

MINUTES OF THE ONE THOUSAND NINE HUNDRED TWENTY-EIGHTH
REGULAR MEETING OF SEPTEMBER 8, 2021

On September 8, 2021, the above meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive by President Kathleen McIntyre at 7:00 p.m. Vice President Bahr led the meeting in the Invocation.

Roll was called with the following result: Scott Bahr, Brandon McCullough; Rob Donovic, Jim Jolly, Laura Toy and President Kathleen McIntyre. Absent: Cathy White .

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Dave Lear, Assistant City Engineer; Paul Bernier, City Attorney; Lori L. Miller, Deputy Clerk; LaShawn Thomas, Director of Governmental Affairs; Ted Davis, Superintendent of Parks and Recreation; and Sara Kasprowicz, Manager of Council Office.

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

#274-21 RESOLVED, that the minutes of the 1927th Regular Meeting of the Council held August 23, 2021, are approved as presented.

At the request of the Chair, Item No. 2 was removed from the Consent Agenda.

Councilmember Donovic stated that he and Councilmember McCullough stopped by Livonia Grill yesterday and reported that it has been torn down after the fire that occurred last August. He said the Building and Inspection Departments were instrumental in getting this accomplished.

He then commented on the events that occurred in Kabul and thanked veterans for their service as well as sending condolences to the families of those who perished.

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Councilmember Jolly wished his wife Katie a happy birthday and that they celebrated an anniversary last week and that they are happy to announce they are expecting another baby next March.

Councilmember Toy read the list of retirees for August: Matthew McGuffin, Senior Fire Captain with 26 years of service; Suzanne Cory, dispatcher, with 15 years of service.

Councilmember Toy commented on the memorials for the 9/11 events.

Vice President Bahr wished his youngest son a happy birthday and wished the Jolly's congratulations on their news.

Councilmember McCullough commented on the carnival being held by the Livonia AM Rotary at the Livonia Mall that is being held on Thursday, September 16th through Sunday, September 19th. He also congratulated the Jolly family on their news.

President McIntyre wished a happy birthday to Don Rohraff, September 16th and congratulated the Jolly family as well.

She then commented on the tragic events of 9/11 and that St. Aidan Catholic Church will be holding a prayer service on Saturday at 8:45 a.m.

She stated Chief Caid will be doing the coin toss at the upcoming Madonna game.

President McIntyre invited Senator Dayna Polehanki to come to the podium to give her legislative update which she did covering such topics as the budget and power outages and entertained questions from Council.

President thanked the Senator for her time in coming to the Council meeting.

Councilmember Toy suggested that the legislators be invited to report back after meeting with the Attorney General to discuss their findings.

President McIntyre announced two public hearings being held on September 27, 2021 in the Auditorium of City Hall, 33000 Civic Center Drive, at 7:00 p.m. on the following matters:

Petition 2021-07-01-06 submitted by LAG Development, to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.

Appeal of the denial of the Planning Commission regarding Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting waiver use approval to add fuel

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pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31.

President McIntyre read a statement into the record.

She then reviewed the rules for Audience Communication in Councilmember White's absence.

During Audience Communication the following people spoke about FOIA requests on the election results:

Kate Riley, 20123 Osmus
Dale Campbell, 14368 Ramblewood
Ann Berger, 32002 Cambridge
Jon Riley, 20123 Osmus
Rachel Mileo, 15225 Riverside
Brady Walker, 15445 Harrison
Lisa Capatina, 38023 Lyndon

Further discussion was held.

President McIntyre thanked the speakers for their compliance with Audience Communication rules.

On a motion by Jolly, supported by Bahr, it was:

#275-21 RESOLVED, that having considered an application from Sarah Domingo, 33718 Grove Street, Livonia, MI 48154, dated August 2, 2021, requesting permission to close Grove Street between Pollyanna Street and Surrey Street, on Saturday, October 16, 2021, from 3:00 p.m. to 10:00 p.m., for the purpose of conducting a block party with games and BBQ, the Council does hereby grant permission as requested, including therein permission to conduct the said affair on Sunday, October 17, 2021, in the event of inclement weather, the action taken herein being made subject to the approval of the Police Department.

