

X-ITEM AGENDA

1919th Regular Meeting of the Council of the City of Livonia Monday, April 26, 2021 7:00PM
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* Due to COVID-19, Livonia City Council meetings will not be held in the City Hall Auditorium
Live broadcast: AT&T Uverse Channel 99 / Spectrum Channel 203 / WOW Channel 10 / YouTube.com/LivoniaTV
Connect on Zoom: <https://us02web.zoom.us/j/822419226> or phone at (312) 626-6799, ID: 822 419 226
To participate, use the 'Raise Hand' button on Zoom or press *9 on your phone to be called on

UNFINISHED BUSINESS

X1. ADMINISTRATIVE RESPONSE TO CR 341-20: Department of Law, re: a not-to-exceed price and list of recommended contractors to be utilized to complete the Edgewood Drive emergency sewer repair project.

NEW BUSINESS

X2. REQUEST TO SCHEDULE A CLOSED COMMITTEE OF THE WHOLE MEETING: Department of Civil Service requests in accordance with the Open Meetings Act 267 of 1976 for the purpose of discussing Sections 8(a) employee discipline and 8(c) strategy connected with the negotiation of collective bargaining.

X3. REQUEST TO APPROVE SETTLEMENT: Department of Law, re: *Dewayne Love v City of Livonia. Wayne County Circuit Court Case No. 19-013049-NI.*

X4. REQUEST TO APPROVE SETTLEMENT: Department of Law, re: *Susan O'Donohue-Williams v City of Livonia. Wayne County Circuit Court Case No. 19-013904-NI.*

SUSAN M. NASH, CITY CLERK

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REPORT TO THE LIVONIA CITY COUNCIL

X1

Law
April 20, 2021

MEETING DATE

April 26, 2021

PREPARED BY

Carol Driskill, Legal Stenographer II,

AGENDA ITEM

ADMINISTRATIVE RESPONSE TO CR 341-20: Department of Law, re: a not-to-exceed price and list of recommended contractors to be utilized to complete the Edgewood Drive emergency sewer repair project.

BACKGROUND

At the Regular Meeting held on November 16, 2020, Council Resolution #341-20 was adopted. It approved Option 1 among the three sewer system improvement options presented by the Department of Public Works and requested that the Administration present for Council's approval a not-to-exceed price and list of recommended contractors to be utilized to complete the Edgewood Drive emergency sewer repair project. The Administration followed up with an overall not-to-exceed amount of \$2,463,000, including the \$500,000 previously approved by CR 246-20, and is now completing its response with an updated list of contractors/vendors.

RECOMMENDATION

The following proposed resolution is submitted for Council's consideration:

RESOLVED, that having considered a communication from the Department of Law, dated April 12, 2021, which bears the signatures of the Director of Public Works, the Superintendent of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding additional expenditure for the cost of an emergency sewer repair and/or replacement along Edgewood Drive, THE COUNCIL DOES HEREBY AUTHORIZE AN ADDITIONAL EXPENDITURE IN THE NOT-TO-EXCEED AMOUNT OF \$1,963,000.00, IN ADDITION TO THE INITIAL EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$500,000.00, APPROVED BY COUNCIL PURSUANT TO CR #246-20, ADOPTED ON AUGUST 17, 2020, FOR A TOTAL PROJECT COST IN AN AMOUNT NOT EXCEED \$2,463,000.00, TO BE DIVIDED AND DISTRIBUTED AMONG THE FOLLOWING VENDORS/CONTRACTORS:

D'Angelo Brothers, 30750 Eight Mile Road, Farmington, MI 48336;

Sod Solutions, 14382 Sunbury, Livonia, MI 48154;

NTH Consultants, 41780 Six Mile Road, Northville, MI 48168; and

Hubbell, Roth & Clark, Inc. (HRC), 555 Hulet Drive, Bloomfield Hills, MI 48302

Gorman-Rupp Pump Company, 600 S. Airport Road, Mansfield, OH 44903

Joe Rotondo Construction, 20771 Randall St., Farmington Hills, MI 48336

Hard Rock Concrete, 38146 Abruzzi Drive, Westland, MI 48185

in amounts to be determined in connection with their respective roles in completing all work required in connection with the emergency sewer repair and/or replacement along Edgewood Drive, including the design, permitting and construction of the emergency sewer replacement; FURTHER, the not-to-exceed amount of \$1,963,000.00 is hereby authorized to be expended from the Unexpended Fund balance of the Water and Sewer Fund (592) for this purpose; FURTHER, the Council does hereby authorize such action without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140D.1 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized to execute contracts, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

FISCAL CONSIDERATION

The not-to-exceed amount of \$1,963,000.00 is hereby authorized to be expended from the Unexpended Fund balance of the Water and Sewer Fund (592) for this purpose.

ATTACHMENTS

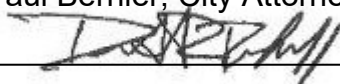
1. CR 246-20
2. CR 341-20

APPROVED BY



Date: April 14, 2021

Paul Bernier, City Attorney



Date: April 20, 2021

Donald Rohraff, Director of Public Works



Date: April 22, 2021

Jacob Rushlow, P.E., Superintendent of Public Service



Date: April 22, 2021

Michael Slater, Finance Director



Date: April 23, 2021

Maureen Miller Brosnan, Mayor

ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
AUGUST 17, 2020

An email communication from Jacob Rushlow, Superintendent of Public Service, dated August 17, 2020, re: additional information regarding the emergency sewer repair, was received and placed on file for the information of the Council.

