

MINUTES OF THE ONE THOUSAND NINE HUNDRED THIRTY-FIRST**REGULAR MEETING OF OCTOBER 18, 2021**

On October 18, 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. Councilmember Jim Jolly led the meeting in the Pledge of Allegiance with BSA Troop 782 out of Holy Trinity Lutheran Church in Livonia.

Roll was called with the following result: Jim Jolly, Laura Toy, Scott Bahr, Cathy White, Brandon McCullough, Rob Donovic and President Kathleen McIntyre. Absent: None .

Elected and appointed officials present: Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Paul Bernier, City Attorney; Susan M. Nash, City Clerk; LaShawn Thomas, Director of Governmental Affairs; Mike Slater, Director of Finance; Lynda Scheel, City Treasurer; and Sara Kasprowicz, Manager of Council Office.

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

#304-21 RESOLVED, that the minutes of the 1930th Regular Meeting of the Council held October 4, 2021, are approved as presented.

Councilmember Donovic commended Troop 782 for their assistance with the Pledge of Allegiance. He sent condolences for retired Four Star General Colin Powell, former Secretary of State, Chairman of the Joint Chiefs of Staff and National Security Advisor and involved with politics for a very long time and unfortunately passed away this past weekend. He was a revered leader in the military and a lot of people looked to his guidance and a lot of his planning throughout the decades.

Councilmember Toy also extended condolences to this country on the loss of a great leader. She stated I was able to meet Colin Powell at a VIP reception up at Central Michigan University when I served with Senator Edmonds in the

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Senate and have an autographed book from him on Leadership Secrets of Colin Powell and I think many of us should probably read that book because he just embraced what this country should be about and is all about and he is going to be sorely missed.

Vice President Bahr stated he was 11 years old when Dessert Storm first happened, that's when I was first introduced to Colin Powell and I've got, anyone who was alive, there was a Topp's Trading Card of Dessert Storm and I've got a Colin Powell card in my basement, that's not what I wanted to share, though. Two things; one is and I'm sharing this somewhat out of a sense of guilt because I'm not going to be able to attend this wonderful event so since I can't be there to support it, I'm just going to try and plug it. And that is this Thursday, October 21st from 5:00 to 7:00 at Christ our Savior Lutheran Church, the Rotary Club of Livonia is going to be hosting their annual spaghetti dinner to help raise money. If you're familiar with Rotary at all you know that they're very passionate about completely eradicating polio from the world, and this is just a great event every year that I enjoy going to, it's just not possible for me to be there this year, but I just want to encourage Livonia residents to check that out. It's a really nice community event for a good cause, it's \$12.00 for adults, \$5.00 for kids twelve and under, you can pay at the door, you can pay in advance at LivoniaRotary.org so I wanted to make people aware of that.

The second thing, Madam President, is I'd like to offer a resolution that we ask the Law Department to draft language for an ordinance that would enable the City Council Office Manager and staff to report administratively to the City Clerk. As many of you have followed our Council business, you know we made a change recently and I think it's very appropriate that that office report to the Council because that's ultimately who it serves but the fact of the matter is that these are part-time jobs and there's just some administrative difficulties. Council President McIntyre has done a fabulous job of keeping up with it, but there are some administrative difficulties with doing a part-time job and yet trying to do the full-time work of overseeing that office. So, I believe the Law Department is familiar with what we're asking and I'd like to offer that resolution that they prepare the language for such an ordinance.

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

#305-21 RESOLVED, that upon the motion by Council Vice President Scott Bahr, seconded by Councilmember Jim Jolly, at the Regular Meeting held October 18, 2021, the Council does hereby refer the subject matter of a proposed amendment to Livonia Code of Ordinances Sections 020 and 030 of Title 2 of Chapter 2.10 (Department of the Office of the City Council) to reflect that the Council Administrator is to report to and be under the direction of the City Clerk's office.

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City Council Office Manager and staff to report administratively to the City Clerk. As many of you have followed our Council business, you know we made a change recently and I think it's very appropriate that that office report to the Council because that's ultimately who it serves but the fact of the matter is that these are part-time jobs and there's just some administrative difficulties. Council President McIntyre has done a fabulous job of keeping up with it, but there are some administrative difficulties with doing a part-time job and yet trying to do the full-time work of overseeing that office. So, I believe the Law Department is familiar with what we're asking and I'd like to offer that resolution that they prepare the language for such an ordinance.

Councilmember Toy asked if this is going to the Clerk's Office and Bahr replied I apologize, I probably shouldn't have said all of that until I got a second, right, thank you, Councilman Jolly. Councilwoman Toy, what I'm asking is that ultimately that we change the ordinance so that Council would still appoint that position but that from an administrative standpoint it would report to the Clerk's Office. And there's been some discussion about this, I think that would make a lot of sense, and I'm just asking Law to prepare language for that ordinance change so that we can then consider.

Toy asked if that was intended specifically to report to the Clerk and Bahr replied report to the Clerk administratively, yes. Toy then asked if Council would get any kind of reports back on anything or would it leave the Council out of the mix? Bahr replied there would be an administrative reporting to the Clerk but Council President would still choose who fills that position. I think it would be natural that there'd be some kind of reporting mechanism there, we can figure that out.

