

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD APRIL 12, 2021**

Meeting was called to order via Zoom remote technology at 9:02 p.m. by President Kathleen McIntyre. Present: Brandon McCullough (Livonia, Michigan); Rob Donovic (Deployed); Jim Jolly (Livonia, Michigan); Laura Toy (Livonia, Michigan); Scott Bahr (Livonia, Michigan); Cathy White (Livonia, Michigan); and President Kathleen McIntyre (Livonia, Michigan). Absent: None.

Councilmember Brandon McCullough 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; Deputy Fire Chief John Unsworth; Toni LaPorte, Library Director; Doug Moore, Assistant Superintendent of Public Works; Jacob Rushlow, Superintendent of Public Service; and Casey O'Neil, Director of Information Systems.

Councilmember Jolly wished his daughter Claire a very happy 8th birthday.

President McIntyre wished Council Manager Sara Kasprovicz's children a happy birthday.

AUDIENCE COMMUNICATION None heard.

NEW BUSINESS

1) BLOCK PARTY: Holly Malewski, re: to be held Friday, July 23, 2021, from 4:00 p.m. to 10:00 p.m. on Marsha Street, between Houghton Drive and 16217 Marsha Street, with a rain date of Friday, July 30, 2021.

Holly Malewski, 16181 Marsha, presented this request to Council. She stated they are requesting to have a block party for our three graduating seniors on the block.

Vice President Bahr said it looks like everything is in order, it sounds like a great event, and I'll offer an approving resolution for the Consent Agenda if there's no objection.

DIRECTION:

APPROVING

CONSENT

2) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF BRYX STATION ALERTING SYSTEM: Livonia Fire & Rescue, re: to provide a cutting-edge technological enhancement in the delivery of dispatch information by automating the dispatch process, from budgeted funds.

4) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF FURNITURE: Livonia Public Library, re: to replace furniture at the Bennett Civic Center Library, from budgeted funds.

Councilmember Jolly said I was expecting somebody, as we all were, to speak on this matter. I think we recently heard about the great demand there was for chairs in general at the library. And having all of us spent a great deal of time there, I think it's about time to get some new chairs. I'm happy to offer an approving for this item, but I also see our Library Director, Toni LaPorte, is on as well.

Toni Laporte, Library Director, stated she is here before Council to request permission to purchase new furniture for the Bennett Civic Center Library. It is long overdue. We have actually gotten rid of quite a bit of it because it was pretty much falling apart. We have budgeted funds, \$35,273.31, that is within the budget and we have requested that you waive the formal bidding process and approve the quote from Workspace Interiors.

Councilmember Jolly offered an approving resolution for the Consent Agenda. We all know this is well-needed at the library and it's about time that we invest some funds where we are able to.

Councilmember McCullough stated he wants to touch based, on a lot of our Agenda items, for all the people that are out there listening, it says waive the formal bidding process. If you look at the packet information, while we are waiving the formal bidding process, this is a Cooperative Purchase Agreement through AMENA Partner Cooperative Purchasing Contract. Which basically means that we are leveraging a contract that's already been procured leveraging the lowest rates out there.

Councilmember Donovic asked LaPorte the lifespan of the furniture that they are purchasing; is it ten years, five years, when do you expect to change the seating again, just out of curiosity?

LaPorte replied that their previous furniture is over thirty years old, I know they don't make it like they used to, but I'm hoping this does last at last fifteen years and who knows, it could be even longer. I'm keeping my fingers crossed.

Donovic thanked LaPorte for all that she and her staff does.

DIRECTION:	APPROVING	CONSENT
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5) REQUEST TO EXTEND CONTRACT WITH CRIMBOLI NURSERY: Public Service Division, re: for the planting of 500 Right-of-Way and 100 Park trees, utilizing 2020 pricing, with a one-year extension, from budgeted funds. (CR 54-20)

Doug Moore, Assistant Superintendent of Public Works, presented this request to Council. He stated his department is requesting Council to extend the 2020 Street Tree

9) REQUEST FOR AUTHORIZATION TO PURCHASE ONE (1) TRAILER MOUNTED ASPHALT HOTBOX THROUGH THE NATIONAL COOPERATIVE PURCHASE ALLIANCE: Public Service Division, re: for use by the Roads Department, from budgeted funds.

Doug Moore, Assistant Superintendent of Public Works, presented this request to Council. He stated the department is looking to purchase a trailer mounted asphalt hotbox, it's replacing one that was purchased in 2012 that's in poor condition. The metal is rotting, cutting holes and repairs are exceeding present value. These are used to haul around asphalt patch for pothole repairs. It's heated so that they stuff will stay malleable and easy to work with when it goes into the holes. The new unit has a battery charger, diesel powered heater, tool racks, 1,000 tank, and safety directional boards. It's purchased through the National Cooperative Purchasing Alliance and the cost is \$23,180.00 and the servicing dealer is Alta Equipment of New Hudson.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION:	APPROVING	CONSENT
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10) REQUEST TO EXTEND CONTRACT WITH ETNA SUPPLY COMPANY, THE SOLE SOURCE PROVIDER OF SENSUS METERS IN MICHIGAN: Public Service Division, re: for water meters and supplies in an amount not to exceed \$1,500,000.00 annually, for a two-year extension. (CR 90-16)

Jacob Rushlow, Director of Public Service, presented this request to Council. He stated they are recommending to extend the contract for water meters that supplies us, the Aetna Supply Company, they're the sole supplier of Sensus Water Meters which is the meter we use here in Livonia throughout the State of Michigan. Back in March of 2019, City Council had passed a resolution awarding a two-year extension to Aetna Supplies for our water meters and supplies; that extension has expired recently on March 31st of 2021. So, knowing that that was coming up for expiration, DPW staff had been discussing that now regarding an updated pricing quote for an additional two-year extension which would get us through March 31st of 2023. Comparing the current quote to the previous year's pricing, this quote reflects an overall decrease of over 7% on items that we purchase most frequently and in the largest quantities over the last couple of years. If you look at the contract overall or the quote overall, there is a small 1.6 percent increase in the second year on those same items that we purchase most usually and frequently. Similar to the previous extension, DPW had also successfully negotiated a price reduction on purchases from bulk orders of 2,000 or more units. This has resulted in significant cost savings during our continued system wide meter change out program of 10% off of the listed price on the quote. So, it's our recommendation from the Public Service Division that City Council proceed to authorize purchase from Aetna Supply Company, the water meters and supplied in an amount not to exceed \$1,500,000.00 annually from April 1st, 2021 through March 31st, 2023, at the unit pricing per the attached quote. The budgeted funds are available in the Water and Sewer Fund. We would also request a waiver of the formal bidding process in accordance with

City Ordinances as amended since there's no advantage to the City would result from competitive bidding for this specific type of sole source water meter.

Councilmember White offered an approving resolution for the Consent Agenda. This is a big ticket item but it looks like we've got some significant cost savings built in.

