

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JANUARY 25, 2021**

Meeting was called to order via Zoom remote technology at 9:41 p.m. by President Kathleen McIntyre. Present: Rob Donovic (Deployed), Jim Jolly (Livonia, Michigan); Laura Toy (Livonia, Michigan); Scott Bahr (Livonia, Michigan); Cathy White (Livonia, Michigan); Brandon McCullough (Livonia, Michigan); and President Kathleen McIntyre (Livonia, Michigan). Absent: None.

- 1) REQUEST TO WAIVE THE SIDEWALK REQUIREMENT: Ronald Emling, re: for the industrial building to be constructed at 34422 Rosati Drive.

Ronald Emling presented this request to Council. He stated the building is located in a medium to heavy industry area where there is no sidewalks. There's a subdivision, a residential subdivision, I believe it's just to the south of us. It goes all the way from Rosati Drive which is off of Stark Road, just west of Stark Road, all the way over to Plymouth Road. There is no sidewalks there either. So there's no sidewalks on Rosati Drive, the whole area is kind of an industrial area up and down Stark Road as you're aware. And then there's the industrial park just to the north of us, just the other side of the railroad tracks. We abut the Chesapeake Ohio Railroad so our property backs up to it, our new development, and there is no sidewalks anywhere in that whole area. So we would like to address the Council and let them know, I don't know if anybody is aware of this or you've already done the research on it, that to put a 120-foot building, there's nothing around it. And then Council decides well, ten years from now we're going to want to put sidewalks through that whole area or something, then we'll gladly address it at that point and say yeah, we're on board with everybody else. But for us to do it and spend the money, ten years from now our sidewalks are all crumbling apart and decomposing or whatever, and if Council decides they want to do sidewalks through that whole area, then we'd have to redo them at that point anyways just to bring everything up to date. So I'm just at the mercy of the Council right now just to hope, it doesn't really make sense to put sidewalks in there when there is no sidewalks around. If everybody was doing it, for sure, we would just pick up what's going on over there. But there's not even sidewalks in the residential area. So my point is we're in a medium to heavy industry there, we're not going to get a whole lot of foot traffic through there, so to say we need a sidewalk there it didn't make sense to me.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

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- 2) REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Victoria and Denise Gorans, re: to host a country music performance with sound system in the back yard of their home located at 32915 Illinois Street, on Friday, April 30, 2021 from 6:30 p.m. to approximately 7:45 p.m.

Victoria Gorans, 32915 Illinois, presented this request to Council. She stated that they just moved to the area recently and have the opportunity to host a country music artist for a socially distanced backyard show on Friday, April 30th. We're requesting him to start about 6:30 p.m. and he says he plays for approximately 75 minutes. They show up about an hour and a half beforehand for sound check and such and it is just him and his guitar so there's no full band. But he does need a small sound system to get the sound out and we're requesting a waiver for the noise ordinance for that period of time.

Vice President Bahr asked if Gorans had spoken to her neighbors about this event and she responded that she has not yet spoken to them. Bahr then stated he would offer an approving resolution for the Regular Agenda and encouraged her to talk to the neighbors ahead of time and be prepared to let Council know if they are okay with it, that would be in her best interest.

DIRECTION:

APPROVING

REGULAR

**CITY OF LIVONIA – CITY COUNCIL
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- 3) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND ENTER INTO A THREE YEAR AGREEMENT WITH ARX INC.: Division of Police, re: to provide an updated, accurate data dashboard to work in conjunction with CLEMIS, from budgeted funds.

Curtis Caid, Chief of Police, presented this request to Council. He said the item before them as indicated in the cover letter requests to waive the sealed bid process and enter into this agreement with ARX. ARX is a new platform for us that we have been working with to transition our PACT page, our data transparency page, to their platform. Essentially one of the key components with ARX is that they've entered into an agreement with CLEMIS to have access to the data base and Mr. McIver is on the Zoom meeting as well to answer any questions specific to ARX. They are well known in the region; we are partnering with other police agencies in Southeast Michigan including those in Oakland County CLEMIS footprint with their product. One of the nice things about their program as well is that it is very comprehensive in allowing us to expand our community interaction footprint as well, getting that information out. So, again, we've been working with them over the past number of months with Sergeant Marcotte, this is another one of his responsibilities as mentioned in the Regular Meeting to address. And we are also, there's a good possibility as this goes forward that we'll get grant monies that will become available to us that will reimburse us for a portion of the fees that we are pursuing and we're optimistic in receiving that. So, again, we're requesting Council's authorization to enter into this agreement with ARX to provide data transfer for our transparency page, from our current PACT page to this. This is also in conjunction with our ongoing project to upgrade our website and pending Council's approval of this, we'll move forward with getting this material which will take us another week and create a better opportunity to keep it updated with data with the CLEMIS project.