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

#246-20 RESOLVED, that having considered a communication from the Director of Public Works, dated August 5, 2020, which bears the signature of the Director of Finance and the Superintendent of Public Service, and is approved for submission by the Mayor, regarding additional appropriation and expenditure for the initial cost of an **emergency sewer repair and/or replacement along Edgewood Street**, the Council does hereby appropriate and authorize an initial expenditure in the not-to-exceed amount of \$500,000.00 to be divided and distributed among the following contractors:

D'Angelo Brothers, 30750 Eight Mile Road, Farmington, MI 48336;

Sod Solutions, 14382 Sunbury, Livonia, MI 48154;

NTH Consultants, 41780 Six Mile Road, Northville, MI 48168; and

Hubbell, Roth & Clark, Inc. (HRC), 555 Hulet Drive, Bloomfield Hills, MI 48302 in amounts to be determined in connection with their respective roles in completing all work required in connection with the emergency sewer repair and/or replacement along Edgewood Street, including tree removals, dewatering wells, by-pass pumping, soil borings, geotechnical analysis, engineering analysis and design and procurement of materials; FURTHER, the amount of \$500,000.00 thus appropriated is authorized to be expended from the Unexpended Fund balance of the Water and Sewer Fund (592) for this purpose; FURTHER, the Council does hereby authorize such action without competitive **bidding** for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140D.1 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
NOVEMBER 16, 2020**

A communication from the Superintendent of Public Service, dated November 13, 2020, re: Edgewood Street Emergency Sewer Replacement, was received and placed on file for the information of the Council.

Cathy White, as Chair of the Capital Outlay & Infrastructure Committee, reported out on the meeting of November 2, 2020.

Subject matter of the emergency sewer repair and/or replacement along Edgewood Street and future costs related thereto (CR 247-20)

On a motion by White, supported by Jolly, and unanimously adopted, it was:

#341-20 RESOLVED, that having considered the report and recommendation of the Capital Outlay and Infrastructure Committee, dated November 2, 2020, submitted pursuant to Council Resolution No. 247-20, and a communication from the Superintendent of Public Service, dated November 13, 2020, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding the subject matter of the **emergency sewer repair and/or replacement along Edgewood Drive** and future costs related thereto, to which is attached a letter (the "Letter") from Hubbell, Roth & Clark, Inc., dated November 11, 2020, setting forth three alternative approaches to a permanent reconstruction of the deteriorating sewer along Edgewood Drive, the Council does hereby take this opportunity to express its support for alternative #1, as set forth in the letter, and **requests that the Administration present for Council's approval a not-to-exceed price and recommended contractors to be utilized to complete said project.**



REPORT TO THE LIVONIA CITY COUNCIL

X2

Civil Service
April 20, 2021

MEETING DATE

April 26, 2021

PREPARED BY

Denise C. Maier, SPHR, Human Resources Director,

AGENDA ITEM

REQUEST TO SCHEDULE A CLOSED COMMITTEE OF THE WHOLE MEETING: Department of Civil Service requests in accordance with the Open Meetings Act 267 of 1976 for the purpose of discussing Sections 8(a) employee discipline and 8(c) strategy connected with the negotiation of collective bargaining.

BACKGROUND

RECOMMENDATION

It is respectfully requested that the Council, by a two-thirds roll call vote in accordance with the Open Meetings Act 267 of 1976, schedule a closed meeting of the Committee of the Whole for the purpose of discussing Sections 8(a) employee discipline and 8(c) strategy connected with the negotiation of collective bargaining.

FISCAL CONSIDERATION

ATTACHMENTS

None

APPROVED BY

Handwritten signature of Denise C. Maier in blue ink.

Date: April 20, 2021

Denise C. Maier, SPHR, Human Resources Director

Handwritten signature of Paul Bernier in blue ink.

Date: April 21, 2021

Paul Bernier, City Attorney

A handwritten signature in black ink, appearing to read "Maureen Miller Brosnan". The script is cursive and somewhat stylized.

Date: April 21, 2021

Maureen Miller Brosnan, Mayor



REPORT TO THE LIVONIA CITY COUNCIL

X3

Law
April 22, 2021

MEETING DATE

April 26, 2021

PREPARED BY

Brenda Smyser, Program Supervisor,

AGENDA ITEM

REQUEST TO APPROVE SETTLEMENT: Department of Law, re: *Dewayne Love v City of Livonia Wayne County Circuit Court Case No. 19-013049-NI*.

BACKGROUND

For the reasons discussed in the Closed Committee of the Whole meeting held on April 21, 2020, the Law Department recommends approval of this settlement

RECOMMENDATION

Approve Settlement

FISCAL CONSIDERATION

40,000.00

ATTACHMENTS

None

APPROVED BY

Paul Bernier, City Attorney

Date: April 22, 2021

Maureen Miller Brosnan, Mayor

Date: April 22, 2021



REPORT TO THE LIVONIA CITY COUNCIL

X4

Law
April 22, 2021

MEETING DATE

April 26, 2021

PREPARED BY

Brenda Smyser, Program Supervisor,

AGENDA ITEM

REQUEST TO APPROVE SETTLEMENT: Department of Law, re: *Susan O'Donohue Williams v City of Livonia*.
Wayne County Circuit Court Case No. 19-013904-NI.

BACKGROUND

For the reasons discussed in the Closed Committee of the Whole meeting held on April 21, 2020, the Law Department recommends approval of this settlement

RECOMMENDATION

Approve Settlement

FISCAL CONSIDERATION

\$40,000.00

ATTACHMENTS

None

APPROVED BY

Paul Bernier, City Attorney

Date: April 22, 2021

Maureen Miller Brosnan, Mayor

Date: April 22, 2021