also, the cost is well under budget, part of that is due to the fact of the condition of our fleet right now, which is in small part due to our

vehicle maintenance coordinator and his assistant, and our officers are taking very good care of the vehicles. We're very happy with the fleet right now but as you know we have to rotate out vehicles every year and this is all from budgeted funds.

Councilmember Jolly said it's always nice to have a good Catholic Central man before us for items like this and everything looks in order. Through the years we've seen these vehicles that we've had have been marked in different ways; do you anticipate that these marked vehicles will continue to be marked as they currently are with the same designs and the same coloring and the same logos and all that kind of stuff or do you foresee that that would be changing any time in the near future?

Goralski replied that subject has been broached, it has been a number of years now. I don't think it's the longest time we've gone with one logo, we really do like this particular logo, our officers like it, I think the public likes it. But always looking to see if we can be better and all good things and present a good presence in the community to our scout cars. So we have discussing that, nothing planned yet, maybe not this year, maybe not next year but soon.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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4) REQUEST FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS AND PURCHASE FROM SOLE SOURCE PROVIDER: Division of Police, re: to upgrade the Viper 911 Intrado System, from budgeted funds.

Captain Tom Goralski, LPD, presented this request to Council. He stated this is the upgrade to our 911 system which is essential to protecting our community and in our communication with the community at crisis times. This current system is six-years old and past recommended life. This will be an upgrade to the hardware and the software and as you see in the package, it will also include a seven-year maintenance plan with Intrado Viper. They are the sole source provider for this, they've been with us for the past seven years and we're very happy with their work, and that's why we're asking for the waiver to the sealed bid process.

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

DIRECTION:	APPROVING	CONSENT
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5) AWARD OF BID: Department of Parks and Recreation, re: for the construction of outfield fencing at four ball diamonds located at Bicentennial Park, from budgeted funds.

Ethan Engel, Athletic Coordinator, presented this request to Council. He stated this project is for Bicentennial Park for four diamonds, simply adding outfield fencing, the six feet to those diamonds, not only adding value to the park, but adding value to the user experience. It is our most highly requested park. I am constantly running out of space

to put teams out there, both from Livonia and from outside of Livonia. So I would propose that Council award the bid to the Future Fence Company out of Warren. I called their references and they came back with great reviews and would always hire again.

Councilmember Jolly offered an approving resolution for the Consent Agenda. He said it's always a good opportunity to provide positive feedback and kudos when deserved. Ethan is one of the absolute champs of the Parks & Rec Department, he's a valued City employee and he does a great job, whether it be from organizing a boot ball tournament that was a great success or organizing T-ball leagues for our younger residents, all around great guy, and we're happy to have him. Thank you, Ethan.

Vice President Bahr asked for clarification as to which diamonds this is related to and Engel replied it's Diamonds 5, 6, 9 and 10. Diamonds 7 and 8 are the two that interlap in between, those are the two we aren't fencing for a couple different reasons, but 5, 6, 9 and 10 all back up to some woods or back up to a path and are farther outside there.

DIRECTION:	APPROVING	CONSENT
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6) AWARD OF BID: Department of Parks and Recreation, re: removal and replacement of lap pool decking, gutters and drains, from budgeted funds.

Stephanie Manoogian, Aquatics Coordinator, presented this request to Council. She stated they are looking for approval to from budgeted funds to have their lap deck removed and with new coating and to replace the gutters and drains. This project will match the esthetics of the leisure pool and carry over that color scheme. This is not bringing the same type of flooring that we used in the leisure pool area, this is going to be a concrete coating instead.

Councilmember Jolly stated that he has spent the majority of Saturdays since the Rec Center has reopened at swim lessons, both in the leisure pool and the lap pool and it is noticeable how much the decking on the lap pool side is in need of replacement. I think everything is in good order in terms of the proposal here, and it would be a missed opportunity if I didn't compliment Stephanie and her people and the entire Aquatics team at the Rec Center as well. They're doing a fabulous job all the way around and it's a great experience as well, they deserve a lot of credit and I'm happy to support this on Consent.