DIRECTION: APPROVING CONSENT

11) REQUEST FOR ADDITIONAL EXPENDITURE: Engineering Division, re: for the installation of a traffic signal mast arm and the signal work at the intersection of Highway Old M-14 (Plymouth Road) and Tech Center Drive (CR 335-19)

Todd Zilincik, City Engineer, presented this request to Council. He stated this is a project that was completed last fall. We've got some design costs that was provided to us by MDOT. Looking for your approval in the amount of \$15,000.00 to go ahead and provide payment to that contract where it's slightly over. So we just wanted to make sure we go before City Council once, to provide payment for part of this design and any remaining invoices, we think there's just a few left, they will be very small, to accommodate this request. I also want to give a thanks out to Eric Dix at Schostak for providing the easement that was necessary to allow that traffic signal to be upgraded on the southwest corner and looking to get the sidewalk replaced and the sprinkler system complete for them shortly and appreciate their efforts in allowing this to happen at the PRDA corridor to improve that intersection at Tech Center and Plymouth Road.

Councilmember McCullough offered an approving resolution for the Consent Agenda.

DIRECTION: APPROVING CONSENT

12) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZATION FOR APPROPRIATION AND EXPENDITURE: Engineering Division, re: for the 2021 Livonia DPW Parking Lot Improvement Project, as part of the City's long-term program to fix safety issues in existing parking lots utilizing pricing established with the award of Contract 21-A to Nagle Paving Company, Inc. from budgeted funds.

Todd Zilincik, City Engineer, presented this request to Council. He stated this is a carry on to the existing parking lot that was done a couple years ago. The parking lot, if you look at the sketch we provided to you, is basically north of the Roads barn, that's where the majority of the employees park. As you know, the DPW Complex Building is undergoing construction, I believe it's supposed to be open up by early August. And in an effort to complete that work at the DPW Complex, also the contract with Nagle Paving for DeMaria, for all three projects it's part of our Capital Improvement to replace the current parking lot, it's all cracked up, deteriorate, past its point of life expectancy. In an effort to complete that with the project with the project with DeMaria at the same time, that way when Engineering moves down there and it's really going to be utilized by the employees will be all complete at that location in the amount of \$245,000.00. So, we're looking for your approval in money budgeted from the 401 account and there's an

additional appropriation expenditure of \$35,545.00. I'll be happy to answer any questions you may have but looking forward again to putting both projects to be completed in an effort to improve the parking lot area not only for employees but also long term for equipment to be parked out there when they're working on it.

Councilmember Jolly stated this seems like a no-brainer, to do all this work at once and wrap up the major improvements that we're making for the DPW site and I'll be happy to offer an approving resolution for Consent.

DIRECTION:

APPROVING

CONSENT

13) WAIVER PETITION: Planning Commission, re: Petition 2021-02-02-03 submitted by Infinity Homes and Company, requesting approval to develop a Planned Residential Development under the Single-Family Clustering option (Emerson Oaks), consisting of thirty-five (35) site condominium lots, on the property located on the north side of West Chicago Avenue between Harrison and Middlebelt Roads (28400 West Chicago Avenue, former Wilson Elementary School site) in the Northwest ¼ of Section 36.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated as you indicated, this is the former Wilson Elementary School site at the corner of Harrison Road and West Chicago Avenue. Council is familiar with this site, the change of zoning was reviewed late last year, first reading was given on December 2nd and that rezoning would be from PL (Public Land), to R-1 (One family residential). The proposal before you this evening is consistent with the concept plans that were presented made last year. This is a planned residential development, a single family cluster. Conventional lot size for R-1 development would be 7,200 square feet, or 60 by 120 feet. In this case the cluster option allows to preserve additional open space and to overcome unnatural and other unique obstacles and constraints that make developing under conventional standards more difficult. The design parameters here limit the density to four dwelling units per acre. It does allow for lots to be reduced in size. In this case, on the 8.7, 4-acre site, the plan shows a total of 35 single-family lots. As you can see here, there would be two roads providing access to the lots in the subdivision, Parkside Court and Tulipwood. Five other lots would have direct access onto West Chicago Street and those are located in the southeast corner of the property. As I indicated, under the clustering option there's no minimum lot size, in this case, the majority of the homes measure 52-feet by 115-feet, for a total area of 5,980 square feet. Stormwater management as you can see, too, on this plan, would be developed in the northeast corner of the property where it's indicated four bay and pond. Those are necessary as part of the development process and then have that incorporated within the open space area and that part of the site. Other areas of open space include around the west side of the property, along portions of West Chicago as well as Harrison Avenue. When you add all these areas together, there are roughly 70,000 square feet of open space. And that translates roughly to about 2,000 square feet per lot, which is substantially more than the 760 square feet that we normally

require. Part of that dedication and part of that open space does include an area in the northeast corner of the property. This is an area that would be provided to the City of Livonia and the Parks and Recreation to allow for the expansion of the parking lot that is part of the Clements Circle Pool property. The developers have presented a plan in which they not only dedicate the land but also make the expansion on behalf of the City providing storm water within the basins that are being provided on the site. The plans also include fully detailed landscape plans. The Planning Commission reviewed this at a meeting a few weeks ago and they are recommending approval of the plans as submitted.

Councilmember Jolly said that this is a site you know when you initially look at the property over here and look at the traffic and congestion that normally takes early in the summer on Harrison Avenue. This plan accounts for that and I'm thankful that the developer has offered this parking lot expansion, not only the property but to do the work. I think overall people, you know, nobody likes to see green space turned into an additional development, but there is a demand for housing of this nature in Livonia. And it's also a little bit easier to do in this circumstance because there is the park just directly north of this that will remain open green space. Mr. Taormina, I have one question in regard to the site plan and I can't really make way of what's been shown on the screen to find the answer. But the development that was done on Farmington Road near Eight Mile, I can't remember the name of that particular site, but it was done by the same developer which is within the last year and a half of so. The marker for that community, its placement seems very odd when you drive Farmington Road. It almost appears that the marker announcing the name of the community is in the middle of the yard on the first piece of property, the first home, the first condo. Can you tell me where the marker will be in this community? That's the first part of the question. The second part is, is a marker of that sort required in this sort of development? And then I might have some follow-up questions, but can you tackle those?

Taormina replied I'll answer the last question first and that is they're not required, although they are desired obviously as a form of identification, not only for the residents once they live in the subdivision but during the market phase as well. In this particular case, and I cannot tell you exactly what happened at the Capri Court Development that you're referring to at Farmington and Eight Mile Road but what might be a little bit different here is the fact that at the entranceways, you'll notice, and I'm zooming in on that area, there's going to be 20-feet of open space between the sidewalk in this case along West Chicago and the lot line for the first home in the street. So that 20-feet here of open space provides ample opportunity for the inclusion of a monument identification site. That 20-feet is provided here along West Chicago Street and you'll notice, too, that it's provided along Harrison Avenue as well. So that could distinguish this project from the one you referred to on Farmington and Eight Mile.