Councilmember McCullough offered an approving for the Consent Agenda and added this is great work and lauded the Chief and his staff. To add this component of real time data to the PACT page, will make huge strides in our need to be transparent and having this will be a great tool, so well done, and thank you.

Vice President Bahr asked Chief Caid if this only relates right now to the PACT site and Caid replied yes, initially that's what they've identified, is transitioning the PACT page to this platform. It's comprehensive and it's expanding to allow other functionalities to

us and with all of their clients. But one of those is the community interaction tab or page that will have additional data that we currently don't have on our page. So, it's a comprehensive product and that's really one of the things I like the best about it, it's going to be a one stop shop essentially.

Bahr then asked why the no bid approach, are there no other companies that do this and Chief Caid replied there are other companies that do this kind of thing, but there's no other company that has the agreement with CLEMIS to access the data. And regionally, in Southeast Michigan, and I can't speak for the company itself, but in Southeast Michigan they seem to be the go to group with this. They've put a lot of effort; they've been great for us to work with and addressed all of our concerns in getting to where we're at today. So I have all the confidence that this is a great project, this platform will be very inviting to our community, and then specifically to the no bid, is their relationship with CLEMIS network and their access to the data.

President McIntyre referred to the woman in the Regular Meeting from Wayne State, Nancy, who sees a lot of police data and she sees a lot of things from a lot of police departments, if I understand her role correctly, and indicated the degree of transparency and cooperation, the data that was provided from the Livonia Police Department was outstanding is what she was getting at.

Councilmember Donovic asked Caid if the information from CLEMIS will be processed through this new web portal so you can access data in almost real time of what is going on.

Caid replied they don't have immediate access to the data through CLEMIS at a rate we work out with them and with CLEMIS, so that's yet to be determined, the dump rate if you will, we'll have to look more into the timing of it. But the key is that they'll have that access straight from CLEMIS rather than from this agency.

Donovic then asked if personal information of people that we are dealing with, whether they are getting arrested or not, will be protected, it's not released to the public, stuff like that and Caid replied that's correct. Donovic stated he thinks this is an amazing program, that he's looked around to see if other agencies that do something like this and he doesn't know any other agency that has this type of comprehensive transparency for residents and really it's going to show the community what our officers deal with on a daily basis, what you and your department deal with. So I think it's going to shed some light on really the difficult work that our officers do on a daily basis but it's also going to provide transparency to residents and I really think it's a good idea, so hats off to you, Chief, thank you.

DIRECTION:

APPROVING

CONSENT

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- 4) REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF TRUNARC THERMO SCIENTIFIC CHEMICAL ANALYZER: Division of Police, re: to replace outdated narcotic field test pouches, from budgeted funds.

Curtis Caid, Chief of Police, presented this request to Council. He stated this item is requesting Council's authorization and we'll be using forfeiture funds for this purpose should it be approved and to waive the bid process as in the other due to the uniqueness of this product. Currently for our narcotic officers to conduct a sealed test of narcotics evidence requires taking a sample of the narcotic, inserting it into a bag or a tube, crushing modules or capsules within the bag that releases various chemicals and then you wait for a reaction, whether it's positive for, let's say cocaine, or negative. This product is really incredible where it has the ability of analyzing a product or a suspected drug right through the plastic that it's contained in or whatever the packaging may be. It gives you a reading of what the content is. Well, you can imagine that first off the safety of that compared to the other option, the one that we've been doing with taking a sample of a product and putting it into a plastic tube, not having an officer or detective have to retrieve any sample from a bag and we think about the threats of Fentanyl and other substances that are out there now, it's a significant safety concern and has been for our officers leading up to it. So at this point the Federal agencies have this testing product and I believe Novi has this testing product and there's been times where we've had to take samples to those other communities for a test for officer safety reasons. So, with that and there is a sole source letter contained in the packet requesting Council's approval to expend the Federal forfeiture funds for this product and waive the sealed bid.