#276-21 RESOLVED, THAT WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to units of local government to help finance community development programs; and

WHEREAS, the primary objective of such Act is the development of viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income; and

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WHEREAS, to obtain its Fiscal Year 2021-2022 entitlement funds under the Community Development Block Grant Program as authorized by the Housing Community Development Act of 1974, the City of Livonia must submit a statement of community development objectives and projected use of funds, satisfactory assurances that the Program will be conducted and administered in accordance with appropriate federal and state laws and Department of Housing and Urban Development regulations; and satisfactory assurances that, prior to submission of its Final Statement of Community Development Objectives and Projected Use of Funds, it has (A) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities; the range of activities that may be undertaken, the estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons, and other important program requirements, (B) held a public hearing to obtain the views of citizens on community development and housing needs, and (C) provided citizens an adequate opportunity to examine the content of and to submit comments on the proposed Statement of Community Development Objectives and Projected Use of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Livonia, Michigan, that the Final Statement of Community Development Objectives and Projected Use of Funds for the Five Year Consolidated Plan and Fiscal Year 2021-2022 Community Development Block Grant Program is hereby approved and shall be submitted to the Department of Housing and Urban Development. Further, the Director of Housing, Mayor/Clerk shall have the authority to execute the sub-recipient contracts.

#277-21 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated August 12, 2021, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of one (1) 2021 Ford Transit 350 DRW Hi Roof El Cargo Van, at a cost of \$37,504.00, from Signature Ford, 1960 E. Main Street, Owosso, Michigan 48867; and the upfitting of said vehicle by Versalift Midwest, 51761 Danview Technology Ct., Shelby Township, MI 48315, at a cost of \$15,291.00, for a total amount not to exceed \$52,795.00, to be assigned to the Building Maintenance Department (ID #82), the same to be expended from funds already budgeted in Account No: 401-000-985-010; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the low State of Michigan bid price under MI-Deal Contract No. 071B7700180 and Macomb County Contract #21-18 for the new vehicle purchase; and through MI-Deal Contract No. 071B7700166 for the upfitting of said vehicle; and no advantage to the City would result from competitive bidding, and such action is taken in accordance with

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the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended.

#278-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated August 12, 2021, submitted pursuant to Council Resolution 149-20, adopted on May 27, 2020, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the Mayor and City Clerk to execute a one year contract extension, for and on behalf of the City of Livonia, with EJ USA, Inc., 13001 Northend Avenue, Oak Park, Michigan 48237, for the purchase of stormwater, water main and sanitary manhole related items, in an amount not to exceed \$75,000.00 for the period of July 1, 2021 through June 30, 2022; FURTHER; the Council does hereby authorize an expenditure in an amount not to exceed \$75,000.00 from funds already budgeted in Account Nos. 592-559-787-050 (Water Main Supply), 592-559-787-060 (Water Valves and Gate Wells), 592-559-787-070 (Hydrant Supply) and 592-559-796-000 (Sanitary Supply) 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 3.04.140.D.3 of the Livonia Code of Ordinances, as amended.

A roll call vote was taken on the foregoing resolutions with the following result:

AYES: Bahr, McCullough, Donovic, Jolly, Toy and McIntyre

NAYS: None

The President declared the resolutions adopted.

Jolly gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 030 OF TITLE 13, CHAPTER 04 (GENERAL USE REGULATIONS) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED

The foregoing Ordinance, when adopted, is filed in the Journal of Ordinances in the Office of the City Clerk and is the same as if word for

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word repeated herein. The above Ordinance was placed on the table for consideration at an upcoming Regular meeting.