Councilmember Jolly offered an approving resolution for the Regular Agenda.

Vice President Bahr said he has a few questions for Mark and for Todd Zilincik and the Petitioner. Mark, can you remind me, R-1, what's the standard lot size width and height,

the width and depth, for R-1, and Taormina replied 60 by 120. Bahr then asked what the width and depth of the lots on this site and Taormina replied it's 56 by 115 feet here on both sides of the street. 52 feet by 120 feet along West Chicago Street. So, I'd say on average these lots are about 52 feet, 54 feet by 115 feet. Bahr asked if by chance if we looked to some of the surrounding streets, say Hartel Street to the west, do you have an idea what those lot sizes are? And I have the same question for like Harrison Street.

Taormina said he apologizes, they don't show a list, graphic, but the subdivision to the west, the lot sizes there generally run about 60 feet in width by 105 feet in depth. So those are shallow lots but they are 60-feet in width. Looking at the development on the east side of Harrison, the majority of those lots are in the 50-foot range by 120, 130, 140 feet in depth, so they're narrow but they're a little bit longer, but they're about the same width, but a little bit narrower than the lots proposed at Emerson Oaks.

Bahr said I have to say, obviously we've dealt with Mr. Soave a lot, we've looked at a number of neighborhoods like this recently in the last few years and I'm always uncomfortable going with these narrow lots and here we're doing it again. And then related to that, the other thing that concerns me is the right-of-way side. We're looking at 50-foot wide it looks like right-of-way, and a 27-foot wide road. Mr. Zilincik, what's our standard requirement for that?

Zilincik replied our ordinary standards are 30.1 back to back for the road width, and then 50-foot right of way obviously. With the 50-foot right-of-way you have the sidewalk on the easement, it will be placed there, and also obviously with 27-foot, it's very difficult for a vehicle that may want to park there. You may have to put parking just the one side of the street, going on Tulipwood, that narrow width, it creates an issue. Obviously, the more room you have to park on the street, it makes it easier for people to park along the frontage of the property and also traverse through the street and for emergency vehicles to get to and from the destination.

Bahr said I know that that's our standard and the Washington Park neighborhood, I know that we conceded on that one and went narrower and I mean if you go look over there, I don't even know how we planted trees over there, the space between the sidewalk and road is so narrow. And so it concern me about doing that here, especially when, and I'm just eyeballing it, and Todd, I don't know, maybe you have the measurements, I haven't asked. But like Hartel Street to the west, just eyeballing it, it would to me like that's our standard right-of-way. Looking to the east over on is it Garvett Street, if I'm going off memory here, again, just eyeballing it that road looks a little narrower but the space between the sidewalk and the street looks pretty standard. I'm concerned, I obviously understand the developer's desire to maximize the amount of homes he can get on here and I know that number is 35 and that's what we're showing here. But these lot sizes combined with the concession of going that narrow for a street and that narrow for the right-of-way, between the street and the sidewalk, I'll just tell you point on, I'm not comfortable with that, the more I study this. Another question that I have and I guess this would probably be for either Mark or Todd, either one, you know

my concerns on another recent development just about the elevation difference between these homes and the surrounding neighborhoods, some of our recent developments like this in order to get the drainage for the pond, the homes have had to be elevated in the new neighborhood and they almost tower over the existing homes; do we have that situation here?

Taormina replied the engineering I don't think has been done to that degree on this site, so I would say it would be less of an issue here. Number one, this doesn't have the same relationship to the homes in some of those other developments, it's got quite a different separation, you have the Great Lakes Water Authority property to the west and the park to the north. But we don't all the information on the engineering at this point. Maybe the developer can shed some more light on this at this point.

Bahr said actually, Mark, I appreciate you pointing that out, the way that this is situated relative to the existing homes, I think that's a moot point, so I'm not concerned about that. So, I guess that's just my comment. I mean it's attractive, as we know Mr. Soave, they do a nice job and they do attractive neighborhoods. I think the homes they're showing here look very attractive. This is going to be great for that area, but I'll just say I'm not comfortable packing this many homes in there if it's going to require that small of sizes. I mean some of the frontages around that cul-de-sac is in the 30s, lot widths, but even my bigger concern is giving up that much on the street and in the right-of-way. I think we probably made a mistake, at the least I'd just like to say I don't want to repeat what we did at Washington Park and so I'd have a hard time supporting this the way it is right now.

Councilmember McCullough stated I grew up on Clements Circle, which is closer to Plymouth Road, so that's part of the Thomas Elliott Subdivision of which those lots are 50 by I think they're 140. My also was also like 950 square foot ranch, and we were fairly close on to each other. I'd like to point out that the Pearl Wilson Number Two Sub is averaging around 57-foot of frontage. Chicago Heights which is the west as Mr. Taormina brought up, is anywhere from 60 to 75, obviously a little bit less than in the depth. Livonia Estate II which is located to the southeast is averaging roughly 60-feet of frontage. And a lot of these homes are anywhere from 900 square feet to maybe 1,100 square feet homes that were predominantly built in the early '50s. So while I absolutely love the plan here, I think that taking this and putting in a subdivision makes the most sense. I like where the retention basin is and I love the fact that you kind of tucked the public space in the Clements Circle Park. However, I've seen the site plan and with the 52 by --- Mr. Taormina, can you go back to just the overall rendering? A lot of these 52 by 52, and I'm looking at some of these housing cut sheets, the Townsend is two-story, 2,200 square feet; the Oakhurst is a Colonial at 1,700 square feet, and they're going to be lower in a lot size then some of these homes that are almost the size, so I'll be completely real, I can't support the way that it sits right now. I need to see the lot sizes move up a little bit more. I just think that there's more to see this development do as well in this area, those lot widths have to be more. And looking around the area, what you're putting on there, compare to what it has right now, I just

don't think it's conducive to the overall south end of West Chicago/Harrison area. So the way it sits, I'm not happy with the spacing, so that's my concern.

Vice President Bahr then offered a resolution to put this in Committee of the Whole.