Councilmember Toy offered an approving resolution for the Consent Agenda.

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- 5) REQUEST TO EXECUTE 2021 AGREEMENT BETWEEN THE CITY OF LIVONIA AND THE SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION (SMART): Livonia Housing Commission, re: to allow Livonia Community Transit Program to receive the Municipal and Community Credits in the amount of \$95,342.00.

Felicia Cross, Program Supervisor, presented this request to Council. She stated they are asking for approval for this contract that comes up for renewal annually and it's in the amount of \$95,342.00 and it goes directly to the program, it's a Municipal Credit Contract.

Councilmember White offered an approving resolution for the Consent Agenda.

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- 6) REQUEST TO EXECUTE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING AGREEMENT BETWEEN THE CITY OF LIVONIA AND THE SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION (SMART): Livonia Housing Commission, re: to allow Livonia Community Transit Program to receive the Coronavirus Aid, Relief, and Economic Security Act grant in the amount of \$75,270.00.

Felicia Cross, Program Supervisor, presented this request to Council. She stated they have the opportunity from SMART to apply for some Cares Act Funds and this is the amount they awarded us, the \$75,270.00. We will be using it to expand or incorporate more vehicles into our program to make up for the fact that we have to keep passengers apart because of COVID. And doing that our software and our hardware needs to be expanded, so that is what we want to use the Cares Act Funds for.

Councilmember White offered an approving resolution for the Consent Agenda.

DIRECTION:

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- 7) REQUEST TO AUTHORIZE ADDITIONAL APPROPRIATION AND EXPENDITURE: Department of Public Works, re: to perform preventative maintenance along with emergency repairs of the sanitary sewer system, for an additional \$650,000 and increase the not to exceed amount to \$1,000,000. (CR 407-17)

Jacob Rushlow, Superintendent of Public Works, presented this request to Council. He stated through routine sanitary sewer inspection, cleaning and chemical root control maintenance that we routinely do, the department had identified this northeast quadrant of Section 12 as an area with repeated deficiencies in the sewer. Recently a full video inspection of all the sewers was conducted to determine the extent of those deficiencies and to assess any potential rehab measures that might be needed. Those condition assessment reports indicated on most of the pipes in this project area are in relatively poor structural condition and really in dire need of repair to avoid sewer failures. So the existing pipe, too, just to mention is a nonreinforced concrete material installed in the 1950s and is well past its intended design life. The department went back and evaluated all the rehabilitation costs and making some recommendations to perform a cured in place pipe lining to repair those sewers. We're also currently under a 5-year contract with Granite Inliner for \$350,000.00 allocated to them for preventative maintenance and emergency repairs on the sanitary sewer system. With that in mind, it's our recommendation from the Department of Public Works that Council proceed to authorize an additional appropriation of \$650,000.00, increasing that not-to-exceed amount up to \$1,000,000.00 for Fiscal Year 2021 to Granite Inliner to fund those required sewer system rehabilitation improvements and funds were previously budgeted in our available Water and Sewer Fund for these improvements.

Vice President Bahr stated there was one line in the materials provided that cost his attention, that being the additional funding for this was already included in the current water rates that we're charging. So, on the one hand that's great news because it means approving this doesn't have any upward impact on our water rates going forward but how was that included in the water rates when we hadn't approved it yet?

Rushlow replied that one reason they mentioned that just to make Council aware of our proactive nature of how we've been approaching the sewer repairs across the city, city-wide. So knowing that with our increased maintenance activities that we've been doing

including assessment of sewer pipes through video inspection, we're continuing to identify large sections of the sewers that are kind of this vintage 1950's and '60s pipes that really need to be rehabilitated, whether it's lined or replaced or some other method. So, working with the Finance Department through the budgeting process last year in 2020, we had identified and put in the budget \$1,000,000.00 for these exact type of sewer improvements. So that's why we mentioned it was already in the Water and Sewer Rates as well as the budget as we had planned knowing that somewhere in the City, obviously now we've pinpointed this areas where these type of sewer improvements were going to be necessary.