Councilmember Jolly stated as I understand this and the premise of this, I think it makes sense from a staffing perspective, a management perspective, for day to day operations. In drafting this ordinance here, and again, I just have an overview of what the goal is here, I think it would be appropriate that that person still take direction from the Council office as well, I want to make sure that that's enshrined in this. That all of a sudden we don't find ourselves without any administrative assistance within City Hall, but as long as that's preserved, I think this is a good idea.

Vice President Bahr stated I would certainly concur with that, thank you to Councilman Jolly, and I also just want to say, and we say it at other times, but just many thanks also to Ms. Kasproicz who serves in that role and does a marvelous job as we try to navigate this this year. I think there's been, a lot of things have been appropriate with what we did, but we just ran into some practical difficulties with trying to do full-time work in a part-time job, so I think doing this will help us to navigate, to balance those responsibilities.

Toy said let me ask one more question. Is this forever, is it till a different Council is here, a different Clerk is here, is this a pilot program, is this written in stone once we change it, is there a time certain on it, are we seeing how this works

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because the Clerk is also an elected official and while we have a wonderful Clerk here, not that we're going to get a bad one, you just never know what can happen in politics, so I just want to be clear, I think as Councilman Jolly said, that we're on even ground on this, that's all. And I appreciate it, thank you.

President McIntyre passed the gavel at 7:10 p.m. to speak on this issue. She stated the person in the job of the Manager of the Council Office and Council Business would still take all of the direction and do work on behalf fully of the Council. What we realized when we made this change this year, is that there are administrative functions, performance reviews, just administrative work like that, that is difficult to do and keep up with when the Council President is a part-time position. And also because the Council President does not serve as a member of the Leadership Team like the City Clerk does, it leaves, and Ms. Thomas has done a wonderful job of debriefing the Council on the Leadership meetings, but having the Council Office report administratively to a department where there is a department head and the City Clerk, unlike the Council President, functions as a department head. So, for the day to day engagement with the Administration and any information, having the Council Manager report through the Office of the Clerk administratively, we thought would be very helpful for the communication flow. But all of the direction will still come and there's no sunset proposed.

Councilmember Donovan stated I support this, I think it's a good idea. First of all, thanks to Ms. Kasproicz for everything you do, and Ms. Thomas, thank you for everything you do. As we spoke tonight, we're a part-time position, we're not at City Hall every single day, as far as part-time legislators these folks, especially in the Council Office do a lot of great work, and they talk to a lot of residents and they help Council members, so we're fortunate to have Sara and LaShawn in the Mayor's Office. I think this makes sense. To Council President's point, we're not here all day long, as long as the Council President retains their oversight position and their power over the Council Office, I think this makes sense. Thank you, Mr. Chair.

Councilmember McCullough said this is the first that I'm hearing of this, so I'm going to support the measure to at least draft an ordinance, but until I actually see more information on it, just to see what directives, but I'll support it now but truthfully up until this second I have no idea what we're talking about, so thank you.

Vice President Bahr opened the floor for comments.

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

AYES: Jolly, Toy, McIntyre, White, McCullough, Donovan and Bahr

NAYS: None

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The Vice President declared the resolution adopted.

President McIntyre resumed the gavel at 7:13 p.m.

City Clerk Susan Nash reminded everyone about the upcoming election on Tuesday, November 2nd. Absentee ballots may be requested by mail until Friday October 29th at 5:00 p.m. In person voting will be ongoing at City Hall until 4:00 p.m. on Monday, November 1st. The office will be open Saturday, October 30th from 7:30 a.m. to 3:30 p.m. for election purposes only. You can register to vote at the Clerk's Office at any time and up to 8:00 p.m. on November 2nd and qualify to vote in this election. There is a drop box on the east side of City Hall that is open 24/7 and Nash highly recommended to utilize it for ballot and application return. She encouraged people to call the Clerk's Office with any questions and that the polls will be open on Tuesday, November 2nd, from 7:00 a.m. until 8:00 p.m.

President McIntyre inquired about college students registering to vote and Clerk Nash explained the process, noting that today is the last day to register online and be able to vote in the November 2nd election, or they can come to the City Clerk's Office and register in person to be eligible to vote in this election. Clerk Nash stated that she and her staff do all that they can to accommodate voters.

Councilmember Jolly also commended City Clerk Nash and her staff and all of the election officials who work amazingly hard and are very diligent in providing an election that we can all be proud of. He stated I just want to thank you and wish you all luck in the next two weeks.

Councilmember Donovic said I just want to touch on something the Clerk said, "we accommodate"; and I appreciate that. There has been multiple occasions where myself or residents that I know of have reached out to the Clerk's Office and if they don't have a nametag on the front of the Clerk's Office, there should be a "We accommodate" one. They go above and beyond to help the residents vote in our community and they do a wonderful job, whether it's elections in May or elections in November, whether it's a Presidential Election or a City Council Election with not a lot of stuff going on so to speak, I think you guys do a wonderful job and all the volunteers that come in and help out or the poll workers that help out all day long. It's a long day, election day, and you do a phenomenal job doing a great service to our community. So, thanks to the City Clerk's Office and everyone involved in the election process.

Clerk Nash replied thank you and yes, it is a long day and we really do appreciate the people, the volunteers in the community that come out and work. We couldn't do it without them, I tell them that every meeting we have. We can do everything we can leading up to an election, but without the workers we can't. We can't be in sixteen buildings and forty-four precincts at once, so when you're at the polls, thank the people working. The 350 people that we have out there in the next two weeks, they really do a lot for our community.

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President McIntyre stated that the Citizens Advisory Committee Meeting for the 2022 Road Repairs, will be Wednesday, October 27th, 2021 from 6:00 – 7:30 p.m. and I'm going to ask Mr. Todd Zilincik, our City Engineer, if you would just give a little reminder of what that is, the importance of citizen engagement and where the meeting will be held, please.

Todd Zilincik, City Engineer, stated as you all know we have a road millage that we want to get obviously people's input from. We go out and we rate the roads every two years. So, this year is our last year that we do a millage, in 2022, so we're asking for your input to fix the roads in the City. We have 373 miles, so anybody that has a concern on a City jurisdiction road, of their house, business, whatever, please come to attend on October 27th, Wednesday, from 6:00 to 7:30 at the new DPW Building on Farmington Road, 12973 Farmington Road, just south of Schoolcraft on the west side. You'll be able to meet the Citizens Road Advisory Committee members comprised of ten people, share your thoughts and we're looking to gather input on locations or concerns that you have and looking to incorporate those potentially in 2022 and again, looking forward to seeing people there and getting your input.

President McIntyre said I would suggest maybe a good conversation for Troop 782 to have with the Scouts when you're working on some of your Citizens in the Community badges, are to look at in Livonia which roads are controlled or owned by the City, is that the right term, under the jurisdiction of the City and which are under the jurisdiction of the County. Because a lot of times we hear people are very upset with us over roads like Inkster, right, Merriman, Farmington, which are actually under the jurisdiction of the County and not of the City. So, that's a good topic for discussion with the Boy Scouts when you're working on your citizenship badges. And thank you, Mr. Zilincik. This is an opportunity for citizens to come and have input into how those millage dollars are going to be spent on our roads over the next two years. So, I encourage you to attend and make your voice heard.

And finally, we have two birthdays to announce. We wish Mr. Josh Sabo, the Director of Community Resources, a very happy birthday on October 23rd. And Mr. Casey O'Neil, our Director of Information Services, a very happy birthday on October 25th, so maybe there will be some sort of joint party on October 24th so we can celebrate both of them. And the good news is, Todd, neither of them are celebrating a birthday on the 27th, so they have no excuse for not coming to the meeting. Anyway, so happy birthday to those great colleagues and two gentlemen who do so much for our City and for those of us who work for the City at City Hall.

During Audience Communication Dia Mason, Attorney with Fair Housing Center of Metropolitan Detroit, introduced himself and detailed what the Center is involved with and that Livonia is part of their jurisdiction.

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President McIntyre asked if Mason would be the liaison between Fair Housing and our Housing Department and Mason replied yes. She thanked him for attending the meeting.

Chris Edmonds, 16767 Fulton Pines, discussed his post retirement career as a Transit driver and the circumstances they deal with daily and why they should be entitled to the Hero Pay Stipend.

Councilmember Donovic stated that is one of the reasons why I asked at the last Council meeting for this item to be investigated further. You have Reserve Police Officers, who worked through the entire pandemic, booking prisoners, pulling people over, investigating crime, etc., working hand in hand with our Law Enforcement Agency. You have Transit Drivers, to what you said tonight, with some of the most vulnerable people throughout Covid and driving these individuals to very important doctor's appointments and other things throughout our City. And then you have CERT volunteers and I understand the complexity behind a volunteer and a City employee but nonetheless we should at least look into it because these are three very active groups of individuals that make Livonia the City that it is and you had certain individuals, groups of people that fell through the cracks. Like you spoke about tonight, Transit Drivers, one in particular that do so much for the City especially during Covid times. When we talked about Hero Pay for individuals, the City employees that really kept the City going throughout a very difficult time in all of our lives, I definitely think that Transit Drivers, CERT volunteers, and our Reserve Police Officers should be included amongst those full-time and part-time employees.

The following residents commented on the honking by the Planned Parenthood building:

Cruela Zekavica, 33448 Rayburn Street

Connie Dickey, 33451 Rayburn Street

During Audience Communication, Anthony Moleski, 14575 Cavell, Western Golf Estates, addressed Council about banners being displayed in his neighborhood and the request for removal of same from the Inspection Department.

President McIntyre asked LaShawn Thomas, Director of Governmental Affairs, to assist Mr. Moleski in resolving the issue.

Vice President Bahr stated that he remembers when the HOA approached the City about the banners and they were directed to contact DTE.

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

#306-21 RESOLVED, that having considered a communication from the City Engineer, dated September 13, 2021, approved for submission by the Mayor, to which is attached a letter from Joe Rotondo Construction Corp., received by the Engineering Department on

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September 9, 2021, requesting a waiver of the sidewalk requirement in front of the newly constructed home located at 18740 Westmore St., N.W. ¼ of Section 10, the Council does hereby approve this request inasmuch as omitting the sidewalk on the subject property would have no detrimental effect upon the neighboring properties at this time due to the lack of other public sidewalks existing within the neighboring area; FURTHER, the Council does hereby reserve the right to require sidewalks at this location in the event that additional sidewalks are installed in this area at some future date.

#307-21 RESOLVED, that having considered a communication from the Human Resources Director, dated September 23, 2021, which bears the signatures of the Finance Director and the City Attorney and is approved for submission by the Mayor, and which sets forth resolution No. 21-139, adopted by the Civil Service Commission on September 22, 2021, wherein it is recommended to approve the quotation of Ulliance for a new Employee Assistance Program (EAP), the Council does hereby concur in and approve the recommendation of the Civil Service Commission and hereby accepts the quotation of Ulliance, 900 Tower Drive, Suite 600, Troy, MI 48098 to provide the City with a new employee assistance program, for the period December 1, 2021 to November 30, 2024, for a total annual amount not to exceed \$19,000.00; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed \$19,000.00, for each year during the period December 1, 2021 to November 30, 2024, from funds already budgeted in Account No. 101-269-828-000 for this purpose; FURTHER, the Council does hereby authorize such action, even though Ulliance was not the low bidder, for the reasons indicated in the aforesaid communication.

#308-21 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated October 5, 2021, approved for submission by the Mayor, the Council does hereby approve the Holiday Parade and Tree Lighting to be held on Sunday, December 5, 2021, beginning at 4:00 p.m.; FURTHER, the Council does hereby approve the parade route as follows:

Stark from Schoolcraft to Lyndon, Lyndon from Stark to Farmington, and Farmington from Lyndon to Five Mile Road

FURTHER, the Council does hereby request that the Wayne County Department of Public Services allow the City of Livonia to close Farmington Road between the hours of 4:00 p.m. and 5:00 p.m. or until the road is returned to normal traffic operation; that the City of Livonia will assume liability for any damage claims which may arise as a result of the road closure, as to Wayne County only; and that Senior Police

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Officer Michael Arakelian is hereby designated and authorized to sign the road closure permit on behalf of the City of Livonia.

#309-21 RESOLVED, that having considered a communication from the Superintendent of Parks and Recreation, dated October 5, 2021, which bears the signature of the City Attorney and is approved for submission by the Mayor, to which is attached the September 22, 2021 letter to the City Council from the Festival Chairs of the Motor City Irish Festival, P.O. Box 511361, Livonia, Michigan 48151, requesting permission to hold the 2022, 2023 and 2024 Annual Motor City Irish Festival at Greenmead, with the event to be held as follows:

Friday	June 10, 2022	5:00 p.m. to 11:00 p.m.
Saturday	June 11, 2022	12:00 p.m. to 11:00 p.m.
Sunday	June 12, 2022	12:00 p.m. to 8:00 p.m.

Friday	June 9, 2023	5:00 p.m. to 11:00 p.m.
Saturday	June 10, 2023	12:00 p.m. to 11:00 p.m.
Sunday	June 11, 2023	12:00 p.m. to 8:00 p.m.

Friday	June 7, 2024	5:00 p.m. to 11:00 p.m.
Saturday	June 8, 2024	12:00 p.m. to 11:00 p.m.
Sunday	June 9, 2024	12:00 p.m. to 8:00 p.m.

THE COUNCIL DOES HEREBY GRANT PERMISSION AS REQUESTED, THE ACTION TAKEN HEREIN BEING SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the Motor City Irish Festival and all equipment operators shall provide the City of Livonia with appropriate insurance policies naming the City of Livonia as additional insured with general liability coverage of \$1 million, and an aggregate of \$2 million, and all certificates of insurance shall be submitted to the Department of Law for approval by the City prior to the event;
2. That the Motor City Irish Festival and any vendors involved in the sale of beer or wine on Greenmead property shall provide the City of Livonia with an insurance policy naming the City of Livonia as additional insured with liquor liability coverage in the amount of \$1 million, such certificate to be submitted to the Department of Law for approval by the City prior to the event;
3. That the Motor City Irish Festival shall execute a hold harmless agreement in favor of the City of Livonia in a manner and form acceptable to the Department of Law;

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4. That all vendors must obtain transient merchant licenses from the City of Livonia prior to the event, and all necessary licenses and permits from state and county agencies prior to the event;
5. That the Motor City Irish Festival shall pay the police fee as stated on the City of Livonia Fees/Waivers IV Category Grid as established in Council Resolution 660-03, adopted on December 17, 2003;
6. The Motor City Irish Festival will secure the festival grounds with fencing as required by the Michigan Liquor Control Commission;
7. The Motor City Irish Festival will provide portable toilet facilities sufficient to accommodate all attendees;
8. The Motor City Irish Festival will have procedures in place regarding admissions to the grounds and provide security personnel for the duration of the festival;
9. The Motor City Irish Festival will be responsible for the setup, maintenance and breakdown of any tents or temporary onsite structures used during the festival;
10. The Motor City Irish Festival will be responsible for grounds keeping, garbage removal and cleanup for the duration of the festival;
11. The Motor City Irish Festival will provide additional towers of lighting for use at night and will remove same in accordance with the rules and regulations of Greenmead;

Further, the Council does hereby approve the proposed flat rate fee of \$4,500.00 for 2022 and \$5,000.00 for 2023 and 2024, plus \$1.00 for every advance ticket sold by Greenmead and 20% of the income from vehicle parking, as set forth in the attachment to the aforementioned correspondence from the Festival Chairs of the Motor City Irish Festival for use of the property; and with the further understanding that the Historical Commission will have the opportunity to realize additional profits from operating a food booth, and sales from gift shop operations; FURTHER, the Motor City Irish Festival will be responsible for handling vehicle parking and will be entitled to retain 80% of parking fees; FURTHER, the Council does hereby approve the request to sell raffle tickets on the grounds of Greenmead in connection with this event.

#310-21 RESOLVED, that having considered the report and recommendation of the Superintendent of Parks and Recreation, dated October 5, 2021, which bears the signature of the Director of Finance

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and is approved for submission by the Mayor, the Council does hereby accept the quote of Wahl Tents, 44550 N. Groesbeck Hwy., Clinton Township, MI 48036 for the rental of a warming tent for the Annual Night of Lights Event to be held on Friday, Saturday and Sunday, December 3-5, 10-12 and 17-19, 2021, at Greenmead Historical Park for an amount not to exceed \$15,412.08; FURTHER, an amount not to exceed \$15,412.08 is hereby authorized to be expended from Account No. 270-000-886-735 for this purpose and will be reimbursed by sponsorships.

#311-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated September 23, 2021, 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 accept the following low bids which meet specifications for supplying the Public Service Division (Road Maintenance Section) with hot and cold bituminous materials specified at the unit prices bid for the period September 1, 2021 through October 30, 2022:

Ajax Materials, 1957 Crooks Road, Suite #A, Troy, MI 48084

M.D.O.T. 13A HMA	\$ 72.00 per ton
M.D.O.T. 36A HMA	\$ 74.00 per ton
M.D.O.T. 1500 T 20 AAA HMA	\$ 69.50 per ton (sole bidder)
Cold Patch 192 <i>Delivered</i>	\$113.00 per ton

Ace Saginaw, 2981 Carrollton Road, Saginaw, MI 48604

Cold Patch QPR <i>Delivered</i>	\$108.00 per ton
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FURTHER, in the event the aforesaid low bidders are unable to furnish the materials, the Council does hereby accept the following second lowest bids, which also meet specifications, as alternates for supplying the Public Service Division (Road Maintenance Section) with bituminous materials specified at the unit prices bid for the period September 1, 2021 through October 30, 2022:

Cadillac Asphalt, 2575 Haggerty Rd., Canton, MI 48188

M.D.O.T. 13A HMA	\$ 77.95 per ton
M.D.O.T. 36A HMA	\$ 78.00 per ton
Cold Patch 192 <i>Delivered</i>	\$113.00 per ton

Ajax Materials, 1957 Crooks Road, Suite #A, Troy, MI 48084

Cold Patch UPM <i>Delivered</i>	\$115.00 per ton
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FURTHER, the Council does hereby authorize the expenditure of \$90,000 in funds already budgeted in Account No. 101-463-782-000 (Road Maintenance Section) for this purpose.

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#312-21 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated September 20, 2021, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, regarding additional appropriation and expenditure to cover the additional cost of concrete to complete the City's Ready-Mix Concrete program, previously awarded to Superior Materials who failed to deliver the product in a timely fashion causing delays to projects and inconveniencing residents, the Council does hereby appropriate and authorize an expenditure in an amount not to exceed \$20,000.00 payable to Piedmont Concrete, 29934 Eight Mile Road, Farmington Hills, MI 48336, to cover the additional cost of concrete to complete the City's ready-mix concrete program; FURTHER, the additional amount of \$20,000.00 is hereby appropriated and authorized to be expended from Account No. 592-559-787-060 for this purpose; FURTHER, the Mayor and City Clerk are hereby authorized for and on behalf of the City of Livonia to execute a contract with the aforesaid company, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#313-21 RESOLVED, that having considered a communication from the Assistant Director of Public Works, dated September 20, 2021, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, regarding additional expenditure for the City's 2021 Household Hazardous Waste and Electronic Waste Drop-Off Program, previously authorized in Council Resolution No. 361-19, adopted on November 6, 2019, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to amend the existing contract with Environmental Recycling Group (ERG), 13040 Merriman Road, Suite 200, Livonia, MI 48150 and authorizes an additional expenditure in an amount not to exceed \$30,000.00, payable to ERG, as payment for waste drop offs in September and to continue funding the city of Livonia's household hazardous waste program for the year 2021; FURTHER, the Council does hereby authorize an additional expenditure in an amount not to exceed \$30,000.00 from funds already budgeted in Account No: 205-527-818-035 (Municipal Refuse Fund) for this purpose; and the Mayor and City Clerk are hereby authorized to do all other things necessary or incidental to the full performance of this resolution.

#314-21 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated September 22, 2021, which bears the signatures of the Director of Public Works and the Director of Finance and is approved for submission by the Mayor, regarding additional expenditure to complete the purchase of one (1) 2021 Ramjet Single Engine Trailer-Mounted Sewer Cleaner,

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previously authorized in Council Resolution No. 219-21, adopted on July 12, 2021, the Council does hereby appropriate and authorize an expenditure in an amount not to exceed \$7,200.00 payable to Jack Doheny Co., 777 Doheny Dr., Northville, MI 48167 to complete the purchase of one (1) 2021 Ramjet single engine trailer-mounted sewer cleaner for use by the Roads Department to service storm drains and culverts and areas in tight, confined environments; FURTHER, the additional amount of \$7,200.00 is hereby appropriated and authorized to be expended from budgeted funds in Account No. 401-000-987-000 for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is being purchased through the Sourcewell Purchasing Program (formerly NJPA) under Contract #122017-FSC and no advantage to the City would result from competitive bidding, and such action is taken in accordance with the provisions set forth in Section 3.04.140.D.4 of the Livonia Code of Ordinances, as amended. and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Law Department, for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

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

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

NAYS: None

The President declared the resolutions adopted.

The City of Livonia Preliminary Budget Documents for Fiscal Year 2021-2022, received on September 15, 2021, was received and placed on file for the information of the Council.

The Supplement to Preliminary Budget 2021-2022 Personnel Worksheets, received on September 15, 2021, were received and placed on file for the information of the Council.

Vice President Bahr, as Chair of the Finance and Budget Committee, reported out on the meeting of September 22, 2021.

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Proposed budget for the City of Livonia for the fiscal year ending November 30, 2022, and the property tax millage proposed to be levied to support the proposed budget. (CR 260-21)

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

#315-21 RESOLVED, that the Council hereby determines that the annual budget for the fiscal year as submitted by the Mayor for the next fiscal year commencing December 1, 2021, and ending November 30, 2022, as shown below, submitted by the Mayor to the Council on September 15, 2021, pursuant to Section 3, Chapter vii of the City Charter, be and hereby is determined and adopted. Council approval is required for any modification to the amounts shown below. All proceedings on said Budget are hereby approved as being in full conformance with the City Charter, a public hearing having been held on October 6, 2021, after proper notice being published in the Livonia Observer and Eccentric, the official newspaper of the City, on September 23, 2021, and provided further that the City Clerk shall publish or cause to be published this resolution together with a summary of said Budget as adopted herein, together with the minutes of this meeting.

CAPITAL PROJECT FUNDS		<u>REVENUES</u>	<u>EXPENDITURE</u>
CAPITAL PROJECT FUND	401	1,915,846	3,794,896
GOLF COURSE CAPITAL IMPROVEMENTS FUND	409	360,200	280,000
BUILDING IMPROVEMENT FUND	418	5,000	300,000
COURT BUILDING IMPROVEMENTS FUND	470	515,000	547,400
TOTAL CAPITAL PROJECTS FUNDS		<u>\$2,796,046</u>	<u>\$4,922,296</u>
ENTERPRISE FUNDS			
NEWBURGH VILLAGE SR. CIT. HOUSING	536	\$842,000	\$709,027
SILVER VILLAGE SR. CIT. HOUSING	538	688,620	673,679
GOLF COURSE	584	1,981,521	2,303,350
WATER AND SEWER	592	43,315,647	41,918,836
TOTAL ENTERPRISE FUNDS		<u>\$46,827,788</u>	<u>\$45,604,892</u>
GENERAL FUND (101)			
PROPERTY TAXES	401-449	\$35,750,070	
LICENSES & PERMITS	475-500	3,061,700	
GRANTS	501-538	66,200	
STATE SHARED REVENUES	539-599	12,217,254	
CHARGES FOR SERVICES	601-654	4,839,893	

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FINES & FORFEITS	655-663	4,158,249
INTEREST & RENTS	664-671	2,719,321
OTHER MISCELLANEOUS	672-699	2,280,973
TOTAL REVENUES		<u>\$65,093,660</u>

LEGISLATIVE	\$313,976
EXECUTIVE	1,062,107
FINANCIAL ADMINISTRATION	5,132,986
GENERAL GOVERNMENT	3,227,682
JUDICIAL	3,380,439
PUBLIC SAFETY - POLICE	27,269,169
PUBLIC SAFETY - FIRE	16,099,168
PROTECTIVE INSPECTION	1,805,675
OTHER PROTECTIVE	2,353
PUBLIC WORKS AND ENGINEERING	3,879,335
PLANNING	778,890
PARKS & RECREATION	441,765
CULTURAL	1,686,693
TOTAL EXPENDITURES	<u>\$65,080,238</u>

		<u>REVENUES</u>	<u>EXPENDITURES</u>
MAJOR STREET FUND	202	\$8,758,880	\$10,087,915
LOCAL STREET FUND	203	10,968,534	11,063,572
ROAD, SIDEWALK & TREE FUND	204	12,346,302	12,959,350
COMMUNITY RECREATION FUND	208	7,708,917	8,567,413
DESIGNATED PURPOSE FUND	211	120,000	180,000
STREETLIGHTING FUND	219	1,173,810	1,222,592
MUNICIPAL REFUSE FUND	226	12,114,675	12,981,244
LIVONIA BROWNFIELD LSRRF	242	101,500	36,384
LIVONIA BROWNFIELD REDEVELOPMENT AUTH	243	520,000	520,000
ECONOMIC DEVELOPMENT CORPORATION	244	100	107
PLYMOUTH ROAD DEVELOPMENT AUTH	248	741,518	816,272
MIDC GRANT FUND	260	592,374	592,374
PUBLIC SAFETY COMMUNICATION	261	515,000	1,241,500
ADJUDICATED FORFEITURES FUND	262	225,000	971,900
HISTORICAL COMMISSION FUND	270	114,200	83,900
LIBRARY FUND	271	4,192,780	4,198,968
ARTS COMMISSION FUND	272	9,000	13,000
TRANSIT AND CAPITAL IMPROVEMENT FUND	286	2,465,846	2,465,846
COMMUNITY TRANSIT FUND	288	719,445	1,304,216
CABLE TELEVISION FUND	297	413,100	554,196
TOTAL SPECIAL REVENUE FUNDS		<u>\$63,800,981</u>	<u>\$69,860,749</u>

*Regular Minutes of October 18, 2021***DEBT SERVICE FUNDS**

2015 MBA REFUNDING	372	180,382	180,382
2016 MBA REFUNDING	373	547,400	547,400
2017 MBA REFUNDING	374	1,992,150	1,992,150
1998 PRDA STREETSCAPE DEBT	394	0	0

TOTAL DEBT SERVICE FUNDS

\$2,719,932	\$2,719,932
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CAPITAL PROJECT FUNDS

CAPITAL PROJECT FUND	401	1,915,846	3,794,896
GOLF COURSE CAPITAL IMPROVEMENTS FUND	409	360,200	280,000
BUILDING IMPROVEMENT FUND	418	5,000	300,000
COURT BUILDING IMPROVEMENTS FUND	470	515,000	547,400

TOTAL CAPITAL PROJECTS FUNDS

\$2,796,046	\$4,922,296
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ENTERPRISE FUND

NEWBURGH VILLAGE SR. CIT. HOUSING	536	\$842,000	\$709,027
SILVER VILLAGE SR. CIT. HOUSING	538	688,620	673,679
GOLF COURSE	584	1,981,521	2,303,350
WATER AND SEWER	592	43,315,647	41,918,836

TOTAL ENTERPRISE FUND

\$46,827,788	\$45,604,892
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SPECIAL REVENUE FUNDS

		<u>REVENUES</u>	<u>EXPENDITUR</u>
MAJOR STREET FUND	202	\$8,758,880	\$10,087,915
LOCAL STREET FUND	203	10,968,534	11,063,572
ROAD, SIDEWALK & TREE FUND	204	12,346,302	12,959,350
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ARTS COMMISSION FUND	272	9,000	13,000
TRANSIT AND CAPITAL IMPROVEMENT FUND	286	2,465,846	2,465,846
COMMUNITY TRANSIT FUND	288	719,445	1,304,216
CABLE TELEVISION FUND	297	413,100	554,196
TOTAL SPECIAL REVENUE FUNDS		<u>\$63,800,981</u>	<u>\$69,860,749</u>
DEBT SERVICE FUNDS			
2015 MBA REFUNDING	372	180,382	180,382
2016 MBA REFUNDING	373	547,400	547,400
2017 MBA REFUNDING	374	1,992,150	1,992,150
TOTAL DEBT SERVICE FUNDS		<u>\$2,719,932</u>	<u>\$2,719,932</u>

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

#316-21 RESOLVED, that pursuant to Section 5, Chapter VII and Section 1 of Chapter VIII of the Charter of the City of Livonia, the Council does hereby establish a tax levy of 3.9909 mills, of the taxable valuation of all real and personal property subject to taxation in the City of Livonia for the next fiscal year commencing December 1, 2021, and ending November 30, 2022, and in addition to the above amount which is authorized to be levied for general purposes by the Charter of the City of Livonia:

(a) The Council does hereby establish a tax levy of .7979 mills, of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to Section 1 of Chapter VIII of the Charter of the City of Livonia, for the purpose of providing additional revenues for police protection and law enforcement personnel, equipment, supplies and facilities of the City of Livonia; in addition to the amount authorized to be levied for general municipal purposes;

(b) The Council does hereby establish a tax levy of 1.1971 mills, of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to Section 1 of Chapter VIII of the Charter of the City of Livonia, for the purpose of providing additional revenues for fire, police and snow removal personnel, equipment, supplies and facilities of the City of Livonia; in addition to the amount authorized to be levied for general municipal purposes;

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(c) The Council does hereby establish a tax levy of 1.6773 mills of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to Section 1 of Chapter VIII of the Charter of the City of Livonia, for the purpose of providing additional revenues for police and fire personnel and support costs in the City of Livonia, in addition to the amount authorized to be levied for general municipal purposes;

(d) The Council does hereby establish a tax levy of .7979 mills of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to Section 1 of Chapter VIII of the Charter of the City of Livonia, for the purpose of providing additional revenues for library services, supplies and facilities in the City of Livonia; in addition to the amount authorized to be levied for general municipal purposes;

(e) The Council does hereby establish a tax levy of .0110 mills, of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to the provisions of Act 359 of the Public Acts of 1925, for the purpose of advertising, exploiting and making known the industrial and commercial advantages of the City of Livonia and to establish projects for the purpose of encouraging immigration to, and increasing the trade, business and industries of the City of Livonia; in addition to the amount which is authorized to be levied for general municipal purposes;

(f) The Council does hereby establish a tax levy of .7749 mills of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, for the purpose of providing additional revenues for a community recreation center, recreation personnel, equipment, supplies, facilities and operations; in addition to the amount authorized to be levied for general municipal purposes;

(g) The Council does hereby establish a tax levy of .8773 mills of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, for the purpose of providing additional revenues for repairing or replacing public roads, sidewalks and trees in the City of Livonia; in addition to the amount to be levied for general municipal purposes;

(h) The Council does hereby establish a tax levy of .4932 mills of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year set out above, for the purpose of providing additional revenues for the City's community transit program and capital improvements within the City of Livonia; in addition to the amount to be levied for general municipal purposes;

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(i) The Council does hereby establish a tax levy of .2465 mills, of the Taxable Valuation of all ready and personal property subject to taxation in the City of Livonia for the fiscal year set out above, pursuant to Section 1 of Chapter VIII of the Charter of the City of Livonia, for the purpose of providing additional revenues for staff, maintenance, and; support costs for cultural and senior services in the City, including the Livonia Senior Center and Greenmead Historical Village, in addition to the amount authorized to be levied for general municipal purposes;

(j) The Council does hereby establish a tax levy of 1.8943 mills, of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year commencing December 1, 2021 and ending November 30, 2022, pursuant to the provisions of Act 298 of the Public Acts of 1917, for the purpose of establishing, operating, maintaining and administering the Municipal Garbage Collection System and/or plant for the collection and disposal of garbage and refuse in the City of Livonia; in addition to the amount authorized to be levied for general municipal purposes;

(k) The Council does hereby establish a tax levy of .4897 mills, of the Taxable Valuation of all real and personal property subject to taxation in the City of Livonia for the fiscal year commencing December 1, 2021 and ending November 30, 2022, for the purpose of defraying City expenses and liabilities for the collection and disposal activities required for curbside recycling and yard waste composting programs; in addition to the amount authorized to be levied for general municipal purposes;

(l) The Council does hereby establish a tax levy of 2.0000 mills to be due and payable on July 1, 2022, of the Taxable Valuation of all real and personal property located within the Plymouth Road Development Authority, subject to taxation in the City of Livonia for the fiscal year commencing December 1, 2021 and ending November 30, 2022, pursuant to the provisions of Act 197 of the Public Acts of 1975, for the purpose of providing revenues for obligations and operations of the Plymouth Road Development Authority, in addition to the amount to be levied for general municipal purposes. This millage shall be effective provided that all residential properties are first removed from the Plymouth Road Development Authority district;

AND PROVIDED FURTHER, that the Wayne County Bureau of Taxation, City Assessor, City Treasurer and City Clerk are hereby authorized and directed to do all things necessary or incidental to the full performance of this resolution, and the City Clerk is hereby requested to immediately transmit copies of this resolution to each of the above offices.

Bahr gave first read to the following Ordinance:

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AN ORDINANCE AMENDING SECTION 30 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF THE LIVONIA VISION 21 ZONING ORDINANCE KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3. _____ THERETO.(Petition 2021-07-01-06)

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

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

#317-21 RESOLVED, that having considered a communication from the City Planning Commission, dated August 19, 2021, approved for submission by the Mayor, and a communication from Mark S. Demorest, Esq., Demorest Law Firm, PLLC, on behalf of Jameel Alhadiss, Quik Stop, Inc., dated August 27, 2021, which in accordance with the provisions of Section 13.13(10) of the Livonia Vision 21 Zoning Ordinance, takes an appeal from a determination made on August 17, 2021, by the City Planning Commission in its resolution #08-42-2021, with regard to Petition 2021-07-02-12 submitted by Quik Stop, Inc., requesting waiver use approval to add fuel 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, and the Council having conducted a public hearing with regard to this matter on Monday, September 27, 2021, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2021-07-02-12 is hereby denied for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 6.26 and 13.13(6) of the Livonia Vision 21 Zoning Ordinance;
2. That the petitioner has failed to demonstrate the need in the area for another gasoline service station, such that there is a strong likelihood that at least one such station will fail and become blighted;
3. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use;
4. That the proposed gasoline service station on this site would be too

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close to residential properties and would therefore have negative effects upon those neighboring properties;

5. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area;

6. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts;

7. That the petitioner has not sufficiently demonstrated that the operation of a gasoline service station would be compatible to and in harmony with the surrounding uses in the area;

8. The installation of underground gasoline storage tanks will limit the future uses for this property by creating substantial liabilities and expenses for subsequent owners and anyone attempting redevelopment for non-gas station purposes;

9. That a gas station at this location would pose a potential environmental threat to Newburgh Lake which is only approximately 125 feet from the subject property; and

10. That the petitioner has failed to allay all the concerns deemed necessary for the safety and welfare of the City and its residents.

During Audience Communication Margaret Oldfield, 34705 Navin Avenue, addressed Council on the garage sale ordinance.

Semara Lumpkin, 27621 Western Golf Drive, also addressed Council on the banners in her subdivision.

Paul Gagel, 27719 Western Golf Drive, commented that he lives in Western Golf Estates and this is the first he has heard about the banners.

On a motion by Toy, supported by McCullough, and unanimously adopted, this 1,931st Regular Meeting of the Council of the City of Livonia was adjourned at 8:20 p.m. on October 18, 2021.

Susan M. Nash, City Clerk