DIRECTION:	APPROVING	CONSENT
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7) AWARD OF CONTRACT: Department of Parks and Recreation, re: Greenmead Master Plan, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented this request to Council. He stated they are looking to award the Greenmead Master Plan Project to Wade Trim. This was a project that was undertaken with the assistance of the Planning Department along with our Historic Commission and Parks and Recreation staff. We were lucky

enough to have a large and diverse steering committee that weighed in on these interviews. We did interview four firms for this project with Wade Trim being our preferred vendor for this. We're looking forward to a great product. This project was talked about prior to budget or during the budget process, it was not budgeted. We have moved around some money in our Parks and Recreation Capital Projects list and we have also solicited funds from the Historic Trust Fund with the approval of the Historic Commission. So we do have sufficient funds for this project, but it was not a budgeted project even though it was discussed prior to the budget being finalized.

Councilmember Jolly stated that both he and Vice President Bahr and Councilmember McCullough and some representatives from the Historical Commission and the Parks and Rec Commission, along with the appropriate staffers did spend the better part of a Friday a few weeks ago hearing the four proposals. The reason that I believe that Wade Trim is an appropriate choice here is because they really provided us with an effort to fully utilize the site while making it engaging but also really recognizing and enhancing the historical significance in how we utilize it as well. One of the things that was kind of setting Wade Trim apart was the fact that they went so far as to include an historical archivist on their team to help us with not only the buildings themselves but to kind of put together a cataloging system and to kind of recognize what we need and what we have out there, not only the buildings themselves but rather the chattels, the smaller possessions inside the buildings to fully display the history, and to also put together policies to kind of direct what we accept in terms of donations and what we look for out of donations going forward as well. It was just really altogether a well-run proposal that they put forth. We had some other good proposals as well but I believe this was the best one. It was a great effort led by Mr. Davis and I think this is really the next step in terms of fully utilizing Greenmead for what it is and what it can be. And this does not, this isn't really anything that's going to change a whole lot in terms of what we're accomplishing other than making it more engaging, more usable, and kind of really shoring up what we have out there and having a plan to do so.

Councilmember McCullough stated that everything that Councilmember Jolly said are the same sentiments that he has. Another thing that made Wade Trim jump out was the community engagement factor. They're going to be using a lot of the budget I know was to really figure out what the community wants to see with the site. I'm super pumped up about seeing this go through. Greenmead is Livonia's secret place that has all the possibilities and I know coming out of this, this will have the professional direction to really take Greenmead to the next level. So it's an exciting time, thank you everybody involved, and hopefully looking forward to getting this plan underway.

Councilmember Toy thanked the Council people who were involved and stated this site is a jewel in our community and really needs to be shined up, if you will, a bit more. And I think with this kind of effort it will be and I look forward to hearing about it, seeing it, and seeing it be very successful. Thanks for all the work you guys have done on it; I appreciate it.

President McIntyre asked Davis if the Master Plan get into the level of detail of how historical accuracy is defined and observed at Greenmead? The Christmas light

display, was a huge success, got a lot of great feedback. I did get a considerable number of phone calls from people who did not feel that the decorations were consistent with the historical aspect of Greenmead. So, to what level of detail regarding appealing to the historical nature of Greenmead is the Master Plan going to get into?

Davis replied he thinks they're going guide, at Wade Trim I expect to guide our process through which commissions, whether it be Historic Preservation, Historical Commission, along with residents, kind of steer where they want to see programming and where they want to see amenities that are appropriate at that park. Certainly, I don't think anyone would recommend a carnival there, but there are a number of activities and things that go on in a park that are not historically accurate. We drive cars there. That wasn't historically accurate for the Village. I mean I think it depends on where you want to draw a line and that's probably more of a policy type decision as opposed to a Master Planning type decision. I think if we're so rigid in our dogma of only historically accurate things can be there, we're going to be very limited in what we can do. Certainly, we want to respect the history that Greenmead represents, but at the same time we do want to bring it to life and showcase that facility for younger generations and families to enjoy. So there's going to have to be a little bit of flexibility in our mindset, I believe, but yes, I do believe Wade Trim will help us identify appropriate events and activities for that site.

President McIntyre stated she hears a lot from her colleagues and from Parks & Rec about wanting this very much like Greenfield Village and as you know, Greenfield Village does work very hard to adhere to things that are keeping with the period of the Village. We're not going to put candles; Greenfield Village doesn't put lit candles on Christmas Trees because obviously there's a tremendous danger there. So you do make adjustments for safety and practicality and to your point, we're not going to require people to ride horses and walk and ride the old fashioned giant wheeled bicycles to Greenmead. But I do think as we move forward with that, it is important for us to think about what we're trying to do with the historical aspects of Greenmead. Because we do have a lot of other areas in the City and parks where we don't have those sorts of – it's not a historical site. Thank you, that was very helpful. She then thanked the Council members who gave up an entire day of interviews and joining Mr. Jolly and members from the other commissions, it was extremely helpful and I think very beneficial to the citizens and to all of your colleagues to have the three of you involved in the interviews, so thank you, and thank you, Ted, for heading that up.