Councilmember Donovic asked Rushlow what the life expectancy of the new piping systems that would be installed be and Rushlow replied that typically the design life of a newly installed sewer pipe is generally accepted as a 50-year design life. These older pipes, we've allowed to last a little longer than even 50-years which may not have been the standard back in the day when they were installed. Obviously, we've continued to live through our infrastructure as much as possible, not just here but across the entire country with funding issues and what not and different realms for water or sewer. So, a 50-year design life is really the basic standard for these types of systems and this one is about 20-years beyond that. There's a lot that goes into what we're seeing with conditions, too, it's not just the age of the pipe, it's also the soil condition, groundwater condition, the materials here. A clay pipe is going to last in certain conditions a different duration than a plastic pipe may or an open material like this, this is a nonreinforced concrete. The non-reinforcing seal in that concrete pipe makes it really prone to failures in the long run so this was an area we identified as definitely needing some due care very soon.

Councilmember Donovic offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

**CITY OF LIVONIA – CITY COUNCIL
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- 8) REQUEST TO APPROVE FUNDING FOR PHASE I OF THE ENGINEERING DESIGN AND CONTRACTOR BIDDING PROCESS: Department of Public Works, re: to facilitate the project of installing a Pressure Reducing Valve on a 12-inch water main at Eight Mile and Ellen Drive in the amount of \$32,100.00. (CR 365-16)

Jacob Rushlow, Superintendent of Public Works, presented this request to Council. He stated in 2020 the department had been successful in acquiring an easement and installing a new water main extension heading south from Eight Mile Road and the existing main there to connect to another existing pipe on Golf Ridge Circle in the condominium development. This extension will ultimately provide greater system reliability in pressure in the event of a water main break or an equipment failure. This connection will join two different pressure districts in the water supply system, so as a result a pressure reducing valve is required to manage the pressure coming from the higher pressure district into the lower pressure district. In order to proceed with the project and complete the water system connection, we recommend that City Council proceed with approving a contract supplement with OHM Advisors to provide professional engineering services including design, permitting and contract for bidding assistance in the amount not-to-exceed \$32,100.00 and authorize an additional appropriation from the Unexpended Fund Balance of the Water and Sewer Fund.

Councilmember Jolly offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

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- 9) AWARD OF BID: Public Service Division, re: for Aggregates (road gravel, slag and stone) for the City's 2021 calendar year requirements, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented this request to Council. He stated this is their bulk material supplies for the year, it's our road gravel, sand, different types of gravel. It's been bid out on MITN, we had responses from four vendors and we are using the best price from the four vendors spread across the board.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

10) AWARD OF BID: Public Service Division, re: for fleet maintenance garage electrical system removal and replacement, from budgeted funds.

Jacob Rushlow, Superintendent of Public Works, presented this request to Council. He stated this item is an award of contract for the fleet service garage. Over the years at that garage, they've had many changes and additions to the electrical system needs since the building was put into service back in 1980. Just recently back in 2020 the department had hired an electrical engineering consultant, DiClimente Siegal Design Group, to investigate the existing electrical system, perform analyses, and provide recommendations to replace the building's electrical service, meet the existing loads and allow for future expansion as the department's needs and technology progress. Design plans were completed and put out for bids for qualified electrical contractors. We received nine bids back from contractors, bid proposals. The lowest qualified bid received was from Decima, LLC. In order to proceed with this project, the department recommends that City Council proceed with the award of a contract to Decima, LLC in an amount not-to-exceed \$81,000.00. Funds are available and are budgeted in this fiscal year.

Councilmember McCullough stated after reviewing the packet it seems like this is a long overdue upgrade and he'd be happy to offer an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

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- 11) REQUEST TO APPROVE ANNUAL RENEWAL OF SOFTWARE LICENSING AND MAINTENANCE FROM SOLE SOURCE PROVIDER: Public Service Division, re: with Azteca Systems LLC for the DPW work management system for the period of March 1, 2021 through February 28, 2022, includes Cityworks Online, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented this request to Council. He stated this item is their licensing and maintenance agreement for CityWorks through Azteca Systems, it's our asset management program to track service requests, work orders, inventory, it works through GIS. It also is having service requests downloaded now, basically it's doing everything for us as far as our personnel workload. We're asking Council to approve the licensing agreement in the amount of \$86,500.00 for this year and this is budgeted in the 2020/2021 Annual Budget.