Enricoh Soave, 37771 Seven Mile Road, Livonia, 48152, Petitioner, said where does he begin after the commentary? Addressing the right-of-way and the road, I believe Councilmember Bahr mentioned Washington Park. Washington Park was developed with a 50-foot right-of-way and a 31-foot wide road. In this particular development, we're going to have a 50-foot right-of-way and a 27-foot wide road, it will take care of the issues regarding the amount of space between the back of the curb and inside the walkway, City walk, which will offer more space for trees, etc. That's the main reason why we dropped down to a 27-foot road. We've done 27-foot roads in other developments the past five years, Arbor Trail Estates, Mystic Creek Estates, Capri Court, Adams Court and Dover Court, so it's not like this is something that is fairly new. We have done it before and very recently. Lot sizes, the dimensions are 52-feet minimum, we have some that are larger. When you compare a normal 60 by 120 lot, it gives you 7,200 square-feet. At least half of these lots are probably 7,200 square feet or a little bit greater. Yes some are a little bit below there but we've probably got about 50% benchmarked where they are 7,200 square feet. In the surrounding areas you mentioned, there are other 52 lots, there's kind of a cornucopia of lot sizes. There's varying lot widths, lot depths. Yes, there's some older subdivisions but most homes back in the day they were deeper because they had to accommodate for a detached garage. There's a 1,000 square foot ranch and a detached garage is probably average 20 by 20, that's another 400 square feet. So you've only got about 1,400 square feet impervious surfaces there, and in our smallest ranch we're offering in this subdivision is probably 1,250 or 1,300 square feet. So we're kind of mirroring that on our smallest ranch model. So we're not too far off the mark in the surrounding areas. Mark also has pictures of the site. This is not one of our developments where we're sandwiched in between residential, abutting residential homes. Half the lot is next to the water tower. How many areas in the City of Livonia is there barbwire fence adjacent to residential communities. I haven't seen one besides this place. Number two is you've got a dilapidated parking lot to the north of this property; we have to deal with that. We also have a 16 foot high fence that encloses the swimming pool there as well. So this is a development where we had to first, see what was good for the community, we listened to the residents, the parking lot was an issue. We talked with Parks and Rec, we're going to take care of most of the expense, they're going to help out whatever they can and we're putting a parking lot together. Number two, is you have to think about sale ability of these lots as well. So we had to actually enclose this development with ample amount of green space and landscaping in order to sell homes that back up to parking lots, that back up to 16 foot high fences, that back up to the barb wire fence next to the water treatment plant. So, there's a lot of give and take with this development but everyone has to look at the big picture, that's what compromise is about. I think we've established it here; I spent a lot of time personally developing this, I'm proud of it and I hope the Council members see it the same as I see it.

Vice President Bahr asked Soave of those other developments he talked about, can you give another example of one that has the 50 foot right-of-way and 27 foot road that I can go drive it and take a look and Soave replied Mystic Creek which is on Wayne Road between Six and Seven Mile. Soave also cited Arbor Trail Estates that's on Ann Arbor Trail just west of Wayne Road and I think Capri Court is, too, that's the one that I think one of the Council members mentioned earlier on Farmington Road south of Eight Mile. And Dover Court may be as well, that's the one that was referenced in the past with the houses that were a little bit higher than its adjacent residents.

Bahr said he'll take a look at those before the next meeting to see what we're looking at and I appreciate you pointing out the Washington Park difference which is significant and you made some other compelling points, too.

Councilmember McCullough asked Soave if he had a comparable with these types of sizes of homes with these 52 wide lots that we could cruise by?

Soave replied Washington Park and that he'll point out one distinct difference between Washington Park and I'll point out one distinct difference between Washington Park. Washington Park has a minimum of five feet separation in between homes; this one has a minimum of six feet, so you're gaining two more feet in between the houses of twelve rather than ten feet of separation between rooftops.

Vice President Bahr asked Soave if he said Washington Park was comparable for lot sizes, and maybe you said this, too, is that comparable as to house size relative to lot sizes as well or are those homes bigger than what you're doing here?

Soave replied they're comparable, the smallest ranch we built in there was about 1,250 square feet and it goes up from there. I think the minimum Colonial was about 1,500, 1,600 square feet.

Bahr then asked if those homes are a little bit larger than what you're talking about here and Soave replied there's a lot of different house sizes in there, I was giving you the minimum, the maximum would probably go up to 2,200, 2,500 maybe.

Bahr stated but if you look at the aggregate it's probably 50/50 and Soave replied I know personally we've done a lot of small ranches in there, a lot of smaller colonials, this would be a lot of first time home buyers, a lot of singles buy ranches, a lot of retirees buy the ranches, so it's a good mixture.

Bahr said Washington Park is really packed in there, so that's why I wanted to know how that compares with this.

Soave said if you really want to see what it looks like, Heritage Square, drive by Heritage Square and all the lots that are adjacent to commercial are 52 feet wide, those are bigger homes, keep in mind, the minimum there we did larger because of

the proximity, it was a higher end community. Those are 52 foot wide with six foot side yards which gives you an aggregate of twelve rather than an aggregate of ten. After Washington Park, you know ten foot was too close, we bumped up to twelve. So if you want to see what an end product looks like, and I think it's esthetically pleasing, look at Heritage Square. A lot of them are ranches, too, some are colonials, all around the commercial side that probably borders the northern end of the property up behind the church.

DIRECTION:	1) APPROVING	REGULAR
	2) COMMITTEE OF THE WHOLE	

14) SITE PLAN PETITION: Planning Commission, re: Petition 2021-02-08-01 submitted by Gargaro Construction, to remodel the exterior of the commercial strip center on property located on the south side of Seven Mile Road between Farmington Road and Myron Avenue (33527, 33529 and 33535 Seven Mile Road), in the Northeast ¼ of Section 9.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this request involves changes to a renovation to two adjacent commercial buildings. They're under common ownership. They are located on the south side of Seven Mile and you may be familiar with these buildings as they are immediately adjacent to the Primo's Pizzeria. Here is the photograph showing what the buildings currently look like. The rendering shows what they would look like after the renovations and you can see the intent really is to unify the appearance of both buildings, a combination of brick, cast stone, metal panels, cultured stone will be used in the design. This tower feature would be presented over the main entrance to one of the buildings, I believe the Petitioner said he was going to consider making a similar entrance over the other building. The Planning Commission did like the design and they have approved it. I do have some samples here. I will try to show you those material samples over the Zoom meeting here but I can tell you that the rendering here probably does illustrate a little more gray than what the materials are. The materials tend to be a little bit lighter in color and a little bit of a brown town as opposed the dark gray.

Councilmember McCullough said this is an exciting thing. Any time you have an enhancement to a building that's been vacant for some time. I still remember the old bike shop that was in I believe the west section of this space and the renderings look great, like I said this is taking something that was old, bringing it back to life and obviously bringing businesses into the City. I'm happy to offer an approving for Consent if there are no objections.

President McIntyre asked Taormina what the Petitioner is planning to do about that sign and he replied that item was discussed at the Planning Commission and there was no resolution I believe that does not alter the sign. The Petitioner acknowledged that it's probably not in the best location but I'm not sure if there's an alternate location. Maybe

he could provide more information. I don't believe the resolution requires any change to that sign, though.

McIntyre asked if the Petitioner is going to replace the sign and Taormina replied he doesn't know the answer to that and unfortunately none of the photographs here include the sign. It's basically in the middle of the parking lot. Maybe the aerial picks it up a little bit if you want to see it.

McIntyre stated my feeling is it would be a shame to upgrade that building and in my non-design, non-architect, non-planner hat, that is a really, really unattractive sign.

Taormina said and this really shows the limitation. So much of the site is devoted to pavement, actually all of it where if it's not building, it's pavement, so there's no landscaped areas. It would require the elimination of one parking space to relocate the sign to an area other than where it is currently unless we try to put a little bit of landscaping in right here and lower the sign, but again, that's something that the Petitioner could respond to in terms of the ability to do that.

McIntyre said we're getting a really nice upgrade on that building and I understand depending on what business is going in there, we don't know what's going in there, right? Taormina replied Gargaro Construction will remain the primary tenant but I do believe there's space available at the west end of the building, if not the entire westerly building, a portion of the westerly building which would be available to lease.

McIntyre said so a tenant to be named later, so we don't know what the intensity would be and what parking spaces would be needed. You know I understand why it might not be possible to move it but I just think it would be a shame to have this and then have the current monument sign. So I would like this not to go Consent. And I've seen it on the Planning Commission, I don't know if I saw it in the minutes, the Agenda, but I remember seeing it and then I was driving by it and I was looking at that building and thinking how much this is needed. But then I looked at that sign and again, I'm not a design person, I'm not an urban planner, but I think that's a really bad looking sign. Yes, it served at the time, there's nothing inherently terrible about it, but you have this beautiful new building, beautiful new façade, with a really old sign. Is there anybody from Gargaro on the line, do you know, Mark, if there is? Taormina replied he is looking now and not that he sees. McIntyre stated I know this came out Planning with an approving recommendation that this is their proposal, but it's always nice to see a Petitioner on our call when we're looking at a significant remodel. So I would like this to go on Regular and ask that the Petitioner maybe respond to us through about intentions with the sign and to be present at the next meeting. And Sara can follow-up with that request.

Councilmember Toy said she'd like to make a comment. On these buildings as you look along Seven Mile, kind of from Primo's over, like Ace Hardware, up to where Livonia Italian Bakery is in that strip, aren't most of those buildings built towards the sidewalk, so to speak, they're not right on the property line but they're darn close or older

buildings, am I right on that? I'm trying to remember that area exactly. Anyhow, the reason I ask that is because as Council President has said, the space is terrible in those places, both for those businesses and people patronizing them, although we all live with it because we enjoy some of those places. But I was asking about, couldn't the sign go on the building then if it's in the way?

Taormina replied they would be entitled wall mounted signage. Toy said rather than a monument or whatever they're advocating then, right? Taormina replied that is possible. The elimination of that monument sign, you know I think its value probably is in the height of that sign, it's larger than what the ordinance allows so those are usually considered somewhat valuable to the proprietors in businesses. In this case if it's required to remove, they would have to look for an alternative placement for that sign, one that conforms to the ordinance, six feet would be the maximum height. Technically speaking, he could have two signs on these because these are two separate commercial buildings. I don't think we would want to see two signs; I don't think there's enough room for two signs. So a single monument and the opportunity for a wall sign I think is more than enough to accommodate these two properties.

Was some of the thinking or planning as they looked at the scope of the project, it's beautiful what he's done here in the remodel, is there any thought of or discussion because I don't have the notes in front of me to see did he list a wall sign, Mark?

Taormina replied I don't believe there was discussion regarding the wall sign, only the pylon sign and I believe that the Petitioner indicated that he would look at that to see what he could do. I don't know if the minutes reflect that or not. There was discussion either at the study or the regular meeting of the Planning Commission.

Councilmember McCullough said just a quick comment to answer some questions, I think that the sign placement towards the right-of-way, that building that is right to the west, that dry cleaner now, that's right up at the road. So I think that's the whole purpose of having that sign close to the right-of-way. And I agree with Madam President, I think you're spot on, I think put it on the Regular, having the Petitioner come in. You do offer valuable advice to say it's a sign, you know, if you want to bring in business it would probably be advised to also update the signage as well, so I think that's a wise move. But I think that that is the purpose of having it closer to the road.

DIRECTION:

APPROVING

REGULAR

15) SITE PLAN PETITION: Planning Commission, re: Petition 2021-02-08-02 submitted by Quatro Construction L.L.C., in connection with a proposal to remodel the exterior of the commercial strip center (Plymouth Shoppes) located on the south side of Plymouth Road between Garden Avenue and Middlebelt Road (29195 through 29215 Plymouth Road), in the Northwest ¼ of Section 36.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a similar request to a refacing of the building, this one is on Plymouth Road just east of Middlebelt Road. And most of you are probably familiar, I know these photographs don't show the entire property, but this should give you enough to jog your memory. This particular building it's really highlighted by all of these colorful awnings. So what the Petitioner would like to do is strip the façade of the awnings, redo all of the glazing of the windows and storefront elevation, putting in new materials that includes really a combination of cultured stone, stack stone, what's referred to as long board which is an aluminum type siding as well as limestone. Again, the Planning Commission considers this a significant upgrade to the building and is recommending approval.

Councilmember Toy stated she's been on Plymouth Road for 47 years now, probably longer than some of you have been alive. And I've got to tell you that any improvement, and this looks really nice, is a welcome addition. And Mark, thank you so much for your help for a lot of these business people that are trying to take those older buildings like mine is and it's right up to the sidewalk and I'm telling you, it's difficult. Do you want parking? Do you want to be able to service those people that are still coming in in light of all this craziness and this virus. I'm going to offer an approving. I think the plan looks great for what I've read and seen and anything that we can do to improve that area is a welcome addition.

Councilmember McCullough said just a quick thing. Honestly, over the last year we've seen the abutting properties, Play It Again Sports, the Biggbee Coffee going, we have the Chik-Fil-A across the street, so maybe we'll see the influence of John's Cleaner, I think it's one building off to the east. So, it's an exciting, this is such a renovation for that whole corner and I'm happy to support as well.

Vice President Bahr said no issues with it, just two comments; one, I'm going to wonder aloud if the development that's planned across the street has anything to do with spurring this now. Maybe they're totally disconnected and either way it's great for the City. And then the second thing, I just want to remind again, we do have an item in our strategic planning, economic development committee right now that I put that in there about two years ago to explore with that end of Plymouth Road being one of the focus areas of our Vision 21 Plan to be looking at cohesively and seeing what types revitalization, tax incentive structures we can put in place there to try to nurture that along and get more of this, particularly in light of what the Vision 21 Plan called out. So I just don't want to lose sight of that. I know I'm Vice Chair of that committee. I think, I'd have to double check, I think that's Mr. Jolly's committee and I just want to remind you people, remind you, Jim, that that's out there and I think it would be a great time to be looking at that item as a Council.

DIRECTION:

APPROVING

CONSENT

16) PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to amend Section 350 of Title 6, Chapter 1 (Animals). (CR 43-21)

Councilmember McCullough spoke on this agenda item. He said thank you to the Law Department for crafting what I think is a very good response and many of the audience relate, this was going back to when we had an issue and I had made a recommendation to the Law Department to see if we could strengthen the ordinance to protect our animals from inclement weather and kind of joking and piggybacking off a current ordinance, this takes into account that any time the National Weather Service issues a warning, the animal will be brought into a controlled environment. But it also enhances the outdoor shelters that animals would be left in outside. There's also a shade requirement during the months of May to October and I think it kind of covers everything without taking away too much. I know that the temperature, specific temperatures can be kind of a double edged sword. But with the National Weather Service that goes to protect within wind chill advisories, I think it's an overall step, especially looking at other people's ordinances in other communities, I think that this is a trailblazing idea to take it a step further and give our Animal Control another means to enforcement. I'm in support of this amendment to the ordinance and I'd be happy to offer an approving resolution for the Regular.

Councilmember Jolly said I think an ordinance we like to have the appropriate delicate balance between getting the power to enforce to the Animal Control Officers and while at the same time not getting down to a level of being too specific in the details that would actually end up preventing people from following the intent of the ordinance here. So I also thank Mr. Bernier. I think it's important that we take care of our beloved pets, we see what is appropriate to care for them in the cold weather and also in the hot weather. I commend Mr. McCullough for bringing this to our attention and all the residents who have as well. Our residents and those people who care about animals so much to call in from other jurisdictions as well. So thank you all and I look forward to passing this.

Vice President Bahr said I'm actually going to respectfully disagree on this and I'm going to key in on first and foremost obviously, there's nobody in this room that doesn't want pets taken care of and the vast majority and hopefully all pet owners in Livonia are doing that. So, the letter from Law says a review of laws like this in surrounding states as well as surrounding communities, revealed that our current ordinance is the norm, there are few cities and states that have stricter laws but many rely upon state laws for enforcement. Our ordinances, while adequate, can be strengthened and then they go on because that's what we had asked them to do was to show us what a new ordinance might look like. As I read through this, you know it goes back to something I said on an earlier item tonight about just not overreaching with what we do. I was actually taken aback by the specificity of this and in my judgment it gets beyond what we need to be regulating as a city. I think it's an overreach and it's not because I dislike animals, quite the contrary. I think this is an overreach for something that's not a huge problem, and quite frankly, even the situation that's drawn so much attention, while there might be differences of opinion as to how those animals were cared for, the point is our Animal

Control Officers were out there at least three times and the dogs each time were found to be in good health. I'll also just say you know having a lot of background with and having a lot of family currently in Kansas and in rural areas. This is very much a city type approach to this. I mean there's a lot of different breeds out there, there's a lot of different animals and to try to paint a broad brush and say this and for us to be stepping in and telling people this specifically is how they should be cared for. Look, our ordinance already says that they need to be cared for and our Animal Control Officers follow through on that. I just think this is an overreach. I think it's more than what we need to be doing. I would offer denying for Regular.

Councilmember White asked Bernier did the Law Department sit down with Animal Control to find out their views on how specific to get here and has there been feedback from the Animal Control Division or Officers?

Bernier replied yes, I sat down with them when we were drafting and then they helped me draft it. They had great concerns; they did not want to do what certain folks wanted us to which is to set temperature limits. Because one of the councilmembers, and I apologize, I can't remember who mentioned. All breeds are different. I have two Berna-Doodles at home. When it's zero degrees they want to be outside and they want to be playing. The Chihuahua it's too cold. So we shied away from the issue of the temperature. And I think it was Mr. McCullough who suggested maybe we'll go with the issue of if there's a weather bulletin out there, because that could be almost anything, it could be a windstorm, it could be a tornado, it could be a hurricane --- god knows what it could be. But if we have that situation, we want to have the animals protected. We wanted to have the flexibility of taking into account the different breeds because different breeds have different tolerances. We knew however there was a concern that a lot of people raised about the type of shelters. Because animals living outdoors have to have shelters. There's no question, I don't think anybody disagrees with that. The question becomes the specificity of the shelter. I understand Mr. Bahr's concern about the specificity of it. We tried to draft one to make sure that the animals in question if they were left out in the colder weather, if they are cold-weather breeds, that they're in fact protected. Is it maybe too specific? I'll leave that up to Council to make that determination. But to answer the question, yes, we sat down with the Animal Control Officers. They did not want to have it too specific because they wanted to have the ability to use their professional judgment based upon the breed of the animal.

During Audience Communication the following people spoke on the proposed ordinance amendment:

Michael Hayes
Bethany Ellis
Carissa

President McIntyre said she wants to respond to a few points. Number one, when people chide the Council for spending time on an agenda item, it indicates to me that perhaps people don't really understand what the business of Council is. We have a

duty by the Charter to consider every item on the Agenda. And the fact that some of them get more attention, it doesn't mean that we think they're more important than any other agenda item, but they're before us and they need to be discussed. And so when want to level a charge at us that we spend too much time on something, there's certain matters that may seem unimportant, and they may seem arcane to people and they may seem ridiculous that we're spending the amount of time, but they go to a lot of things in our City, like the economic development in our City, how a new development would look. So I appreciate that maybe if your big interest and you think we spent too much time on the other issue but those are before us because it's our duty to consider and consider them thoroughly. And the other thing, I am an animal lover, a big animal lover. I have a dog which I'm sure the majority of us who have pets, who is way too much a member of the family, who I can't sleep sometimes at night because the dog takes up too much space in the bed. When there are big outcries about the treatment of animals, I do sometimes offer if the people that are so upset about animals, are looking at the needs of some of the children in our community, too. And I'm really not criticizing anyone for loving animals and advocating for animals, but I think we all know that there are children in our community that don't have what they need and don't have the right kind of care and protection. And so I think it's important that we consider the kids in the community and the people in the community as we consider stuff. I just wanted to address the callers.

More Audience Communication:

Chuck McBride

Councilmember Toy said she had just a quick comment. I just wanted to say you know this is just the start, and I appreciate Councilman McCullough's efforts, and Paul, once again, thank you for bringing this forward and helping us out. Something needs to be done and you know hopefully this is a start. I have two big dogs and you know it's hard to keep track of everybody's needs in the community and everything else but we're doing all the best we can. I think Livonia does an excellent job of in our Police Department, our Inspection Department, when they get called out on some of these issues, they do a great job. And this is only going to help improve that, that's all, so thank you, so much.

DIRECTION:

1)APPROVING
2)DENYING

REGULAR

17) PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to amend Sections 040L, 040M and 400 of Title 6, Chapter 1 (Animals) of the Livonia Code of Ordinances, as Amended, and Section 110 of Title 12, Chapter 20 (Public Lands). (CR 03-21)

Councilmember McCullough spoke about this Agenda item. He said obviously this one was kind of brought up, we did have – we received a lot of resident concerns with Open Land, whether that there was School Land or deemed Public Land in the Zoning. With that being said, there was a lot of talk and it kind of went round and round and round to try to figure out a way to strengthen our current ordinance or even make adoptions to maybe even a Public Land Ordinance going forward. With all that being said, you know, right now the ordinance says that dogs need to be under control. And at least to myself, I feel that's subjective. There's a lot of people that I talked to about the research that I've done that at least for the way that the ordinance reads is public streets, public parks, public thoroughfares, public places and all premises of the owner or upon private property of another without the express permission of the owner of the said property. With that being said, I've had a lot of people that they thought we always had a leash ordinance, and we don't. Right now obviously it's under control, we do have a leash ordinance when it comes to the public parks in our City. And so, looking at this, I was thinking at one point to put it into the Committee to study it further but doing research and seeing what other surrounding communities, I think it's time to take a step forward and enact a leash law. I really do, I think that it helps the animals, it helps the people. We have a dog park right now that requires people to have vaccinations and certifications and be registered. But we also have people that are backing up to open public lands that people just let their dogs kind of roam. So I think that it would be prudent for overall safety of the community to enact this and take the next step forward and adopt a leash law. So I would offer an approving for Regular obviously and for matters of discussion obviously.

Councilmember Jolly said I've had an opportunity to discuss this matter with some residents who've reached out to me and I've asked questions to others. By and large the feedback that I've received is that people believe that this is an appropriate step and that they expect in a City such as ours. I know that there are animal owners out there who to varied extents are able to control their animals. But it's not just about the person and their animal, it's about the people who are sometimes apprehensive about animals or children. And as much as I do love animals, I think it's important that we are setting a standard for people to behave. And in this case this is less about animals and their behavior necessarily, but about people and how they're caring for the animals and how they're respecting the other people that may be around them at any particular point. So I believe this is an appropriate step. I to be completely honest with you I was one of those people who kind of had expected that this was on our books. I look forward to supporting it. Thank you.

Councilmember Toy said I thought we had a leash ordinance. When we had that law 100 years ago when the pit bull at that little dog up on Seven Mile. I mean I don't mean to sound crass; I mean the dog came after it and killed the animal and I thought we did some kind of law back then. Do you recall that?

Bernier replied personally I don't go back quite a hundred years, but I wasn't around when that took place. Since I've been in the Law Department either as an Assistant City Attorney or the City Attorney, we've had what we have as the current law right now

which is that your dog, your animal has to be under reasonable control. The only place that we have a leash law as such is on the City parks. So if you're in a City park, it's actually a misdemeanor, a criminal offense, not to have your dog on the leash. And when you're on the streets, so to speak, the sidewalk, it's a civil infraction if you're dog is not under reasonable control. The problem that we had is defining what is reasonable control and what dog is under reasonable control. So that's the issue. One of the other things I want to point it in this ordinance it also takes as I indicated the public parks is a misdemeanor, we have this dichotomy where the public parks is a misdemeanor but if the dog was running loose in the neighborhood, it was a civil infraction. So, actually this ordinance would also change it in the parks and in the streets to make it consistent. So the first offense of a dog off leash would be a civil infraction of a \$100 fine. The second time would be a fine of \$500 and then if you just don't learn your lesson and get caught a third time, then it's a misdemeanor criminal offense. So being consistent in the park and in the neighborhood.

Toy thanked Bernier and said I've really been taken back, too, and I'll call Knapp tomorrow and find out what, it's been awhile. So, he addressed something.

President McIntyre said Councilmember Toy, we do not have, as the City Attorney just stated, we have a leash law in our parks, we do not have a leash law, it's reasonable control.

Toy said I appreciate that, I just wondered what law we did back then, I'm trying to recall it.

Bernier said if the dog attacks another animal, the only other charge is potentially dangerous or being a dangerous animal which obviously are criminal offenses. The animal at large currently is not a – it builds up to a misdemeanor, but it's currently a civil infraction at a lower fine, a criminal infraction to \$500 and then the misdemeanor offense. Now, we've also taken the position that the ordinance allows if the dog does attack or menace somebody off the leash, the dog is not under reasonable control.

Toy said that may have been where the leash came in, thank you.

Vice President Bahr asked Bernier, just so I'm clear, if this were to go through any time a dog was off the owner's premises, it would have to be leashed; right, other than the dog park.

Bernier replied no, or if it had the express permission of the owner of the other property. If Jim's dog came to my house and I said your dog can run in the backyard with my dogs, it does not have to be on a leash. But if it's on any other property, it would have to be on a leash unless it had the express permission.

Bahr said I'm not a dog owner so I'm not speaking from personal experience here, but I know some people have the electric leashes; is that counted as a leash for this purpose?

Bernier replied we kind of talked about that a little bit today and quite frankly it never entered my mind, the electric leash. But as Mr. Jolly said, the more after I thought about it, after you and I had talked on it, part of the reason for the leash law as much as for the ability to control your dog, is somebody else walking down the street. Because oftentimes when I'm walking down the street with my dogs and I see a dog on the other side that's not on a leash, it gets my attention and it causes fear in me that that dog might come after us. So the ordinance is as much for the person who doesn't have the dog or the person who does have the dog, but that could, Mr. Bahr, if Council wanted to, we could amend it to that, to have something if they have the electronic device. Because I know they have those shock collars, like hunters use it all the time. I can't honestly say that I see it too often in the City, I see hunters use it, though.

Bahr said I think this is my last question, your notes to us said that surrounding communities are split; is that split 50/50 between requiring a leash, not requiring a leash; is it 80/20, can you elaborate on that a little bit?

Bernier replied honestly I can't, I didn't do that. I went through it, I was just skimming through the Municode and looking at some of them; some have it, some didn't have it. Tonight I have to say at 10:51 I feel like Todd Zilincik, I've been doing so much talking tonight.

President McIntyre said I'm 100% for the idea of a leash law. And our dog who never growled at another dog was bitten by a pit bull one night last winter. And we didn't realize that our dog had been bitten until we got home, it was one puncture wound. One of the issues always with dog attacks or anything else, is finding the offending animal. The second point I wanted to make is I'm the parks a lot, and on the nature trails a lot, and I would guess, and again, Scott, I can't answer this with 80/20 or 30/70, but I would guess depending on the day and the time, anywhere between 25 and 40% of the dogs are not on leashes. And that's where we have a leash law. And so I really like the idea of a leash law, but it comes down to enforcement. And the people that need the leash law are the people who are not going to follow the leash laws. And leash laws are so difficult to enforce. Because number one, in a City of 92,000 and 5,000 businesses and 36 square miles, we have an outstanding Police Department as we all know who will respond to any legitimate call. But a call to enforce a leash law violation, the ability of the police to get there and address that and document it, is pretty low. And I really, and I do not like laws that are good laws in their intent, but that we can't enforce. And that people are going to continue to break. And you know I'm not throwing my hands up in dismay, but I can tell you right now, the leash laws are not followed. And you know, probably most people that follow the leash law, their dogs are under control, but that's a terrible feeling when you're coming up on a dog and you have a dog that you know, I mean literally in six years he never growled at another dog. And I would also say this: there are people that shouldn't have their dogs out at all. They're on leashes, and the dogs are barely controlled because of some crazy, untrained, and I know there aren't bad dogs, bad owners, so I'm really split on this but I certainly understand why we think

it would help, but I'm concerned about the enforceability and I'm concerned about it's probably the very people who need to follow it who won't.

During Audience Communication the following people spoke on the proposed ordinance:

Michael

Vice President Bahr asked Michael if those shock collars are pretty common and Michael replied you can get them at Menard's with various strengths. Bahr asked Michael if he is a member of the dog park and he replied no.

Bahr then asked Bernier stating the thing that started this whole thing was complaints about dogs running loose over at the old Bryant property on Merriman and dogs frankly running unattended over there, or seemingly unattended. And I know personally during my five and a half years on Council have talked to the LPS a number of times about this and we're all familiar with their reticence to take on the responsibility of enforcing this on their property. Paul, what do you think about as a solution, right now our ordinance says that they have to be on a leash on City parks, would it be possible to say it would have to be on a leash when on Public Lands, which would then include the school property, without having to get the schools involved?

Bernier replied we could do something like that, Vice President Bahr. Let me start off by saying this ordinance Council asked us to take a look at a possible leash law. The Administration, it's not our position that we should or shouldn't have it. Quite frankly this is a decision for Council to make based upon the best interest of the majority of the residents of the City. So this is a decision for you folks to make on this. We could do an ordinance for Public Land, however, just to let you know it will probably require us to go through the Zoning Ordinances, which would require us to go through the Planning Commission and Public Hearings. It would be different steps to go through it and you could probably do something like that. But from what Michael indicated, he would still be in violation of that ordinance. So if the idea is to allow a person like Michael who I'm sure is a wonderful, proper dog owner, because there are people like that who are wonderful, if the idea is to allow someone like Michael to let his dog run, he'd still be in violation of the ordinance because the dog is going to be on Public Land running.

Bahr said my comment on this, it's probably similar to what President McIntyre said, I'm conflicted. Like I said I'm not a dog owner, I like dogs, I just have an allergy that I can't have them in the house. But I like dogs but I will say there's one side of me that would very much be in favor of a leash law, President McIntyre talked about in our nature preserves. Years ago I took my kids on a Saturday morning over to Rotary Park and I've never gone back because we had so many scary situations for the kids in there with dogs coming after us that weren't on leashes that we've literally never gone back to walk there as a family. So there's that part of me that I totally get it. The other side of me looks at, just as President McIntyre said, is that the vast majority of people in Livonia are putting their dogs on leashes. I've talked to some of you individually, and you said

even though it's not required, I would not walk my dog without a leash. Fortunately, I'm not aware of any major problems, frankly any problems at all that we've had with this, I know that could change. And I'm also sympathetic to Mike's situation which full disclosure I know Mike and I know he's a respectable dog owner and I understand what he wants to do, it's a tough one. And that's why every time this has come up in the past it's been such a hot button within the City. So I guess what I'm saying is I don't know where I'm at on this right now and I don't know where I'll be at when we vote on it in two weeks. But I'm going to offer a resolution to put this into Committee. I don't know if that's what I'll ultimately push for in two weeks but I'd like that prepared for an option. And my main reason for that is also just to give more opportunity for community feedback. I'm actually surprised, with it being 11:03, I'm pleasantly surprised but I'm surprised that we don't have more residents here to speak on this tonight.

Bernier asked if Bahr wanted it put into Committee of the Whole and Bahr replied yes, at the lack of a better option right now.

Councilmember McCullough said this is one of those things, and to go back to Vice President Bahr, when I was going through everything, you start with Public Land and then you look at it and you go alright, so we can go through all these hoops. And then the street that I'm walking in our suburbia neighborhoods and dogs could be under control. So it was very subjective and it was almost counterproductive in the whole look at it. Just for the record I have two yellow labs, one is two, and one is one and a half. And I wouldn't let them out. They see a squirrel, they're gone. They hear a fire truck, they're gone. And I'm not saying that there aren't people out there that have incredible control over their dogs. But there's also a lot of people out there that aren't dog people. And so when you're walking down the street with your young family or whoever it is, and a dog is not on a leash, even if it comes running up and it's harmless, that freaks a lot of people out. So, again, this is a tough one. I mean I hate to say, I hope in the next couple weeks we can get a little bit more feedback but again, this is we look at ordinances and we see what's best for the City and it is, it's tough. I've put a ton of hours on this, so this is a little bit more information on my aspect on pushing this forward.

Councilmember White said I'm torn on this, too, and the way I see it, the main competing interest on the one side is the health and safety of residents that are walking down the street in our community and have the right to be free from any dog running at them that they don't expect and don't know what to anticipate. Versus on the other side, the ability to let a dog exercise and the enforceability of it is a problem. But right now I'm leaning towards the fact that I think our job as Council members is more to consider the safety of our residents. So even though it may not be enforceable, even though it may present problems with exercising dogs, if we're protecting our residents and if most people anyway have their dogs on a leash, if that's true, then I kind of at this point comes down on the side of the safety of people to expect dog owners in the City to have their dogs on a leash.

President McIntyre commented on exercising the dogs, that is a well-made point, and a point well taken. When people buy dogs to live in the suburbs, part of things to consider

is what kind of exercise the dog needs. Frankly, if you're buying a dog in the suburbs, you need a dog that needs to run hard for three miles every day, to expect that you're going to live in a City that can provide a place for your dog to do that. Again, I understand, people can have whatever dogs they want to have. But part of responsible pet ownership is really understanding when you get a dog what that dog needs. And there are some dogs that are better suited for City and there's some dogs better suited for farms, so, anyway, so I think that's part of it. And I don't see that it's the City's responsibility to provide ten acres or five acres or three acres where people's dogs can run free.

Councilmember Toy said kudos to you, thank you for saying that. You know when you get a dog, you want to look at the size, you want to look at what you feed the dog, what type of personality it has and all that. And some of us are better at it than others, like children. But anyhow, all I'm saying is the hour is late but I appreciate all the points but I think I side right now with the very capable and Honorable Cathy White, Councilwoman, because like she just said, it's called a safety issue. And that's in our Charter of what we're supposed to be doing. Safety and welfare for our residents. So I think Cathy made a great point.

Further Audience Communication:

Bethany Ellis
Chuck McBride
Carissa
Stephen Johnson

DIRECTION:	1)APPROVING	REGULAR
	2) COMMITTEE OF THE WHOLE	

AUDIENCE COMMUNICATION None heard

As there were no further questions or comments, President McIntyre adjourned the Study Session at 11:17 p.m. on Monday, April 12, 2021.

For the 1,919th Regular Meeting of April 26, 2021

DATED: April 20, 2021

SUSAN M. NASH, CITY CLERK