On a motion by Bahr, supported by McCullough, it was:

#279-21 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated August 4, 2021, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby reject the quote of Cedar Preservation Systems, 28243 Beck Road-R-10, WIXOM, MI 48383 to perform all work in connection with the replacement of the cedar shake roof on the bungalow at Greenmead Historical Park and the request to waive the sealed bid process and accept proposal is hereby denied.

Ted Davis, Superintendent of Parks and Recreation, was present to discuss this agenda item.

Betsy Calhoun, Historic Preservation Commission, 33023 Grennada, came to the podium to comment on the agenda item.

Following discussion by Council, a roll call vote was taken on the foregoing resolution with the following result:

AYES: Bahr, McCullough, Donovic, Jolly, and Toy

NAYS: McIntyre

The President declared the resolution adopted.

A copy of the original contract between the City of Livonia and D'Angelo Brothers, Inc., adopted by City Council on June 18, 2012, pursuant to Council Resolution 233-12, was received and placed on file for the information of the Council.

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

#280-21 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated August 12, 2021, which bears the signatures of the Director of Public Works and the Director of

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Finance and is approved for submission by the Mayor, and which sets forth Council Resolution Nos. 264-17, adopted on July 24, 2017 and 233-12, adopted on June 18, 2012, the Council does hereby approve a one-year extension of the existing contract with D'Angelo Brothers, Inc., 30750 Eight Mile Road, Farmington Hills, MI 48336, for performing all work required in connection with water main taps and service connections, 3/4" to 2", at various locations throughout the City, as well as emergency water and sewer repairs, at the unit prices bid, for a total amount not to exceed \$300,000.00, for the period July 1, 2021 through June 30, 2022; FURTHER, the Council does hereby authorize an appropriation and expenditure in an amount not to exceed \$300,000.00 from funds budgeted in Account No. 592-559-818-000 (Water Maintenance Section) for this purpose; FURTHER, the Council does hereby authorize the action herein without competitive bidding in accordance with Section 3.04.140.D.3 of the Livonia Code of Ordinances, as amended, since no advantage to the City would result from competitive bidding in this type of service; and the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract extension with the aforesaid company and to do all other things necessary or incidental to the full performance of this resolution.

On a motion by Bahr, supported by Jolly, it was:

#281-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated July 30, 2021, which bears the signatures of the Director of Public Works and the City Attorney and is approved for submission by the Mayor, with regard to a request from Haggerty Square, LLC, a Michigan limited liability company, in conjunction with the construction of a storm drainage system that provides adequate drainage from property developed at 19700 Haggerty Road, Livonia, Michigan, the Council does hereby determine as follows:

1. To accept on behalf of the City of Livonia, the jurisdiction and maintenance of the storm sewer within the property located on the east side of Haggerty Road, north of Seven Mile Road, in the Southwest 1/4 of Section 6, for the development of Haggerty Square Phase 1, a proposed shopping center and multi-family development, which accommodates storm water from property developed at 19700 Haggerty Road, with the maintenance agreement from the proprietor, Haggerty Square, LLC, a Michigan limited liability company, located at 4036 Telegraph Road, Suite 201, Bloomfield Hills, MI 48320, attached to said report and recommendation, indicating a corporate commitment to maintain the system and reimburse the City for any maintenance the City performs; and

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2. To authorize the Mayor and City Clerk to execute the Storm Water Facilities Maintenance Agreement on behalf of the City.

Following discussion by Council, a roll call vote was taken on the foregoing resolution with the following result:

AYES: Bahr, McCullough, Jolly, Toy and McIntyre

NAYS: Donovic

The President declared the resolution adopted.

There was no Audience Communication at the end of the meeting.

On a motion by Bahr, supported by Toy, and unanimously adopted, this 1,928th Regular Meeting of the Council of the City of Livonia was adjourned at 8:22 p.m. on September 8, 2021.

Susan M. Nash, City Clerk