DIRECTION:

APPROVING

CONSENT

8) REQUEST TO APPROVE ALLIANCE OF ROUGE COMMUNITIES (ARC) ANNUAL ASSESSMENT FOR 2021: Public Service Division, re: in the amount of \$36,296.00 from budgeted funds.

Doug Moore, Assistant Superintendent of Public Works, presented this request to Council. He stated this is another of our annual items that we bring each year, it's our dues to the Alliance of Rouge Communities. As you know Livonia was one of the founding members of the ARC.

The ARC represents almost all of the municipal entities that make up the Rouge River Watershed. They help us deal with our MS-4 permit, apply for grants, do all of the investigations that are required as part of our MS-4 license. Again, the dues for this year are \$36,296.00 and they're coming from budgeted funds.

Vice President offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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9) AWARD OF CONTRACT: Engineering Division, re: for the 2021-2022 Sidewalk and Pavement Replacement Program - Water Main Breaks - Contract 21-F, for a two (2) year contract.

Todd Zilincik, City Engineer, presented this request to Council. He stated this item before Council is a bid that was taken back on February 9th. It's a two-year contract for water main breaks. Just a brief history, DPW goes out, they'll get a call for a water main break, they'll fix that repair location, then we'll end up getting the information to the Engineering Department, whether it's sidewalk, drive approach, asphalt approach, could be a commercial approach, part of the roadway, to go ahead and complete in two phases. The first phase is usually done by July 1st, July 2nd, and the second phase is done in the fall by mid-October. So anything that was done from November last year through this portion typically in May, June, we complete those repairs by July and then the fall repairs. We had very competitive bids, we had nine people bid on the project. The amounts varied from \$328,006.50 all the way up to \$871,402.00. So you can see there's nine bidders, Phase I and Phase II, a two-year contract. Luigi Fernandi & Sons Company was the lowest bidder. We have not worked with them before; however I did check on the references, they've worked in previous communities. I also checked with OHM, AEW and HRC who are the consultants we do business with that also had no issues at this time, appeared satisfactory. Their asphalt contractor was Brown Asphalt out of Pontiac who's been in business for forty years. At this time we're asking your approval for that contractor in the amount for a two-year contract of \$328,006.50.

Joe Rotondo, 33135 Pickford, Livonia, stated he wanted to comment on the bid for the water main break restoration. We look like we're high on the bid, but when you break the bid down and take a good look at it, the 4-inch concrete, 6-inch concrete, and 8-inch concrete, was substantially lower than Luigi. We've done this contract for a number of years. Last year we did zero asphalt repair and we come up a little bit higher than Luigi on the asphalt repair, but we're cheaper on 90% of the work that we normally do. We take a lot of pride in our work and we go over and above our contract like replacing sprinkler lines that may be caught under the concrete that we see that are broke so that whoever replaces sprinklers normally doesn't have to come and either remove our concrete to replace the lines or bore under the concrete. We try to do the best job we can for you and we hope that you'll take a close look at these bids and like I say, 90% of our work last year was 4-inch, 6-inch, and 8-inch concrete. And I want to thank you for letting me talk tonight and I'm happy to be a resident of Livonia and I really appreciate all of the work you do for us, thank you.

Councilmember Toy offered an approving resolution and stated that Mr. Rotondo has done a great job for our City. His specialty seems to be sidewalks and a very reputable company and a very reputable family. And I think when we compare the bids, the cement is less than the other bidders, to make up some of the heels and things that are going to have to be done with this unfortunate issue that we have before us. So I would encourage us to give a good nod to this bidder, I have a lot of good faith and he is a resident here.

President McIntyre stated to Councilmember Toy that what the Engineering Department has asked Council to do is to award the contract to Luigi.

Councilmember Toy said she is offering an approving for Rotondo.

President McIntyre said that would be a denying resolution and Toy agreed.

Vice President Bahr said he doesn't think there needs to be a denying resolution, but could offer approving for Rotondo. He then asked Zilincik to clarify the components on the bid. Zilincik replied that every two years they look and see what happens and in those instances obviously the water main breaks should go down because we're putting more infrastructure into the City, correct, with our DWSRF Project. So, take last year's projects, Joe Rotondo was the contractor last year, look at the items, however, we don't know, it's like winning the lottery, I don't know where a water break is going to happen. Could be in a roadway which is a thick pavement, could be in a parking lot, could be residential, we have to go on the best ability we can on the water main breaks, whether it's concrete, asphalt, or sidewalk itself. So to the best of my ability we do it inhouse, take those quantities, put them out to bid and you see we had a very extensive bid, nine bidders. And so those quantities, like I said, some people bid the 4 and 6-inch, Joe's prices were cheaper on those items, but again, the asphalt was a big difference on the bid between Luigi's and Rotondo's, about a \$3.00 difference. So it all depends on where the water main break location and quantity of curb. But from our best ability we put in Phase I quantities, we take half of those quantities for Phase II, and then next year I don't know what's going to happen but you do the best ability from the previous data to do the best specifications, as tight as I can when I bid it out based on those quantities they're going to bid on.

Vice President Bahr stated Mr. Rotondo obviously is well-known to the City, does great work, has a number of contracts and I'm sure will continue to have contracts and just appreciate his involvement in our City. But looking at this objectively it's hard to get past the \$38,000.00 difference on this particular one. So I understand there's a resolution out there for approving for Mr. Rotondo, I'm going to offer an approving for the one recommended by the Engineering Department initially. We have two resolutions so it will obviously stay on the Regular, but I'd like to use the next two weeks just looking into this a little bit further. Because I understand Mr. Rotondo's points but we establish quantities the way we do for a reason and that's a big enough gap that it's hard for me to ignore that, so I'll put an approving out there as recommended.

Councilmember Jolly stated he agrees with Vice President Bahr, it's worth looking at over the course of the next two weeks. I will say I as an individual, I feel uncomfortable sometimes when we consider going with a high bidder when that high bidder is not recommended by the Department or the Administration specifically. Not to say that there's anything particularly wrong with that but I believe we might be well-served to pay extra attention and give it more scrutiny if that is something that we're going to consider. We have two motions on the floor. I will look into the concerns expressed by Mr. Rotondo and I also appreciate what Mr. Zilincik has offered here tonight. It's kind of a delicate situation and I cherish the bid process as I believe many of us do, most all of us do to be honest. I look forward to having this before us in two weeks but it's worth considering.

Councilmember Toy said she appreciates all of her colleagues' comments. I only go back to experience levels and work quality, etc., but I also go back to an old saying that I think it was Buzz Armstrong said as he goes up in the rocket over to the moon, saying jeezo Pete, this thing was built with low bidding specs. So there's always a thought about the low bidders, there's always a thought about the next bidder or the next bidder, so we want to look at each of them objectively within the next meeting and hear both people out. This way we have a little bit of an option with some room, and I expect to hear other's opinions on it, that's why we're all elected, to look at things the way they're looking at them. So I appreciate all my colleagues comments and I would hope to keep an open mind as we go through this one.

DIRECTION:	1)APPROVING FOR ROTONDO	REGULAR
	2)APPROVING FOR LUIGI	

10) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE PROPOSED 2021 SIDEWALK REPAIR PROGRAM BY EXTENDING CONTRACT 20-G UNIT PRICES WITH JOE ROTONDO CONSTRUCTION CORPORATION AND REQUEST TO AUTHORIZE APPROPRIATION AND EXPENDITURE TO PRECISION CONCRETE, INC.: Engineering Division, re: for Contract 21-G which includes two target areas, on in Section 18 and the other along Merriman Road from Schoolcraft Road to Five Mile Road along with scattered locations throughout the City. (CR 36-21)

Todd Zilincik, City Engineer, presented this request to Council. He stated this is a request to City Council to extend the concrete prices from Contract 20-G, which Joe Rotondo was the low bidder at that time. Obviously, he does a great job for the sidewalk program. We're looking for his expertise and his quality workmanship for this program in the amount of \$686,397.50. Again, we're asking for a portion, \$10,000.00 to be provided to Precision Cutting to help grind out some of these areas in which a tree branch heaves up the sidewalk but instead of replacing them we can grind them down at a cheaper rate; instead of paying \$175.00, for 50 bucks we can take care of those issues that may have come to resurface several years later. We're looking at single lot assessments in the amount of \$182,179.92, which will be billed to the property owners. If you approve this tonight, we will send out a letter to the residents, come mid-April, alert them of their estimate and requirements. They can either fix it themselves, hire a

DIRECTION: APPROVING CONSENT

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this site in question is in the process of being rezoned from P-L, Public Land, to R-1, one-family residential. Council gave first reading to the zoning change on September 28, 2020. R-1 is the proposed zoning where the minimum lot size would be 7,200 square feet. Lot width 60 feet, lot depth 120 feet. So as you can see from the aerial photograph the site in question is surrounded by developed single-family homes nearly all of which is also zoned R-1, one-family residential. The proposed development shows a total of 32 lots, all 32 lots will comply with the R-1 District requirements for a conventional lot size. As you can also see from this plan, the design includes a new street with a cul-de-sac that would extend south from Lyndon. That street would provide access to 22 of the 32 lots. Those are identified as units 11 to 32. And then lots 8, 9 and 10 in the northeast corner would have direct access to Lyndon and then at the south end, units 1 through 7 would have direct access on Mason Street. Along the east side of the project you'll notice the large detention system that includes the four bays as well as a detention pond. Continuing south from that area the open space park enlarges so not only does this include the pond, but the open space park also includes other areas as well. A fully detailed landscape plan was submitted with the Petition which shows one tree per lot as required by ordinance. In addition, landscaping is shown around the detention basin and within the open space park. The submittal included the Master Deed and Bylaws which is very similar to what we've reviewed in the past in terms of minimum house sizes, minimum percentage of brick on each of the units, and other building and use restrictions that are consistent with past projects. The Planning Commission is recommending approval of the project as submitted to you this evening.

Vice President Bahr stated from his recollection when we looked at this previously when we did the zoning, the Petitioner has taken into account some of the things we talked about, and I appreciate that. One of my concerns is elevation. And the reason for this is one of the previous developments that we've done in the last several years, I've gotten some complaints from people over there from existing neighbors about the elevation of the new neighborhood. And I went over and looked at it and it was a lesson learned for me. Mark, I'm sure you're familiar with these things and probably looked at it, but that's just one aspect of these developments that I haven't paid enough attention to in the past. And in this one particular scenario, you know the houses in the new neighborhood were so high that the fences, the privacy fences that had previously existed in the existing homes were worthless because the new homes were literally looking down into their backyard. So, I'm just wondering, has that been looked at with this? And I did see that there was an elevation piece in the packet that was given us, what's been the conversation about that and is that something we need to be concerned about here?

Taormina replied it was something that was discussed at Planning Commission level, in fact, they noted it on their review that the design was raising the grade of the property in a manner that you indicated. So, through numerous discussions with the project engineer the grades have been lowered three and a half feet. Additionally, where the homes in this proposed development lie directly adjacent to existing homes to the west, all of those homes where I think seven or eight of the lots along the west side, it's spelled out in the resolution, for those the developer is committed to building only ranches. So, not only have they lowered the grades on this property, but also restricted the height of those homes to ranches. So, this would be the cross sectional relationship between the houses. And it might be a little tricky to read here, but the engineer is here and he can describe the changes to the plans to address the Planning Commission's concerns.

Vice President Bahr thanked Taormina and stated he's glad to know that it's been recognized and looked at, you beat me to it, which is great. The two remaining questions that maybe if the Petitioner or the engineer wants to speak to this if they can, is number one, so I know it's been addressed on that side, even though the ones on the east side do not directly abut the other homes, is there any risk of it being a concern there anyway. And then the second thing I was going to ask is is it possible to get a rendering or a drawing that shows what the site lines will be from the new homes into the backyards of the old homes? I seem to recall seeing a drawing like, I think it was for the medical center at Five Mile and Levan, who knows how long ago that's been, but whatever it was, I seem to recall seeing drawings like that where we can show the site lines, and if it's possible to provide something like that, that would be great.

Taormina replied that's exactly what this cross section is intended to do, although it might be as illustrative as what you are referring to what's been in other projects. But we asked the engineer to provide this drawing to show exactly the relationship between the existing homes there on Nola Street with the proposed homes on the west side of the cul-de-sac. And while there is a height differential you'll see here, again, it's much less than what was originally proposed. I think there's reasons for these grades for drainage purposes and I'll let the engineer get into that, whether or not it can be lowered

additionally is a question that you'd have to ask him. And then in terms of on the east side, the only difference the grade has been lowered throughout the project site as it affects the finished floor elevations of the homes. The only difference here would be that the colonial and cape will be allowed on this side of the street because there is a greater distance or greater separation between the proposed homes and the existing homes.

Bahr said one final question for you, Mark, is that kind of darkened area right at the base of the cul-de-sac, it almost looks like it's a pathway going to the community space. Well, there's that, too, where you are there, I was actually looking from the new road to the detention up there. So, yes, that section you're on now is part of it and if you go up and all the way to the left there's a dark area, that and where you were earlier, are those intended to be like access pathways of some kind?

Taormina replied they're primarily in the design to allow for equipment to access the pond for maintenance purposes. And what this pattern illustrates is a grass paver block, so it would be grass on top, but there would be a base beneath it that would support equipment that could get back to the pond in order to maintain it. So that's what these areas are illustrating. These are illustrating additional easements that provide access to the basin. But the main one would really occur here off of Mason Street for any heavy equipment that would ever have to get back there for maintenance purposes.

Bahr said so they're not pathways and like the easement you talked about, that's part of someone's yard, it's just noting an easement for the City to have access to it.

Taormina said these are mostly easements, that's correct, this would be part of the open space area.

Bahr said it's not uncommon when we do these, somebody else saw the creative idea that I probably like, but overall I think this meets what I was looking for and I think it will be a good development.

Councilmember McCullough stated with these new developments we are requiring these properties to maintain their storm water drainage, am I correct on that?

Taormina replied the engineer can respond to that, but any drainage would be directed to swales and to catch basins that would then carry the water off without going onto the adjacent property, so, yes.

McCullough asked would you know with our current neighbors, the neighboring properties, obviously a lot of these sites, the existing neighborhoods were built primarily late '50s, early '60s and the '70s, rear lot drainage would not have been a feature that had been required during those times, correct?

Taormina replied more than likely there are catch basins that run along the rear of those properties as well, but I think that this development would be mostly self sufficient in terms of its drainage. It wouldn't rely, I don't believe, on those catch basins in those

adjacent subdivisions but I'll let the design engineer and maybe Mr. Zilincik respond to that.

McCullough stated he is just concerned with that grade, it's just such a high slope that you know if a neighboring property does not have that type of drainage set up or is something is clogged from all the years, the last thing I want to see and I think the last thing that these homeowners want to see is their lots get basically in the swamp.

Mr. Khalil, project engineer, said the first thing he wants to address the elevation issue. The way that Mr. Taormina said, we tried to lower, like he asked us to lower the elevations, and we lowered it as much as possible. Now from that property line we're going almost the minimum slope that we can go from the west property line to the lots and then to the street. We lowered it, it's inches, it's nothing more than that so we did what we can with that one and we lowered it by like 3.5 feet. On the east side I don't think there is any issue just because we have all that space and all that distance and the street might control the elevations around it. So this is about the elevations. Second, regarding the drainage, we are controlling everything within our site. Like we had swales all around that's going to collect any water, no water is going to go into adjacent properties. It's all controlled. We had like swell line on the west side and everything on the east side is sloping towards the detention basin and toward the open space area. And I think these are the two points that I wanted to clarify. If you have any other questions, I'm here, if you have specific questions.

McCullough stated he likes what he hears about having the storm water managed from the site; I'm assuming we require through the process of construction, a preliminary grade cert, do we, before the move on to any process or do we not?

Zilincik replied what happens is when we actually do the site for final approval, we make sure that it's meeting our standards for backyard drainage, every 400 feet. The detention is there, we ask for exhibit for the future maintenance of that pond. In addition like you said, our goal is to not have the adjacent properties have drainage onto them itself, but it's all contained on the site. If you look, Mr. Soave has been doing these developments, we did Dover and Capri with no issues with the drains itself, so just state any concerns and we'll make sure when we're doing the review process that that's addressed during the final review plan. But the grade cert is for each individual lot. So in overall developer mentality, the developer like Leo Soave comes in, they have an overall soil erosion sedimentation control plan, the detention pond, looking to get that established early on and then as we go through each lot there's a grade certificate that's given and then refund of the \$750.00 bond is taken and then obviously released at the end where all the storm sewers are cleaned out and the detention pond has its establishment and we give that bond back.

McCullough thanked Zilincik for the information and said I think we can just rest assured with all these processes that are in place to ensure that storm water and engineering is all up to date, so thank you for that clarification.

For the 1,917th Regular Meeting of March 22, 2021

DATED: March 11, 2021

SUSAN M. NASH, CITY CLERK