Councilmember McCullough stated having past history with both of these programs, I do know this is a no-brainer and I'd be happy to offer an approving for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

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- 12) REQUEST FOR AUTHORIZATION TO PURCHASE FIVE (5) EXMARK LAZER S-SERIES 749 MOWERS THROUGH THE SOURCEWELL AND STATE OF MICHIGAN BID PROCESS; Public Service Division, re: from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented this request to Council. He stated they are looking to replace five of their oldest mowers with five new ones. These will be gas powered, 60-inch decks, they're used by the mowing crews in the parks. We're purchasing them through the Sourcewell Bid Program through Weingartz on Plymouth Road in Livonia. The old mowers will be disposed of through the auction process. The mowers are \$9,475.00 each for a total of \$47,375.00.

Councilmember White offered an approving resolution for the Consent Agenda.

Councilmember Toy commented that she is glad to see the purchase being made at the Livonia Weingartz business.

DIRECTION:

APPROVING

CONSENT

- 13) REQUEST FOR AUTHORIZATION TO PURCHASE FIVE (5) JOHN DEERE TURF VEHICLES WITH UTILITY ATTACHMENTS THROUGH THE STATE OF MICHIGAN BID PROCESS: Public Service Division, re: for park maintenance equipment, from budgeted funds.

Doug Moore, Assistant Director of Public Works, presented this request to Council. He stated this item was approved in the 2020/2021 Capital Outlay Budget. These are the six-wheel versions of the John Deere Gator. They're being purchased through the State bid. The servicing dealer will be Bator Equipment out of South Lyon. We're going to replace five units that were purchased approximately ten years ago. Those will be disposed of through the auction process. The new Gators will cost \$11,729.32 each for a total of \$58,646.60.

Councilmember McCullough stated this a cooperative purchase agreement which gives the best pricing so he will offer an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

- 14) REQUEST FOR COUNCIL TO SET A DATE FOR THE PURPOSE OF ADOPTING A RESOLUTION PLACING SPECIAL ASSESSMENTS UPON REFERENCED PROPERTIES WHOSE OWNERS HAVE NOT PAID CHARGES CONNECTED WITH THE 2020 SIDEWALK PROGRAM, CONTRACT 20-G, SINGLE LOT ASSESSMENTS: Engineering Division, re: same. (CR 123-20)

Todd Zilincik, City Engineer, presented this request to Council. He stated that Joe Rotondo was the successful bidder for the Sidewalk Repair Program last year. Sidewalk bills are going to be coming out in March and they are asking for the notification that was sent to the residents and business owners that were notified that the final bill will come to them and the hardest part they have to do is write a check. Again, there's hardship if it's \$400.00 or more, they're allowed to put it on a tax roll with a certain percentage of interest. But I just want to try to get the list here, there's about 600 locations that were done in the City last year, about half of those will be billed to residents in the amount of \$167,000.00 and the guaranty bill is about \$500.00 for repairs, but just looking for Council's approval to work with the Treasurer's Office to get those bills out and get money recouped from the work that was performed last fall.

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

DIRECTION:

APPROVING

CONSENT

- 15) REQUEST TO ENTER INTO A DEVELOPMENT AGREEMENT WITH LIVONIA WEST COMMERCE CENTER 2, LLC: Department of Planning, re: for providing certain terms and conditions on the re-use and maintenance of 12950 Eckles Road, pursuant to authorization established by Revitalizing Auto Communities Environmental Response (RACER) Trust under a Settlement Agreement in U.S. Bankruptcy Court. (CR 379-20)

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this proposed development agreement between the City and Ashley Capital is a requirement. As you know, Ashley is purchasing the last remaining parcel of what was the former GM Trim and Bumper Plant located at Amhrein and Eckles Road. This agreement is a condition prior to the closing of that property and the sale pursuant to the Trust Agreement that you mentioned. The Agreement is basically an endorsement by the community just to help ensure that the redevelopment and reuse of the property is consistent with the City's goals, mainly with respect to job creation, blight reduction, investment, remediation and some other factors. Similar agreements were done in connection with the sale and the redevelopment of the other RACER Trust properties here in the City. That includes the acreage of the site that is now Amazon, Republic National Distributing Company, as well as the former GM Powertrain Plant on Plymouth Road. This Agreement has been reviewed by the City Law Department and I believe Mr. Kyle Morton is here to answer any questions you may have.

Councilmember Toy offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT