

**OFFICE OF THE COUNCIL**

**COUNCIL MEMBERS**

KATHLEEN E. McINTYRE  
PRESIDENT

SCOTT BAHR  
VICE PRESIDENT

ROB GJONAJ DONOVIC  
JIM JOLLY  
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33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2250  
[citycouncil@livonia.gov](mailto:citycouncil@livonia.gov)

**OFFICE OF THE COUNCIL**

**ELECTRONIC AGENDA PACKET FOR  
THE REGULAR MEETING OF  
MONDAY, NOVEMBER 22, 2021  
7:00 P.M.**

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(734) 466-2250**

**The official documents are on file in the City Clerk's office.**

**1933rd Regular Meeting of the Council of the City of Livonia  
Monday, November 22, 2021**

7:00 p.m. – City Hall Auditorium  
33000 Civic Center Drive  
Livonia, Michigan

**CALL TO ORDER**

**INVOCATION/PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENTATION OF MINUTES** - Minutes of the 1932nd Regular Meeting of November 8, 2021

**AUDIENCE COMMUNICATION**

**REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS**

- a. [Communication from the Department of Finance, dated November 1, 2021, re: forwarding various financial statements of the City of Livonia for the month ending September 30, 2021.](#)

**CONSENT AGENDA**

1. [REQUEST TO APPROVE THE LIVONIA FIRE FIGHTERS UNION \(LFFU\) CONTRACT AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2021 THROUGH NOVEMBER 30, 2024: Civil Service Department, re: same.](#)
2. [REQUEST TO APPROVE BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING NOVEMBER 30, 2021: Department of Finance, re: same.](#)
3. [AWARD OF BID: Department of Parks and Recreation, re: for the fabrication and installation of a fence at Union Briggs Cemetery, from budgeted funds.](#)
4. [REQUEST TO ACCEPT PROPOSALS FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS: Public Service Division, re: for snow fall of over four \(4\) inches for a three-year period \(2021-2022, 2022-2023, 2023-2024\).](#)
5. [REQUEST FOR AUTHORIZATION TO PURCHASE ONE ASPHALT ZIPPER RECLAIMER; Department of Public Works, re: from budgeted funds.](#)
6. [REQUEST FOR ADDITIONS TO THE LOCAL STREET SYSTEM FOR ACT 51 COMPUTATIONS: Engineering Division, re: for streets or portions thereof, newly opened during 2021.](#)



## Agenda for the Regular Meeting of November 22, 2021

7. [REQUEST TO EXTEND THE QUALIFICATION-BASED SELECTION \(QBS\) CONTRACTS WITH OHM ADVISORS, HUBBELL, ROTH AND CLARK, INC., SPALDING DEDECKER ASSOCIATES, INC. AND ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR FIVE YEARS: Engineering Division, re: to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewer, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects from December 1, 2021 through November 30, 2026. \(CR 365-16\)](#)
8. [REQUEST TO APPROVE 2022 ROAD REPAIR PROGRAM: Engineering Division, re: as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year paving millage approved by Livonia residents.](#)
9. [REQUEST FOR ONE-YEAR EXTENSION OF SITE PLAN APPROVAL: Planning Commission, re: Petition 2019-12-08-16, submitted by Ali Hamouch, previously approved by City Council on March 11, 2020, in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station \(Shell\) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16. \(CR 85-20\)](#)
10. [WAIVER PETITION: Planning Commission, re: Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road, located on the S side of Plymouth Road between Middlebelt and Merriman Roads in the Northwest ¼ of Section 35.](#)
11. [PROPOSED 2022 CITY COUNCIL MEETING SCHEDULE: City Council President Kathleen E. McIntyre, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.](#)

### **UNFINISHED BUSINESS**

12. [WAIVER PETITION: Planning Commission, re: Petition 2021-08-02-16 submitted by Mellodie Hastings requesting to operate a day care nursery \(Kid Venture Child Care Center\) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.](#)
13. [SIGN PETITION: Planning Commission, re: Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District \(LAD\), requesting to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.](#)

**NEW BUSINESS**

14. REQUEST FOR AN ADDITIONAL APPROPRIATION AND EXPENDITURE: Engineering Division, re: 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J to close out the contract with Great Lakes Contracting Solutions, LLC in an additional amount not-to-exceed \$130,895.02 and the new total not-to-exceed amount of \$844,815.77. (CR 105-21).
15. Engineering Division, re: Construction Engineering Services for the 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J to close out the contract with Anderson, Eckstein and Westrick, Inc. (AEW) in an additional amount not-to-exceed \$16,362 and the new total not-to-exceed amount of \$121,964. (CR 106-21).

SUSAN M. NASH, CITY CLERK

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email [clerk@livonia.gov](mailto:clerk@livonia.gov) if you need assistance. **Council agendas are available on the City's website – [www.livonia.gov](http://www.livonia.gov) - under Government, City Council, Agendas.**



## LETTER TO THE LIVONIA CITY COUNCIL

Finance  
November 1, 2021

### MEETING DATE

November 22, 2021

### PREPARED BY

DeAnne Bates, Program Supervisor,

### AGENDA ITEM

Communication from the Department of Finance, dated November 1, 2021, re: forwarding various financial statements of the City of Livonia for the month ending September 30, 2021.

### BACKGROUND

Attached hereto are the various financial statements of the City of Livonia for the month ending September 30, 2021. These statements are summarized so that you may make a quick financial overview of the various funds. Detailed statements, in support of the summarized statements, have been forwarded electronically to the Council Office.

### RECOMMENDATION

We respectfully request that City Council receive and file this report.

### FISCAL CONSIDERATION

N/A

### ATTACHMENTS

1. BUDGET TO ACTUAL - COUNCIL SUMMARY - SEPTEMBER 2021

### APPROVED BY

A handwritten signature in black ink that reads "Michael T Slater".

Date: November 01, 2021

Michael Slater, Finance Director

A handwritten signature in black ink that reads "Maureen Miller Brosnan".

Date: November 04, 2021

Maureen Miller Brosnan, Mayor



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                      | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD  |
|---------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|-----------------|
| Fund <b>101 - GENERAL FUND</b>                    |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE</b>                                    |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>000 - ACCOUNT BALANCES</b>          | 63,341,002.00     | .00                  | 63,341,002.00     | 793,683.80                    | .00                 | 59,531,051.49       | 3,809,950.51                 | 94               | 57,682,980.13   |
| <b>REVENUE TOTALS</b>                             | \$63,341,002.00   | \$0.00               | \$63,341,002.00   | \$793,683.80                  | \$0.00              | \$59,531,051.49     | \$3,809,950.51               | 94%              | \$57,682,980.13 |
| <b>EXPENSE</b>                                    |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>101 - CITY COUNCIL</b>              | 294,142.00        | .00                  | 294,142.00        | 23,381.73                     | .00                 | 222,934.60          | 71,207.40                    | 76               | 286,794.68      |
| Department <b>173 - MAYOR'S OFFICE</b>            | 602,660.00        | .00                  | 602,660.00        | 48,813.26                     | .00                 | 472,281.29          | 130,378.71                   | 78               | 458,078.75      |
| Department <b>174 - COMMUNICATIONS</b>            | 488,422.00        | .00                  | 488,422.00        | 35,316.05                     | 5,337.34            | 313,753.55          | 169,331.11                   | 65               | .00             |
| Department <b>175 - GOVERNMENT AFFAIRS</b>        | .00               | .00                  | .00               | .00                           | .00                 | .00                 | .00                          | +++              | .00             |
| Department <b>191 - ACCOUNTING</b>                | 234,432.00        | .00                  | 234,432.00        | 584.19                        | .00                 | 142,053.35          | 92,378.65                    | 61               | 128,003.17      |
| Department <b>192 - FINANCE DEPARTMENT</b>        | 418,272.00        | .00                  | 418,272.00        | 32,637.95                     | .00                 | 326,220.90          | 92,051.10                    | 78               | 308,447.82      |
| Department <b>215 - CITY CLERK</b>                | 647,082.00        | 5,000.00             | 652,082.00        | 50,386.01                     | .00                 | 501,547.80          | 150,534.20                   | 77               | 438,534.04      |
| Department <b>223 - INDEPENDENT AUDIT</b>         | 35,609.00         | .00                  | 35,609.00         | (1,220.00)                    | .00                 | 40,602.04           | (4,993.04)                   | 114              | 33,026.99       |
| Department <b>228 - INFORMATION SYSTEMS</b>       | 1,194,503.00      | .00                  | 1,194,503.00      | 48,020.98                     | 24,390.44           | 976,549.81          | 193,562.75                   | 84               | 754,535.87      |
| Department <b>236 - ETHICS BOARD</b>              | 400.00            | .00                  | 400.00            | .00                           | .00                 | 177.20              | 222.80                       | 44               | 27.52           |
| Department <b>238 - NON DEPARTMENTAL</b>          | 4,000.00          | .00                  | 4,000.00          | .00                           | .00                 | .00                 | 4,000.00                     | 0                | .00             |
| Department <b>247 - BOARD OF REVIEW</b>           | 3,545.00          | .00                  | 3,545.00          | .00                           | .00                 | 2,755.84            | 789.16                       | 78               | 2,432.89        |
| Department <b>253 - TREASURER</b>                 | 566,689.00        | .00                  | 566,689.00        | 40,391.88                     | 4,210.80            | 407,528.21          | 154,949.99                   | 73               | 401,018.60      |
| Department <b>256 - TERMINATION PAY</b>           | 950,000.00        | .00                  | 950,000.00        | 66,115.77                     | .00                 | 962,799.77          | (12,799.77)                  | 101              | 648,026.16      |
| Department <b>257 - ASSESSING</b>                 | 548,658.00        | .00                  | 548,658.00        | 40,116.10                     | 4,555.90            | 403,135.26          | 140,966.84                   | 74               | 368,809.33      |
| Department <b>261 - UTILITIES AND SUPPLIES</b>    | 608,247.00        | .00                  | 608,247.00        | 37,130.62                     | .00                 | 313,395.56          | 294,851.44                   | 52               | 263,909.04      |
| Department <b>262 - ELECTION COMMISSION</b>       | 348,186.00        | (5,000.00)           | 343,186.00        | 22,260.28                     | .00                 | 91,337.61           | 251,848.39                   | 27               | 170,673.29      |
| Department <b>263 - INSURANCE-GENERAL</b>         | 91,711.00         | .00                  | 91,711.00         | (2,302.24)                    | .00                 | 88,529.40           | 3,181.60                     | 97               | 81,739.10       |
| Department <b>264 - INSURANCE-WORKERS COMP</b>    | 325,299.00        | .00                  | 325,299.00        | 41,210.58                     | .00                 | 462,671.08          | (137,372.08)                 | 142              | 217,965.59      |
| Department <b>266 - LAW DEPARTMENT</b>            | 850,822.00        | .00                  | 850,822.00        | 66,153.03                     | .00                 | 660,994.98          | 189,827.02                   | 78               | 627,776.19      |
| Department <b>267 - EMPLOYEE BENEFITS CONTROL</b> | 42,000.00         | .00                  | 42,000.00         | 542,026.13                    | .00                 | (36,252.80)         | 78,252.80                    | -86              | (591,685.04)    |
| Department <b>268 - NON-DEPT CAPITAL PROJECTS</b> | 531,000.00        | .00                  | 531,000.00        | .00                           | .00                 | 527,328.31          | 3,671.69                     | 99               | 1,027,373.20    |
| Department <b>269 - CIVIL SERVICE</b>             | 821,138.00        | .00                  | 821,138.00        | 35,322.95                     | .00                 | 507,533.74          | 313,604.26                   | 62               | 481,207.12      |
| Department <b>271 - LABOR RELATIONS</b>           | 96,500.00         | .00                  | 96,500.00         | 14,818.75                     | .00                 | 62,186.25           | 34,313.75                    | 64               | 52,781.76       |
| Department <b>272 - DUES AND SUBSCRIPTIONS</b>    | 51,000.00         | .00                  | 51,000.00         | 11,185.00                     | .00                 | 41,589.00           | 9,411.00                     | 82               | 39,642.00       |
| Department <b>286 - 16TH DISTRICT COURT</b>       | 3,323,235.00      | .00                  | 3,323,235.00      | 272,974.69                    | 3,594.60            | 2,382,404.94        | 937,235.46                   | 72               | 2,056,318.05    |
| Department <b>302 - TRAFFIC BUREAU</b>            | 1,215,460.00      | .00                  | 1,215,460.00      | 62,213.98                     | 89,375.00           | 670,355.11          | 455,729.89                   | 63               | 723,775.63      |
| Department <b>304 - POLICE ADMINISTRATION</b>     | 2,734,212.00      | 96,000.00            | 2,830,212.00      | 135,240.22                    | 75,774.94           | 1,638,851.89        | 1,115,585.17                 | 61               | 1,580,090.55    |
| Department <b>306 - POLICE DATA PROCESSING</b>    | 853,721.00        | 6,000.00             | 859,721.00        | 37,841.47                     | 28,618.99           | 631,578.76          | 199,523.25                   | 77               | 602,756.08      |
| Department <b>307 - DETECTIVE BUREAU</b>          | 3,400,555.00      | 26,000.00            | 3,426,555.00      | 216,327.75                    | 14,150.00           | 2,685,183.24        | 727,221.76                   | 79               | 2,340,110.78    |
| Department <b>309 - AUTOMOTIVE SERVICE</b>        | 556,150.00        | .00                  | 556,150.00        | 67,056.14                     | .00                 | 400,611.22          | 155,538.78                   | 72               | 258,717.07      |
| Department <b>310 - POLICE COMMUNICATIONS</b>     | 973,482.00        | .00                  | 973,482.00        | 58,119.32                     | 33,424.00           | 570,891.66          | 369,166.34                   | 62               | 615,739.98      |
| Department <b>313 - CROSSING GUARDS</b>           | 70,723.00         | .00                  | 70,723.00         | 1,710.33                      | .00                 | 31,873.78           | 38,849.22                    | 45               | 21,538.44       |
| Department <b>316 - SCHOOL LIAISON</b>            | 411,632.00        | .00                  | 411,632.00        | 11,538.54                     | .00                 | 264,830.64          | 146,801.36                   | 64               | 303,809.61      |
| Department <b>318 - OFFICE OF EMERG PREP</b>      | 133,515.00        | .00                  | 133,515.00        | 11,921.54                     | .00                 | 96,983.79           | 36,531.21                    | 73               | 85,109.42       |
| Department <b>319 - RESERVE POL/SPECIAL EVENT</b> | 342,593.00        | .00                  | 342,593.00        | 21,002.98                     | .00                 | 256,802.35          | 85,790.65                    | 75               | 186,242.07      |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                   | Adopted Budget         | Budget Amendments | Amended Budget         | Current Month Transactions | YTD Encumbrances      | YTD Transactions       | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD         |
|------------------------------------------------|------------------------|-------------------|------------------------|----------------------------|-----------------------|------------------------|---------------------------|---------------|------------------------|
| <b>Fund 101 - GENERAL FUND</b>                 |                        |                   |                        |                            |                       |                        |                           |               |                        |
| <b>EXPENSE</b>                                 |                        |                   |                        |                            |                       |                        |                           |               |                        |
| Department 325 - POLICE PATROL BUREAU          | 13,476,216.00          | (128,000.00)      | 13,348,216.00          | 898,062.26                 | 67,835.57             | 8,754,975.98           | 4,525,404.45              | 66            | 8,123,042.65           |
| Department 329 - INTELLIGENCE BUREAU           | 2,372,561.00           | .00               | 2,372,561.00           | 107,840.71                 | 92,439.00             | 1,288,734.32           | 991,387.68                | 58            | 1,295,361.07           |
| Department 336 - FIRE ADMINISTRATION           | 1,260,045.00           | (4,190.00)        | 1,255,855.00           | 96,998.79                  | 1,723.36              | 977,367.96             | 276,763.68                | 78            | 907,937.57             |
| Department 338 - FIRE FIGHTING                 | 13,357,355.00          | 9,117.00          | 13,366,472.00          | 988,470.59                 | 239,580.08            | 10,564,938.45          | 2,561,953.47              | 81            | 8,526,271.69           |
| Department 341 - FIRE PREVENTION               | 824,309.00             | (4,927.00)        | 819,382.00             | 59,345.21                  | .00                   | 669,916.76             | 149,465.24                | 82            | 543,804.21             |
| Department 371 - INSPECTION                    | 1,685,617.00           | .00               | 1,685,617.00           | 119,467.53                 | .00                   | 1,155,082.56           | 530,534.44                | 69            | 986,429.64             |
| Department 381 - BLDG CODE BD OF APPEALS       | 861.00                 | .00               | 861.00                 | .00                        | .00                   | .00                    | 861.00                    | 0             | .00                    |
| Department 435 - TRAFFIC COMMISSION            | 2,353.00               | .00               | 2,353.00               | 118.41                     | .00                   | 1,345.61               | 1,007.39                  | 57            | 608.22                 |
| Department 441 - PUBLIC SERV ADMIN             | 8,391.00               | (2,200.00)        | 6,191.00               | (24,728.71)                | .00                   | (204,474.41)           | 210,665.41                | -3303         | (165,895.97)           |
| Department 443 - PUBLIC SERV-EQUIP MAINT       | 213,125.00             | (85,000.00)       | 128,125.00             | (10,442.94)                | 14,845.76             | (171,319.19)           | 284,598.43                | -122          | (269,714.71)           |
| Department 447 - ENGINEERING                   | 1,269.00               | 2,200.00          | 3,469.00               | 4,147.15                   | .00                   | (89,260.83)            | 92,729.83                 | -2573         | (148,833.00)           |
| Department 448 - STREET LIGHTING               | 231,648.00             | .00               | 231,648.00             | 17,098.49                  | .00                   | 171,415.36             | 60,232.64                 | 74            | 214,111.10             |
| Department 463 - MAINTENANCE-STREET            | 453,716.00             | .00               | 453,716.00             | (22,202.64)                | 13,238.99             | (199.67)               | 440,676.68                | 3             | (118,931.61)           |
| Department 523 - PUBLIC SERV-BLDG MAINT        | 1,598,450.00           | 85,000.00         | 1,683,450.00           | 118,909.42                 | 68,720.68             | 1,096,464.09           | 518,265.23                | 69            | 2,810,056.94           |
| Department 524 - PARKS                         | 1,425,183.00           | .00               | 1,425,183.00           | 93,370.06                  | 23,086.03             | 727,197.70             | 674,899.27                | 53            | 678,992.98             |
| Department 701 - PLANNING                      | 726,945.00             | .00               | 726,945.00             | 52,373.54                  | .00                   | 506,617.94             | 220,327.06                | 70            | 479,973.08             |
| Department 702 - ZONING BOARD OF APPEALS       | 113,232.00             | .00               | 113,232.00             | 3,392.58                   | .00                   | 41,185.40              | 72,046.60                 | 36            | 35,191.89              |
| Department 752 - RECREATION ADMINISTRATION     | 164,486.00             | (1,200.00)        | 163,286.00             | 8,357.97                   | .00                   | 95,566.67              | 67,719.33                 | 59            | 285,816.70             |
| Department 758 - RECREATION FACILITIES         | 28,825.00              | 15,000.00         | 43,825.00              | 10,028.73                  | 9,808.75              | 28,143.22              | 5,873.03                  | 87            | 379,234.20             |
| Department 759 - RECREATION ATHLETICS          | 89,925.00              | (13,800.00)       | 76,125.00              | 7,170.66                   | .00                   | 70,514.99              | 5,610.01                  | 93            | 34,883.46              |
| Department 820 - PARKS & REC - SENIOR SERVICES | 610,066.00             | .00               | 610,066.00             | 43,778.14                  | .00                   | 431,314.76             | 178,751.24                | 71            | 339,822.78             |
| Department 821 - P&R - GREENMEAD AND CULTURAL  | 917,520.00             | .00               | 917,520.00             | 65,311.83                  | 4,709.17              | 660,574.69             | 252,236.14                | 73            | 655,951.58             |
| <b>EXPENSE TOTALS</b>                          | <b>\$63,331,693.00</b> | <b>\$0.00</b>     | <b>\$63,331,693.00</b> | <b>\$4,685,163.76</b>      | <b>\$819,419.40</b>   | <b>\$43,898,122.49</b> | <b>\$18,614,151.11</b>    | <b>71%</b>    | <b>\$40,567,440.22</b> |
| <b>Fund 101 - GENERAL FUND Totals</b>          |                        |                   |                        |                            |                       |                        |                           |               |                        |
| <b>REVENUE TOTALS</b>                          | <b>63,341,002.00</b>   | <b>.00</b>        | <b>63,341,002.00</b>   | <b>793,683.80</b>          | <b>.00</b>            | <b>59,531,051.49</b>   | <b>3,809,950.51</b>       | <b>94%</b>    | <b>57,682,980.13</b>   |
| <b>EXPENSE TOTALS</b>                          | <b>63,331,693.00</b>   | <b>.00</b>        | <b>63,331,693.00</b>   | <b>4,685,163.76</b>        | <b>819,419.40</b>     | <b>43,898,122.49</b>   | <b>18,614,151.11</b>      | <b>71%</b>    | <b>40,567,440.22</b>   |
| <b>Fund 101 - GENERAL FUND Totals</b>          | <b>\$9,309.00</b>      | <b>\$0.00</b>     | <b>\$9,309.00</b>      | <b>(\$3,891,479.96)</b>    | <b>(\$819,419.40)</b> | <b>\$15,632,929.00</b> | <b>(\$14,804,200.60)</b>  |               | <b>\$17,115,539.91</b> |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                               | Adopted Budget   | Budget Amendments | Amended Budget   | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD   |
|--------------------------------------------|------------------|-------------------|------------------|----------------------------|------------------|------------------|---------------------------|---------------|------------------|
| Fund 202 - MAJOR STREET FUND               |                  |                   |                  |                            |                  |                  |                           |               |                  |
| REVENUE                                    |                  |                   |                  |                            |                  |                  |                           |               |                  |
| Department 000 - ACCOUNT BALANCES          | 8,501,865.00     | .00               | 8,501,865.00     | 1,584,218.81               | .00              | 6,456,431.14     | 2,045,433.86              | 76            | 5,958,865.45     |
| REVENUE TOTALS                             | \$8,501,865.00   | \$0.00            | \$8,501,865.00   | \$1,584,218.81             | \$0.00           | \$6,456,431.14   | \$2,045,433.86            | 76%           | \$5,958,865.45   |
| EXPENSE                                    |                  |                   |                  |                            |                  |                  |                           |               |                  |
| Department 448 - STREET LIGHTING           | 602,433.00       | .00               | 602,433.00       | 39,000.00                  | .00              | 524,433.00       | 78,000.00                 | 87            | 467,737.00       |
| Department 451 - CONST-STREET AND BRIDGES  | 60,000.00        | .00               | 60,000.00        | .00                        | .00              | .00              | 60,000.00                 | 0             | .00              |
| Department 463 - MAINTENANCE-STREET        | 1,202,599.00     | 277,054.00        | 1,479,653.00     | 129,978.04                 | .00              | 635,224.00       | 844,429.00                | 43            | 839,793.60       |
| Department 475 - MAINTENANCE-TRAFFIC SERV  | .00              | .00               | .00              | .00                        | .00              | .00              | .00                       | +++           | .00              |
| Department 478 - MAINT-FREEWAY LIGHTING    | 25,000.00        | .00               | 25,000.00        | 1,314.07                   | .00              | 13,147.65        | 11,852.35                 | 53            | 13,076.03        |
| Department 479 - SNOW AND ICE REMOVAL      | 728,799.00       | .00               | 728,799.00       | 27,398.00                  | .00              | 276,108.50       | 452,690.50                | 38            | 262,710.00       |
| Department 483 - ADMIN, ENGIN RECORD KEEPI | 183,138.00       | .00               | 183,138.00       | 15,261.00                  | .00              | 152,610.00       | 30,528.00                 | 83            | 285,415.00       |
| Department 484 - FUND TRANSFERS            | 7,200,000.00     | .00               | 7,200,000.00     | 600,000.00                 | .00              | 6,000,000.00     | 1,200,000.00              | 83            | 5,500,000.00     |
| EXPENSE TOTALS                             | \$10,001,969.00  | \$277,054.00      | \$10,279,023.00  | \$812,951.11               | \$0.00           | \$7,601,523.15   | \$2,677,499.85            | 74%           | \$7,368,731.63   |
| Fund 202 - MAJOR STREET FUND Totals        |                  |                   |                  |                            |                  |                  |                           |               |                  |
| REVENUE TOTALS                             | 8,501,865.00     | .00               | 8,501,865.00     | 1,584,218.81               | .00              | 6,456,431.14     | 2,045,433.86              | 76%           | 5,958,865.45     |
| EXPENSE TOTALS                             | 10,001,969.00    | 277,054.00        | 10,279,023.00    | 812,951.11                 | .00              | 7,601,523.15     | 2,677,499.85              | 74%           | 7,368,731.63     |
| Fund 202 - MAJOR STREET FUND Totals        | (\$1,500,104.00) | (\$277,054.00)    | (\$1,777,158.00) | \$771,267.70               | \$0.00           | (\$1,145,092.01) | (\$632,065.99)            |               | (\$1,409,866.18) |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

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| Organization                                      | Adopted Budget  | Budget Amendments | Amended Budget  | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---------------------------------------------------|-----------------|-------------------|-----------------|----------------------------|------------------|------------------|---------------------------|---------------|----------------|
| Fund <b>203 - LOCAL STREET FUND</b>               |                 |                   |                 |                            |                  |                  |                           |               |                |
| <b>REVENUE</b>                                    |                 |                   |                 |                            |                  |                  |                           |               |                |
| Department <b>000 - ACCOUNT BALANCES</b>          | 10,435,624.00   | .00               | 10,435,624.00   | 1,200,770.40               | .00              | 8,446,959.13     | 1,988,664.87              | 81            | 7,759,738.39   |
| <b>REVENUE TOTALS</b>                             | \$10,435,624.00 | \$0.00            | \$10,435,624.00 | \$1,200,770.40             | \$0.00           | \$8,446,959.13   | \$1,988,664.87            | 81%           | \$7,759,738.39 |
| <b>EXPENSE</b>                                    |                 |                   |                 |                            |                  |                  |                           |               |                |
| Department <b>448 - STREET LIGHTING</b>           | 118,000.00      | .00               | 118,000.00      | 9,833.00                   | .00              | 98,330.00        | 19,670.00                 | 83            | 85,000.00      |
| Department <b>451 - CONST-STREET AND BRIDGES</b>  | 125,000.00      | .00               | 125,000.00      | .00                        | .00              | .00              | 125,000.00                | 0             | .00            |
| Department <b>463 - MAINTENANCE-STREET</b>        | 1,559,669.00    | .00               | 1,559,669.00    | 233,149.46                 | .00              | 1,318,513.46     | 241,155.54                | 85            | 1,102,687.28   |
| Department <b>475 - MAINTENANCE-TRAFFIC SERV</b>  | .00             | .00               | .00             | .00                        | .00              | .00              | .00                       | +++           | .00            |
| Department <b>479 - SNOW AND ICE REMOVAL</b>      | 421,437.00      | .00               | 421,437.00      | 35,117.00                  | .00              | 351,170.00       | 70,267.00                 | 83            | 346,270.00     |
| Department <b>483 - ADMIN, ENGIN RECORD KEEPI</b> | 654,768.00      | .00               | 654,768.00      | 54,562.00                  | .00              | 545,620.00       | 109,148.00                | 83            | 379,910.00     |
| Department <b>484 - FUND TRANSFERS</b>            | 7,900,000.00    | .00               | 7,900,000.00    | 658,333.00                 | .00              | 6,583,330.00     | 1,316,670.00              | 83            | 6,583,330.00   |
| <b>EXPENSE TOTALS</b>                             | \$10,778,874.00 | \$0.00            | \$10,778,874.00 | \$990,994.46               | \$0.00           | \$8,896,963.46   | \$1,881,910.54            | 83%           | \$8,497,197.28 |
| Fund <b>203 - LOCAL STREET FUND Totals</b>        |                 |                   |                 |                            |                  |                  |                           |               |                |
| <b>REVENUE TOTALS</b>                             | 10,435,624.00   | .00               | 10,435,624.00   | 1,200,770.40               | .00              | 8,446,959.13     | 1,988,664.87              | 81%           | 7,759,738.39   |
| <b>EXPENSE TOTALS</b>                             | 10,778,874.00   | .00               | 10,778,874.00   | 990,994.46                 | .00              | 8,896,963.46     | 1,881,910.54              | 83%           | 8,497,197.28   |
| Fund <b>203 - LOCAL STREET FUND Totals</b>        | (\$343,250.00)  | \$0.00            | (\$343,250.00)  | \$209,775.94               | \$0.00           | (\$450,004.33)   | \$106,754.33              |               | (\$737,458.89) |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

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Prior Fiscal Year Activity Included

| Organization                                        | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD  |
|-----------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|-----------------|
| Fund <b>204 - ROAD - SIDEWALK &amp; TREE</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE</b>                                      |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>000 - ACCOUNT BALANCES</b>            | 12,222,041.00     | .00                  | 12,222,041.00     | 656,118.70                    | .00                 | 10,910,057.96       | 1,311,983.04                 | 89               | 10,807,759.51   |
| <b>REVENUE TOTALS</b>                               | \$12,222,041.00   | \$0.00               | \$12,222,041.00   | \$656,118.70                  | \$0.00              | \$10,910,057.96     | \$1,311,983.04               | 89%              | \$10,807,759.51 |
| <b>EXPENSE</b>                                      |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>441 - PUBLIC SERV ADMIN</b>           | 33,794.00         | .00                  | 33,794.00         | 2,816.00                      | .00                 | 28,160.00           | 5,634.00                     | 83               | 23,050.00       |
| Department <b>447 - ENGINEERING</b>                 | 2,287,000.00      | 184,387.00           | 2,471,387.00      | 68,418.49                     | .00                 | 1,288,233.80        | 1,183,153.20                 | 52               | 951,439.06      |
| Department <b>463 - MAINTENANCE-STREET</b>          | 10,115,000.00     | 1,959,553.00         | 12,074,553.00     | 684,679.05                    | .00                 | 6,145,489.15        | 5,929,063.85                 | 51               | 6,580,864.70    |
| Department <b>530 - FORESTRY</b>                    | 125,000.00        | 5,058.00             | 130,058.00        | (5,058.00)                    | .00                 | 122,788.00          | 7,270.00                     | 94               | 101,160.00      |
| <b>EXPENSE TOTALS</b>                               | \$12,560,794.00   | \$2,148,998.00       | \$14,709,792.00   | \$750,855.54                  | \$0.00              | \$7,584,670.95      | \$7,125,121.05               | 52%              | \$7,656,513.76  |
| Fund <b>204 - ROAD - SIDEWALK &amp; TREE</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE TOTALS</b>                               | 12,222,041.00     | .00                  | 12,222,041.00     | 656,118.70                    | .00                 | 10,910,057.96       | 1,311,983.04                 | 89%              | 10,807,759.51   |
| <b>EXPENSE TOTALS</b>                               | 12,560,794.00     | 2,148,998.00         | 14,709,792.00     | 750,855.54                    | .00                 | 7,584,670.95        | 7,125,121.05                 | 52%              | 7,656,513.76    |
| Fund <b>204 - ROAD - SIDEWALK &amp; TREE</b> Totals | (\$338,753.00)    | (\$2,148,998.00)     | (\$2,487,751.00)  | (\$94,736.84)                 | \$0.00              | \$3,325,387.01      | (\$5,813,138.01)             |                  | \$3,151,245.75  |





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| Organization                                      | Adopted Budget   | Budget Amendments | Amended Budget   | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---------------------------------------------------|------------------|-------------------|------------------|----------------------------|------------------|------------------|---------------------------|---------------|----------------|
| Fund <b>208 - COMMUNITY RECREATION</b>            |                  |                   |                  |                            |                  |                  |                           |               |                |
| <b>REVENUE</b>                                    |                  |                   |                  |                            |                  |                  |                           |               |                |
| Department <b>000 - ACCOUNT BALANCES</b>          | 6,956,311.00     | 22,600.00         | 6,978,911.00     | 227,083.72                 | .00              | 5,989,615.91     | 989,295.09                | 86            | 4,856,708.69   |
| <b>REVENUE TOTALS</b>                             | \$6,956,311.00   | \$22,600.00       | \$6,978,911.00   | \$227,083.72               | \$0.00           | \$5,989,615.91   | \$989,295.09              | 86%           | \$4,856,708.69 |
| <b>EXPENSE</b>                                    |                  |                   |                  |                            |                  |                  |                           |               |                |
| Department <b>755 - RECREATION CENTER</b>         | 6,900,217.00     | 199,013.00        | 7,099,230.00     | 538,206.04                 | 78,884.60        | 4,926,160.50     | 2,094,184.90              | 71            | 4,169,287.52   |
| Department <b>756 - OTHER RECREATION</b>          | 22,100.00        | 165,000.00        | 187,100.00       | .00                        | 150,750.00       | 17,093.75        | 19,256.25                 | 90            | 25,432.75      |
| Department <b>757 - ICE RINK</b>                  | 392,814.00       | .00               | 392,814.00       | .00                        | .00              | 352,858.53       | 39,955.47                 | 90            | 347,739.30     |
| Department <b>776 - SPECIAL EVENTS</b>            | 93,060.00        | .00               | 93,060.00        | 2,890.94                   | .00              | 68,993.90        | 24,066.10                 | 74            | 51,905.97      |
| Department <b>795 - SWIMMING POOL - BOTSFORD</b>  | 274,160.00       | 101,980.00        | 376,140.00       | 704.86                     | 4,076.00         | 311,264.10       | 60,799.90                 | 84            | 100,261.89     |
| Department <b>796 - SWIMMING POOL - CLEMENT C</b> | 140,082.00       | 23,130.00         | 163,212.00       | 9,137.26                   | 6,902.00         | 74,956.86        | 81,353.14                 | 50            | 92,280.95      |
| Department <b>797 - SWIMMING POOL - SHELDON</b>   | 162,922.00       | (16,110.00)       | 146,812.00       | 6,838.96                   | 3,452.00         | 38,853.09        | 104,506.91                | 29            | 1,179.84       |
| <b>EXPENSE TOTALS</b>                             | \$7,985,355.00   | \$473,013.00      | \$8,458,368.00   | \$557,778.06               | \$244,064.60     | \$5,790,180.73   | \$2,424,122.67            | 71%           | \$4,788,088.22 |
| Fund <b>208 - COMMUNITY RECREATION Totals</b>     |                  |                   |                  |                            |                  |                  |                           |               |                |
| <b>REVENUE TOTALS</b>                             | 6,956,311.00     | 22,600.00         | 6,978,911.00     | 227,083.72                 | .00              | 5,989,615.91     | 989,295.09                | 86%           | 4,856,708.69   |
| <b>EXPENSE TOTALS</b>                             | 7,985,355.00     | 473,013.00        | 8,458,368.00     | 557,778.06                 | 244,064.60       | 5,790,180.73     | 2,424,122.67              | 71%           | 4,788,088.22   |
| Fund <b>208 - COMMUNITY RECREATION Totals</b>     | (\$1,029,044.00) | (\$450,413.00)    | (\$1,479,457.00) | (\$330,694.34)             | (\$244,064.60)   | \$199,435.18     | (\$1,434,827.58)          |               | \$68,620.47    |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

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| Organization                         | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|--------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 211 - DESIGNATED PURPOSE        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                              |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES    | 120,000.00        | 150.00               | 120,150.00        | 4,416.50                      | .00                 | 64,817.34           | 55,332.66                    | 54               | 39,230.75      |
| REVENUE TOTALS                       | \$120,000.00      | \$150.00             | \$120,150.00      | \$4,416.50                    | \$0.00              | \$64,817.34         | \$55,332.66                  | 54%              | \$39,230.75    |
| EXPENSE                              |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES    | 120,000.00        | 45,000.00            | 165,000.00        | 2,443.83                      | 10,140.00           | 31,221.43           | 123,638.57                   | 25               | 33,306.98      |
| EXPENSE TOTALS                       | \$120,000.00      | \$45,000.00          | \$165,000.00      | \$2,443.83                    | \$10,140.00         | \$31,221.43         | \$123,638.57                 | 25%              | \$33,306.98    |
| Fund 211 - DESIGNATED PURPOSE Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                       | 120,000.00        | 150.00               | 120,150.00        | 4,416.50                      | .00                 | 64,817.34           | 55,332.66                    | 54%              | 39,230.75      |
| EXPENSE TOTALS                       | 120,000.00        | 45,000.00            | 165,000.00        | 2,443.83                      | 10,140.00           | 31,221.43           | 123,638.57                   | 25%              | 33,306.98      |
| Fund 211 - DESIGNATED PURPOSE Totals | \$0.00            | (\$44,850.00)        | (\$44,850.00)     | \$1,972.67                    | (\$10,140.00)       | \$33,595.91         | (\$68,305.91)                |                  | \$5,923.77     |



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| Organization                                   | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD  |
|------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|-----------------|
| Fund <b>226 - MUNICIPAL REFUSE FUND</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE</b>                                 |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>000 - ACCOUNT BALANCES</b>       | 11,986,251.00     | .00                  | 11,986,251.00     | 14,772.25                     | .00                 | 11,890,698.14       | 95,552.86                    | 99               | 11,841,588.78   |
| <b>REVENUE TOTALS</b>                          | \$11,986,251.00   | \$0.00               | \$11,986,251.00   | \$14,772.25                   | \$0.00              | \$11,890,698.14     | \$95,552.86                  | 99%              | \$11,841,588.78 |
| <b>EXPENSE</b>                                 |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>521 - SANITATION</b>             | 1,159,639.00      | 28,000.00            | 1,187,639.00      | 87,605.01                     | 30,007.25           | 839,732.90          | 317,898.85                   | 73               | 778,306.27      |
| Department <b>528 - PUBLIC SERVICE</b>         | 10,876,144.00     | 188,584.00           | 11,064,728.00     | 433,966.46                    | 87,920.20           | 8,055,453.53        | 2,921,354.27                 | 74               | 7,873,470.95    |
| Department <b>529 - ANIMAL CONTROL</b>         | 313,799.00        | 2,300.00             | 316,099.00        | 19,860.62                     | 274.54              | 185,494.53          | 130,329.93                   | 59               | 325,992.96      |
| <b>EXPENSE TOTALS</b>                          | \$12,349,582.00   | \$218,884.00         | \$12,568,466.00   | \$541,432.09                  | \$118,201.99        | \$9,080,680.96      | \$3,369,583.05               | 73%              | \$8,977,770.18  |
| Fund <b>226 - MUNICIPAL REFUSE FUND Totals</b> |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE TOTALS</b>                          | 11,986,251.00     | .00                  | 11,986,251.00     | 14,772.25                     | .00                 | 11,890,698.14       | 95,552.86                    | 99%              | 11,841,588.78   |
| <b>EXPENSE TOTALS</b>                          | 12,349,582.00     | 218,884.00           | 12,568,466.00     | 541,432.09                    | 118,201.99          | 9,080,680.96        | 3,369,583.05                 | 73%              | 8,977,770.18    |
| Fund <b>226 - MUNICIPAL REFUSE FUND Totals</b> | (\$363,331.00)    | (\$218,884.00)       | (\$582,215.00)    | (\$526,659.84)                | (\$118,201.99)      | \$2,810,017.18      | (\$3,274,030.19)             |                  | \$2,863,818.60  |



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| Organization                                        | Adopted<br>Budget  | Budget<br>Amendments | Amended<br>Budget  | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD     |
|-----------------------------------------------------|--------------------|----------------------|--------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|--------------------|
| Fund <b>242 - LIVONIA BROWNFIELD - LSRRF</b>        |                    |                      |                    |                               |                     |                     |                              |                  |                    |
| <b>REVENUE</b>                                      |                    |                      |                    |                               |                     |                     |                              |                  |                    |
| Department <b>000 - ACCOUNT BALANCES</b>            | 83,000.00          | .00                  | 83,000.00          | (87.90)                       | .00                 | 35,595.86           | 47,404.14                    | 43               | 28,144.84          |
| <b>REVENUE TOTALS</b>                               | <b>\$83,000.00</b> | <b>\$0.00</b>        | <b>\$83,000.00</b> | <b>(\$87.90)</b>              | <b>\$0.00</b>       | <b>\$35,595.86</b>  | <b>\$47,404.14</b>           | <b>43%</b>       | <b>\$28,144.84</b> |
| <b>EXPENSE</b>                                      |                    |                      |                    |                               |                     |                     |                              |                  |                    |
| Department <b>000 - ACCOUNT BALANCES</b>            | 40,627.00          | .00                  | 40,627.00          | 2,552.26                      | .00                 | 25,522.52           | 15,104.48                    | 63               | .00                |
| <b>EXPENSE TOTALS</b>                               | <b>\$40,627.00</b> | <b>\$0.00</b>        | <b>\$40,627.00</b> | <b>\$2,552.26</b>             | <b>\$0.00</b>       | <b>\$25,522.52</b>  | <b>\$15,104.48</b>           | <b>63%</b>       | <b>\$0.00</b>      |
| Fund <b>242 - LIVONIA BROWNFIELD - LSRRF Totals</b> |                    |                      |                    |                               |                     |                     |                              |                  |                    |
| <b>REVENUE TOTALS</b>                               | 83,000.00          | .00                  | 83,000.00          | (87.90)                       | .00                 | 35,595.86           | 47,404.14                    | 43%              | 28,144.84          |
| <b>EXPENSE TOTALS</b>                               | 40,627.00          | .00                  | 40,627.00          | 2,552.26                      | .00                 | 25,522.52           | 15,104.48                    | 63%              | .00                |
| Fund <b>242 - LIVONIA BROWNFIELD - LSRRF Totals</b> | <b>\$42,373.00</b> | <b>\$0.00</b>        | <b>\$42,373.00</b> | <b>(\$2,640.16)</b>           | <b>\$0.00</b>       | <b>\$10,073.34</b>  | <b>\$32,299.66</b>           |                  | <b>\$28,144.84</b> |



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| Organization                                           | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|--------------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>243 - LIVONIA BROWNFIELD REDEV AUTH</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                                |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>               | 490,000.00        | .00                  | 490,000.00        | .00                           | .00                 | 169,055.39          | 320,944.61                   | 35               | 129,879.99     |
| REVENUE TOTALS                                         | \$490,000.00      | \$0.00               | \$490,000.00      | \$0.00                        | \$0.00              | \$169,055.39        | \$320,944.61                 | 35%              | \$129,879.99   |
| EXPENSE                                                |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>               | 490,000.00        | .00                  | 490,000.00        | .00                           | .00                 | 169,055.39          | 320,944.61                   | 35               | 129,879.99     |
| EXPENSE TOTALS                                         | \$490,000.00      | \$0.00               | \$490,000.00      | \$0.00                        | \$0.00              | \$169,055.39        | \$320,944.61                 | 35%              | \$129,879.99   |
| Fund <b>243 - LIVONIA BROWNFIELD REDEV AUTH</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                                         | 490,000.00        | .00                  | 490,000.00        | .00                           | .00                 | 169,055.39          | 320,944.61                   | 35%              | 129,879.99     |
| EXPENSE TOTALS                                         | 490,000.00        | .00                  | 490,000.00        | .00                           | .00                 | 169,055.39          | 320,944.61                   | 35%              | 129,879.99     |
| Fund <b>243 - LIVONIA BROWNFIELD REDEV AUTH</b> Totals | \$0.00            | \$0.00               | \$0.00            | \$0.00                        | \$0.00              | \$0.00              | \$0.00                       |                  | \$0.00         |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                 | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|----------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>244 - ECONOMIC DEVEL CORP</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                      |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>     | 300.00            | .00                  | 300.00            | (7.80)                        | .00                 | 3.68                | 296.32                       | 1                | 280.68         |
| REVENUE TOTALS                               | \$300.00          | \$0.00               | \$300.00          | (\$7.80)                      | \$0.00              | \$3.68              | \$296.32                     | 1%               | \$280.68       |
| EXPENSE                                      |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>     | .00               | .00                  | .00               | .00                           | .00                 | .00                 | .00                          | +++              | 107.65         |
| EXPENSE TOTALS                               | \$0.00            | \$0.00               | \$0.00            | \$0.00                        | \$0.00              | \$0.00              | \$0.00                       | +++              | \$107.65       |
| Fund <b>244 - ECONOMIC DEVEL CORP</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                               | 300.00            | .00                  | 300.00            | (7.80)                        | .00                 | 3.68                | 296.32                       | 1%               | 280.68         |
| EXPENSE TOTALS                               | .00               | .00                  | .00               | .00                           | .00                 | .00                 | .00                          | +++              | 107.65         |
| Fund <b>244 - ECONOMIC DEVEL CORP</b> Totals | \$300.00          | \$0.00               | \$300.00          | (\$7.80)                      | \$0.00              | \$3.68              | \$296.32                     |                  | \$173.03       |



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| Organization                                | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|---------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 248 - PLYMOUTH RD DEV AUTHORITY        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES           | 719,514.00        | .00                  | 719,514.00        | 5,131.90                      | .00                 | 740,923.05          | (21,409.05)                  | 103              | 726,966.76     |
| REVENUE TOTALS                              | \$719,514.00      | \$0.00               | \$719,514.00      | \$5,131.90                    | \$0.00              | \$740,923.05        | (\$21,409.05)                | 103%             | \$726,966.76   |
| EXPENSE                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES           | 712,925.00        | 384,996.00           | 1,097,921.00      | 177,512.50                    | .00                 | 537,478.42          | 560,442.58                   | 49               | 73,731.14      |
| EXPENSE TOTALS                              | \$712,925.00      | \$384,996.00         | \$1,097,921.00    | \$177,512.50                  | \$0.00              | \$537,478.42        | \$560,442.58                 | 49%              | \$73,731.14    |
| Fund 248 - PLYMOUTH RD DEV AUTHORITY Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                              | 719,514.00        | .00                  | 719,514.00        | 5,131.90                      | .00                 | 740,923.05          | (21,409.05)                  | 103%             | 726,966.76     |
| EXPENSE TOTALS                              | 712,925.00        | 384,996.00           | 1,097,921.00      | 177,512.50                    | .00                 | 537,478.42          | 560,442.58                   | 49%              | 73,731.14      |
| Fund 248 - PLYMOUTH RD DEV AUTHORITY Totals | \$6,589.00        | (\$384,996.00)       | (\$378,407.00)    | (\$172,380.60)                | \$0.00              | \$203,444.63        | (\$581,851.63)               |                  | \$653,235.62   |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

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| Organization                             | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>260 - MIDC GRANT</b>             |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b> | 648,952.00        | .00                  | 648,952.00        | .00                           | .00                 | 590,060.92          | 58,891.08                    | 91               | 411,027.35     |
| REVENUE TOTALS                           | \$648,952.00      | \$0.00               | \$648,952.00      | \$0.00                        | \$0.00              | \$590,060.92        | \$58,891.08                  | 91%              | \$411,027.35   |
| EXPENSE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b> | 648,952.00        | .00                  | 648,952.00        | 29,537.60                     | .00                 | 248,119.83          | 400,832.17                   | 38               | 322,404.70     |
| EXPENSE TOTALS                           | \$648,952.00      | \$0.00               | \$648,952.00      | \$29,537.60                   | \$0.00              | \$248,119.83        | \$400,832.17                 | 38%              | \$322,404.70   |
| Fund <b>260 - MIDC GRANT</b> Totals      |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                           | 648,952.00        | .00                  | 648,952.00        | .00                           | .00                 | 590,060.92          | 58,891.08                    | 91%              | 411,027.35     |
| EXPENSE TOTALS                           | 648,952.00        | .00                  | 648,952.00        | 29,537.60                     | .00                 | 248,119.83          | 400,832.17                   | 38%              | 322,404.70     |
| Fund <b>260 - MIDC GRANT</b> Totals      | \$0.00            | \$0.00               | \$0.00            | (\$29,537.60)                 | \$0.00              | \$341,941.09        | (\$341,941.09)               |                  | \$88,622.65    |





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| Organization                                | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|---------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 261 - PUB. SAFETY COMMUNICATION        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES           | 545,000.00        | .00                  | 545,000.00        | 37,505.08                     | .00                 | 320,991.84          | 224,008.16                   | 59               | 416,796.85     |
| REVENUE TOTALS                              | \$545,000.00      | \$0.00               | \$545,000.00      | \$37,505.08                   | \$0.00              | \$320,991.84        | \$224,008.16                 | 59%              | \$416,796.85   |
| EXPENSE                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES           | 1,366,500.00      | 136,603.00           | 1,503,103.00      | 2,620.00                      | 221,321.31          | 331,107.93          | 950,673.76                   | 37               | 158,389.97     |
| EXPENSE TOTALS                              | \$1,366,500.00    | \$136,603.00         | \$1,503,103.00    | \$2,620.00                    | \$221,321.31        | \$331,107.93        | \$950,673.76                 | 37%              | \$158,389.97   |
| Fund 261 - PUB. SAFETY COMMUNICATION Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                              | 545,000.00        | .00                  | 545,000.00        | 37,505.08                     | .00                 | 320,991.84          | 224,008.16                   | 59%              | 416,796.85     |
| EXPENSE TOTALS                              | 1,366,500.00      | 136,603.00           | 1,503,103.00      | 2,620.00                      | 221,321.31          | 331,107.93          | 950,673.76                   | 37%              | 158,389.97     |
| Fund 261 - PUB. SAFETY COMMUNICATION Totals | (\$821,500.00)    | (\$136,603.00)       | (\$958,103.00)    | \$34,885.08                   | (\$221,321.31)      | (\$10,116.09)       | (\$726,665.60)               |                  | \$258,406.88   |



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Prior Fiscal Year Activity Included

| Organization                                           | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|--------------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>262 - ADJUDICATED FORFEITURES</b>              |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE</b>                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>               | 225,000.00        | .00                  | 225,000.00        | 5,306.43                      | .00                 | 219,389.83          | 5,610.17                     | 98               | 222,309.79     |
| <b>REVENUE TOTALS</b>                                  | \$225,000.00      | \$0.00               | \$225,000.00      | \$5,306.43                    | \$0.00              | \$219,389.83        | \$5,610.17                   | 98%              | \$222,309.79   |
| <b>EXPENSE</b>                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>333 - STATE/LOCAL FORFEITURE EX</b>      | 516,350.00        | .00                  | 516,350.00        | 2,324.87                      | 9,848.60            | 63,084.15           | 443,417.25                   | 14               | 35,779.83      |
| Department <b>334 - FEDERAL FORFEITURE EXP</b>         | 301,865.00        | 1,140.00             | 303,005.00        | 4,749.14                      | .00                 | 79,689.22           | 223,315.78                   | 26               | 79,590.12      |
| Department <b>335 - CONTINUING CRIMINAL ENTERPRISE</b> | 145,000.00        | .00                  | 145,000.00        | 4,235.22                      | .00                 | 16,679.24           | 128,320.76                   | 12               | 9,227.08       |
| <b>EXPENSE TOTALS</b>                                  | \$963,215.00      | \$1,140.00           | \$964,355.00      | \$11,309.23                   | \$9,848.60          | \$159,452.61        | \$795,053.79                 | 18%              | \$124,597.03   |
| Fund <b>262 - ADJUDICATED FORFEITURES</b> Totals       |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE TOTALS</b>                                  | 225,000.00        | .00                  | 225,000.00        | 5,306.43                      | .00                 | 219,389.83          | 5,610.17                     | 98%              | 222,309.79     |
| <b>EXPENSE TOTALS</b>                                  | 963,215.00        | 1,140.00             | 964,355.00        | 11,309.23                     | 9,848.60            | 159,452.61          | 795,053.79                   | 18%              | 124,597.03     |
| Fund <b>262 - ADJUDICATED FORFEITURES</b> Totals       | (\$738,215.00)    | (\$1,140.00)         | (\$739,355.00)    | (\$6,002.80)                  | (\$9,848.60)        | \$59,937.22         | (\$789,443.62)               |                  | \$97,712.76    |



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| Organization                            | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|-----------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 270 - HISTORICAL COMMISSION        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                 |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES       | 115,200.00        | 1,787.00             | 116,987.00        | 19,471.84                     | .00                 | 103,286.10          | 13,700.90                    | 88               | 17,206.91      |
| REVENUE TOTALS                          | \$115,200.00      | \$1,787.00           | \$116,987.00      | \$19,471.84                   | \$0.00              | \$103,286.10        | \$13,700.90                  | 88%              | \$17,206.91    |
| EXPENSE                                 |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES       | 84,000.00         | 39,480.00            | 123,480.00        | 6,214.00                      | 24,360.70           | 23,892.87           | 75,226.43                    | 39               | 19,712.66      |
| EXPENSE TOTALS                          | \$84,000.00       | \$39,480.00          | \$123,480.00      | \$6,214.00                    | \$24,360.70         | \$23,892.87         | \$75,226.43                  | 39%              | \$19,712.66    |
| Fund 270 - HISTORICAL COMMISSION Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                          | 115,200.00        | 1,787.00             | 116,987.00        | 19,471.84                     | .00                 | 103,286.10          | 13,700.90                    | 88%              | 17,206.91      |
| EXPENSE TOTALS                          | 84,000.00         | 39,480.00            | 123,480.00        | 6,214.00                      | 24,360.70           | 23,892.87           | 75,226.43                    | 39%              | 19,712.66      |
| Fund 270 - HISTORICAL COMMISSION Totals | \$31,200.00       | (\$37,693.00)        | (\$6,493.00)      | \$13,257.84                   | (\$24,360.70)       | \$79,393.23         | (\$61,525.53)                |                  | (\$2,505.75)   |



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| Organization                                 | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|----------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>271 - LIBRARY FUND</b>               |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE</b>                               |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>     | 4,129,019.00      | .00                  | 4,129,019.00      | 19,150.24                     | .00                 | 4,069,517.04        | 59,501.96                    | 99               | 4,182,536.05   |
| <b>REVENUE TOTALS</b>                        | \$4,129,019.00    | \$0.00               | \$4,129,019.00    | \$19,150.24                   | \$0.00              | \$4,069,517.04      | \$59,501.96                  | 99%              | \$4,182,536.05 |
| <b>EXPENSE</b>                               |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>778 - CIVIC CENTER LIBRARY</b> | 3,381,149.00      | 183,500.00           | 3,564,649.00      | 227,788.31                    | 60,972.11           | 2,277,554.48        | 1,226,122.41                 | 66               | 1,875,548.94   |
| Department <b>779 - NOBLE LIBRARY</b>        | .00               | 20,000.00            | 20,000.00         | 522.75                        | .00                 | 9,054.53            | 10,945.47                    | 45               | 90,730.95      |
| Department <b>780 - SANDBURG LIBRARY</b>     | 749,504.00        | 16,391.00            | 765,895.00        | 51,131.70                     | 2,635.00            | 549,940.71          | 213,319.29                   | 72               | 418,211.62     |
| <b>EXPENSE TOTALS</b>                        | \$4,130,653.00    | \$219,891.00         | \$4,350,544.00    | \$279,442.76                  | \$63,607.11         | \$2,836,549.72      | \$1,450,387.17               | 67%              | \$2,384,491.51 |
| Fund <b>271 - LIBRARY FUND Totals</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE TOTALS</b>                        | 4,129,019.00      | .00                  | 4,129,019.00      | 19,150.24                     | .00                 | 4,069,517.04        | 59,501.96                    | 99%              | 4,182,536.05   |
| <b>EXPENSE TOTALS</b>                        | 4,130,653.00      | 219,891.00           | 4,350,544.00      | 279,442.76                    | 63,607.11           | 2,836,549.72        | 1,450,387.17                 | 67%              | 2,384,491.51   |
| Fund <b>271 - LIBRARY FUND Totals</b>        | (\$1,634.00)      | (\$219,891.00)       | (\$221,525.00)    | (\$260,292.52)                | (\$63,607.11)       | \$1,232,967.32      | (\$1,390,885.21)             |                  | \$1,798,044.54 |



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| Organization                           | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|----------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 272 - ARTS COMMISSION FUND        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES      | 17,000.00         | .00                  | 17,000.00         | 726.68                        | .00                 | 12,302.92           | 4,697.08                     | 72               | 1,388.87       |
| REVENUE TOTALS                         | \$17,000.00       | \$0.00               | \$17,000.00       | \$726.68                      | \$0.00              | \$12,302.92         | \$4,697.08                   | 72%              | \$1,388.87     |
| EXPENSE                                |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES      | 13,000.00         | .00                  | 13,000.00         | .00                           | .00                 | 6,199.60            | 6,800.40                     | 48               | 212.50         |
| EXPENSE TOTALS                         | \$13,000.00       | \$0.00               | \$13,000.00       | \$0.00                        | \$0.00              | \$6,199.60          | \$6,800.40                   | 48%              | \$212.50       |
| Fund 272 - ARTS COMMISSION FUND Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                         | 17,000.00         | .00                  | 17,000.00         | 726.68                        | .00                 | 12,302.92           | 4,697.08                     | 72%              | 1,388.87       |
| EXPENSE TOTALS                         | 13,000.00         | .00                  | 13,000.00         | .00                           | .00                 | 6,199.60            | 6,800.40                     | 48%              | 212.50         |
| Fund 272 - ARTS COMMISSION FUND Totals | \$4,000.00        | \$0.00               | \$4,000.00        | \$726.68                      | \$0.00              | \$6,103.32          | (\$2,103.32)                 |                  | \$1,176.37     |



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| Organization                             | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 286 - TRANSIT & CAPITAL IMPR        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES        | 2,407,245.00      | .00                  | 2,407,245.00      | (6.90)                        | .00                 | 2,432,616.05        | (25,371.05)                  | 101              | 2,340,772.10   |
| REVENUE TOTALS                           | \$2,407,245.00    | \$0.00               | \$2,407,245.00    | (\$6.90)                      | \$0.00              | \$2,432,616.05      | (\$25,371.05)                | 101%             | \$2,340,772.10 |
| EXPENSE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES        | 2,407,245.00      | .00                  | 2,407,245.00      | .00                           | .00                 | 2,407,245.00        | .00                          | 100              | 2,308,717.00   |
| EXPENSE TOTALS                           | \$2,407,245.00    | \$0.00               | \$2,407,245.00    | \$0.00                        | \$0.00              | \$2,407,245.00      | \$0.00                       | 100%             | \$2,308,717.00 |
| Fund 286 - TRANSIT & CAPITAL IMPR Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                           | 2,407,245.00      | .00                  | 2,407,245.00      | (6.90)                        | .00                 | 2,432,616.05        | (25,371.05)                  | 101%             | 2,340,772.10   |
| EXPENSE TOTALS                           | 2,407,245.00      | .00                  | 2,407,245.00      | .00                           | .00                 | 2,407,245.00        | .00                          | 100%             | 2,308,717.00   |
| Fund 286 - TRANSIT & CAPITAL IMPR Totals | \$0.00            | \$0.00               | \$0.00            | (\$6.90)                      | \$0.00              | \$25,371.05         | (\$25,371.05)                |                  | \$32,055.10    |



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Prior Fiscal Year Activity Included

| Organization                                       | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|----------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>288 - COMMUNITY TRANSIT PROGRAM</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>           | 994,828.00        | .00                  | 994,828.00        | 2,459.89                      | .00                 | 943,042.31          | 51,785.69                    | 95               | 948,548.42     |
| <b>REVENUE TOTALS</b>                              | \$994,828.00      | \$0.00               | \$994,828.00      | \$2,459.89                    | \$0.00              | \$943,042.31        | \$51,785.69                  | 95%              | \$948,548.42   |
| <b>EXPENSE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>606 - COMM TRANSIT DISPATCHERS</b>   | 101,050.00        | .00                  | 101,050.00        | 6,461.14                      | .00                 | 69,614.86           | 31,435.14                    | 69               | 64,716.02      |
| Department <b>607 - COMMUNITY TRANSIT ADMIN</b>    | 130,486.00        | .00                  | 130,486.00        | 9,816.65                      | .00                 | 100,821.18          | 29,664.82                    | 77               | 128,105.55     |
| Department <b>608 - COMMUNITY TRANSIT</b>          | 907,863.00        | .00                  | 907,863.00        | 28,048.04                     | 79,744.00           | 335,369.03          | 492,749.97                   | 46               | 333,650.20     |
| <b>EXPENSE TOTALS</b>                              | \$1,139,399.00    | \$0.00               | \$1,139,399.00    | \$44,325.83                   | \$79,744.00         | \$505,805.07        | \$553,849.93                 | 51%              | \$526,471.77   |
| Fund <b>288 - COMMUNITY TRANSIT PROGRAM</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE TOTALS</b>                              | 994,828.00        | .00                  | 994,828.00        | 2,459.89                      | .00                 | 943,042.31          | 51,785.69                    | 95%              | 948,548.42     |
| <b>EXPENSE TOTALS</b>                              | 1,139,399.00      | .00                  | 1,139,399.00      | 44,325.83                     | 79,744.00           | 505,805.07          | 553,849.93                   | 51%              | 526,471.77     |
| Fund <b>288 - COMMUNITY TRANSIT PROGRAM</b> Totals | (\$144,571.00)    | \$0.00               | (\$144,571.00)    | (\$41,865.94)                 | (\$79,744.00)       | \$437,237.24        | (\$502,064.24)               |                  | \$422,076.65   |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                   | Adopted<br>Budget    | Budget<br>Amendments | Amended<br>Budget    | Current Month<br>Transactions | YTD<br>Encumbrances  | YTD<br>Transactions  | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD      |
|------------------------------------------------|----------------------|----------------------|----------------------|-------------------------------|----------------------|----------------------|------------------------------|------------------|---------------------|
| <b>Fund 297 - CABLE TELEVISION FUND</b>        |                      |                      |                      |                               |                      |                      |                              |                  |                     |
| <b>REVENUE</b>                                 |                      |                      |                      |                               |                      |                      |                              |                  |                     |
| Department 000 - ACCOUNT BALANCES              | 421,100.00           | .00                  | 421,100.00           | (271.54)                      | .00                  | 288,440.69           | 132,659.31                   | 68               | 312,191.36          |
| <b>REVENUE TOTALS</b>                          | <b>\$421,100.00</b>  | <b>\$0.00</b>        | <b>\$421,100.00</b>  | <b>(\$271.54)</b>             | <b>\$0.00</b>        | <b>\$288,440.69</b>  | <b>\$132,659.31</b>          | <b>68%</b>       | <b>\$312,191.36</b> |
| <b>EXPENSE</b>                                 |                      |                      |                      |                               |                      |                      |                              |                  |                     |
| Department 806 - CABLE TELEVISION              | 507,616.00           | .00                  | 507,616.00           | 33,670.40                     | 10,474.91            | 348,253.59           | 148,887.50                   | 71               | 305,439.53          |
| <b>EXPENSE TOTALS</b>                          | <b>\$507,616.00</b>  | <b>\$0.00</b>        | <b>\$507,616.00</b>  | <b>\$33,670.40</b>            | <b>\$10,474.91</b>   | <b>\$348,253.59</b>  | <b>\$148,887.50</b>          | <b>71%</b>       | <b>\$305,439.53</b> |
| <b>Fund 297 - CABLE TELEVISION FUND Totals</b> |                      |                      |                      |                               |                      |                      |                              |                  |                     |
| <b>REVENUE TOTALS</b>                          | <b>421,100.00</b>    | <b>.00</b>           | <b>421,100.00</b>    | <b>(271.54)</b>               | <b>.00</b>           | <b>288,440.69</b>    | <b>132,659.31</b>            | <b>68%</b>       | <b>312,191.36</b>   |
| <b>EXPENSE TOTALS</b>                          | <b>507,616.00</b>    | <b>.00</b>           | <b>507,616.00</b>    | <b>33,670.40</b>              | <b>10,474.91</b>     | <b>348,253.59</b>    | <b>148,887.50</b>            | <b>71%</b>       | <b>305,439.53</b>   |
| <b>Fund 297 - CABLE TELEVISION FUND Totals</b> | <b>(\$86,516.00)</b> | <b>\$0.00</b>        | <b>(\$86,516.00)</b> | <b>(\$33,941.94)</b>          | <b>(\$10,474.91)</b> | <b>(\$59,812.90)</b> | <b>(\$16,228.19)</b>         |                  | <b>\$6,751.83</b>   |





# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                    | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|-------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>372 - D/S 2015 MBA REFUNDING</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>        | 184,457.00        | .00                  | 184,457.00        | .00                           | .00                 | 175,997.50          | 8,459.50                     | 95               | 172,973.50     |
| REVENUE TOTALS                                  | \$184,457.00      | \$0.00               | \$184,457.00      | \$0.00                        | \$0.00              | \$175,997.50        | \$8,459.50                   | 95%              | \$172,973.50   |
| EXPENSE                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>        | 184,457.00        | .00                  | 184,457.00        | .00                           | .00                 | 175,997.50          | 8,459.50                     | 95               | 172,973.50     |
| EXPENSE TOTALS                                  | \$184,457.00      | \$0.00               | \$184,457.00      | \$0.00                        | \$0.00              | \$175,997.50        | \$8,459.50                   | 95%              | \$172,973.50   |
| Fund <b>372 - D/S 2015 MBA REFUNDING</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                                  | 184,457.00        | .00                  | 184,457.00        | .00                           | .00                 | 175,997.50          | 8,459.50                     | 95%              | 172,973.50     |
| EXPENSE TOTALS                                  | 184,457.00        | .00                  | 184,457.00        | .00                           | .00                 | 175,997.50          | 8,459.50                     | 95%              | 172,973.50     |
| Fund <b>372 - D/S 2015 MBA REFUNDING</b> Totals | \$0.00            | \$0.00               | \$0.00            | \$0.00                        | \$0.00              | \$0.00              | \$0.00                       |                  | \$0.00         |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                             | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 373 - D/S 2016 MBA REFUNDING        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES        | 551,000.00        | .00                  | 551,000.00        | .00                           | .00                 | 446,600.00          | 104,400.00                   | 81               | 438,000.00     |
| REVENUE TOTALS                           | \$551,000.00      | \$0.00               | \$551,000.00      | \$0.00                        | \$0.00              | \$446,600.00        | \$104,400.00                 | 81%              | \$438,000.00   |
| EXPENSE                                  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES        | 551,000.00        | .00                  | 551,000.00        | .00                           | .00                 | 446,600.00          | 104,400.00                   | 81               | 438,000.00     |
| EXPENSE TOTALS                           | \$551,000.00      | \$0.00               | \$551,000.00      | \$0.00                        | \$0.00              | \$446,600.00        | \$104,400.00                 | 81%              | \$438,000.00   |
| Fund 373 - D/S 2016 MBA REFUNDING Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                           | 551,000.00        | .00                  | 551,000.00        | .00                           | .00                 | 446,600.00          | 104,400.00                   | 81%              | 438,000.00     |
| EXPENSE TOTALS                           | 551,000.00        | .00                  | 551,000.00        | .00                           | .00                 | 446,600.00          | 104,400.00                   | 81%              | 438,000.00     |
| Fund 373 - D/S 2016 MBA REFUNDING Totals | \$0.00            | \$0.00               | \$0.00            | \$0.00                        | \$0.00              | \$0.00              | \$0.00                       |                  | \$0.00         |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                    | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|-------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>374 - D/S 2017 MBA REFUNDING</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>        | 1,993,850.00      | .00                  | 1,993,850.00      | .00                           | .00                 | 1,692,450.00        | 301,400.00                   | 85               | 1,672,400.00   |
| REVENUE TOTALS                                  | \$1,993,850.00    | \$0.00               | \$1,993,850.00    | \$0.00                        | \$0.00              | \$1,692,450.00      | \$301,400.00                 | 85%              | \$1,672,400.00 |
| EXPENSE                                         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>        | 1,993,850.00      | .00                  | 1,993,850.00      | .00                           | .00                 | 1,692,450.00        | 301,400.00                   | 85               | 1,672,400.00   |
| EXPENSE TOTALS                                  | \$1,993,850.00    | \$0.00               | \$1,993,850.00    | \$0.00                        | \$0.00              | \$1,692,450.00      | \$301,400.00                 | 85%              | \$1,672,400.00 |
| Fund <b>374 - D/S 2017 MBA REFUNDING</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                                  | 1,993,850.00      | .00                  | 1,993,850.00      | .00                           | .00                 | 1,692,450.00        | 301,400.00                   | 85%              | 1,672,400.00   |
| EXPENSE TOTALS                                  | 1,993,850.00      | .00                  | 1,993,850.00      | .00                           | .00                 | 1,692,450.00        | 301,400.00                   | 85%              | 1,672,400.00   |
| Fund <b>374 - D/S 2017 MBA REFUNDING</b> Totals | \$0.00            | \$0.00               | \$0.00            | \$0.00                        | \$0.00              | \$0.00              | \$0.00                       |                  | \$0.00         |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                              | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|-------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>401 - CAPITAL PROJECTS</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                                   |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>  | 2,182,245.00      | .00                  | 2,182,245.00      | (2,736.78)                    | .00                 | 2,133,587.29        | 48,657.71                    | 98               | 2,626,216.03   |
| REVENUE TOTALS                            | \$2,182,245.00    | \$0.00               | \$2,182,245.00    | (\$2,736.78)                  | \$0.00              | \$2,133,587.29      | \$48,657.71                  | 98%              | \$2,626,216.03 |
| EXPENSE                                   |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>  | 2,501,450.00      | 4,654,895.00         | 7,156,345.00      | 80,873.69                     | 1,197,193.55        | 1,021,604.21        | 4,937,547.24                 | 31               | 2,167,602.74   |
| EXPENSE TOTALS                            | \$2,501,450.00    | \$4,654,895.00       | \$7,156,345.00    | \$80,873.69                   | \$1,197,193.55      | \$1,021,604.21      | \$4,937,547.24               | 31%              | \$2,167,602.74 |
| Fund <b>401 - CAPITAL PROJECTS</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                            | 2,182,245.00      | .00                  | 2,182,245.00      | (2,736.78)                    | .00                 | 2,133,587.29        | 48,657.71                    | 98%              | 2,626,216.03   |
| EXPENSE TOTALS                            | 2,501,450.00      | 4,654,895.00         | 7,156,345.00      | 80,873.69                     | 1,197,193.55        | 1,021,604.21        | 4,937,547.24                 | 31%              | 2,167,602.74   |
| Fund <b>401 - CAPITAL PROJECTS</b> Totals | (\$319,205.00)    | (\$4,654,895.00)     | (\$4,974,100.00)  | (\$83,610.47)                 | (\$1,197,193.55)    | \$1,111,983.08      | (\$4,888,889.53)             |                  | \$458,613.29   |



# BUDGET TO ACTUAL - COUNCIL SUMMARY - 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                       | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|----------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>418 - BUILDING IMPROVEMENT FUND</b>        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>           | 5,000.00          | .00                  | 5,000.00          | (1,027.32)                    | .00                 | 491.50              | 4,508.50                     | 10               | 14,281.52      |
| <b>REVENUE TOTALS</b>                              | \$5,000.00        | \$0.00               | \$5,000.00        | (\$1,027.32)                  | \$0.00              | \$491.50            | \$4,508.50                   | 10%              | \$14,281.52    |
| <b>EXPENSE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>           | 100,000.00        | .00                  | 100,000.00        | 1,938.75                      | .00                 | 7,890.68            | 92,109.32                    | 8                | .00            |
| <b>EXPENSE TOTALS</b>                              | \$100,000.00      | \$0.00               | \$100,000.00      | \$1,938.75                    | \$0.00              | \$7,890.68          | \$92,109.32                  | 8%               | \$0.00         |
| Fund <b>418 - BUILDING IMPROVEMENT FUND</b> Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE TOTALS</b>                              | 5,000.00          | .00                  | 5,000.00          | (1,027.32)                    | .00                 | 491.50              | 4,508.50                     | 10%              | 14,281.52      |
| <b>EXPENSE TOTALS</b>                              | 100,000.00        | .00                  | 100,000.00        | 1,938.75                      | .00                 | 7,890.68            | 92,109.32                    | 8%               | .00            |
| Fund <b>418 - BUILDING IMPROVEMENT FUND</b> Totals | (\$95,000.00)     | \$0.00               | (\$95,000.00)     | (\$2,966.07)                  | \$0.00              | (\$7,399.18)        | (\$87,600.82)                |                  | \$14,281.52    |



# BUDGET TO ACTUAL - COUNCIL SUMMARY -

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| Organization                       | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 536 - NEWBURGH VILLAGE        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                            |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES  | 838,400.00        | .00                  | 838,400.00        | 66,840.00                     | .00                 | 689,849.15          | 148,550.85                   | 82               | 680,733.45     |
| REVENUE TOTALS                     | \$838,400.00      | \$0.00               | \$838,400.00      | \$66,840.00                   | \$0.00              | \$689,849.15        | \$148,550.85                 | 82%              | \$680,733.45   |
| EXPENSE                            |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 677 - NEWBURGH VILLAGE  | 728,084.00        | .00                  | 728,084.00        | 50,690.30                     | 817.50              | 492,381.03          | 234,885.47                   | 68               | 422,787.97     |
| EXPENSE TOTALS                     | \$728,084.00      | \$0.00               | \$728,084.00      | \$50,690.30                   | \$817.50            | \$492,381.03        | \$234,885.47                 | 68%              | \$422,787.97   |
| Fund 536 - NEWBURGH VILLAGE Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                     | 838,400.00        | .00                  | 838,400.00        | 66,840.00                     | .00                 | 689,849.15          | 148,550.85                   | 82%              | 680,733.45     |
| EXPENSE TOTALS                     | 728,084.00        | .00                  | 728,084.00        | 50,690.30                     | 817.50              | 492,381.03          | 234,885.47                   | 68%              | 422,787.97     |
| Fund 536 - NEWBURGH VILLAGE Totals | \$110,316.00      | \$0.00               | \$110,316.00      | \$16,149.70                   | (\$817.50)          | \$197,468.12        | (\$86,334.62)                |                  | \$257,945.48   |



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| Organization                          | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|---------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund 538 - SILVER VILLAGE FUND        |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE                               |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 000 - ACCOUNT BALANCES     | 674,210.00        | .00                  | 674,210.00        | 51,820.44                     | .00                 | 544,981.93          | 129,228.07                   | 81               | 558,036.12     |
| REVENUE TOTALS                        | \$674,210.00      | \$0.00               | \$674,210.00      | \$51,820.44                   | \$0.00              | \$544,981.93        | \$129,228.07                 | 81%              | \$558,036.12   |
| EXPENSE                               |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department 676 - SILVER VILLAGE       | 586,164.00        | .00                  | 586,164.00        | 30,238.21                     | .00                 | 353,176.03          | 232,987.97                   | 60               | 356,025.85     |
| EXPENSE TOTALS                        | \$586,164.00      | \$0.00               | \$586,164.00      | \$30,238.21                   | \$0.00              | \$353,176.03        | \$232,987.97                 | 60%              | \$356,025.85   |
| Fund 538 - SILVER VILLAGE FUND Totals |                   |                      |                   |                               |                     |                     |                              |                  |                |
| REVENUE TOTALS                        | 674,210.00        | .00                  | 674,210.00        | 51,820.44                     | .00                 | 544,981.93          | 129,228.07                   | 81%              | 558,036.12     |
| EXPENSE TOTALS                        | 586,164.00        | .00                  | 586,164.00        | 30,238.21                     | .00                 | 353,176.03          | 232,987.97                   | 60%              | 356,025.85     |
| Fund 538 - SILVER VILLAGE FUND Totals | \$88,046.00       | \$0.00               | \$88,046.00       | \$21,582.23                   | \$0.00              | \$191,805.90        | (\$103,759.90)               |                  | \$202,010.27   |



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| Organization                               | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD |
|--------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|----------------|
| Fund <b>584 - GOLF COURSE FUND</b>         |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE</b>                             |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>   | 2,055,363.00      | .00                  | 2,055,363.00      | 288,109.74                    | .00                 | 2,062,141.43        | (6,778.43)                   | 100              | 1,766,694.18   |
| <b>REVENUE TOTALS</b>                      | \$2,055,363.00    | \$0.00               | \$2,055,363.00    | \$288,109.74                  | \$0.00              | \$2,062,141.43      | (\$6,778.43)                 | 100%             | \$1,766,694.18 |
| <b>EXPENSE</b>                             |                   |                      |                   |                               |                     |                     |                              |                  |                |
| Department <b>000 - ACCOUNT BALANCES</b>   | .00               | .00                  | .00               | .00                           | .00                 | .00                 | .00                          | +++              | .00            |
| Department <b>773 - WHISPERING WILLOWS</b> | 712,974.00        | 2,904.00             | 715,878.00        | 51,506.54                     | .00                 | 531,708.70          | 184,169.30                   | 74               | 512,052.75     |
| Department <b>774 - IDYL WYLD</b>          | 533,974.00        | (2,096.00)           | 531,878.00        | 44,954.76                     | 1,894.45            | 425,912.49          | 104,071.06                   | 80               | 368,959.59     |
| Department <b>775 - FOX CREEK</b>          | 779,372.00        | 3,404.00             | 782,776.00        | 51,924.33                     | 1,894.45            | 512,660.33          | 268,221.22                   | 66               | 465,702.96     |
| <b>EXPENSE TOTALS</b>                      | \$2,026,320.00    | \$4,212.00           | \$2,030,532.00    | \$148,385.63                  | \$3,788.90          | \$1,470,281.52      | \$556,461.58                 | 73%              | \$1,346,715.30 |
| Fund <b>584 - GOLF COURSE FUND</b> Totals  |                   |                      |                   |                               |                     |                     |                              |                  |                |
| <b>REVENUE TOTALS</b>                      | 2,055,363.00      | .00                  | 2,055,363.00      | 288,109.74                    | .00                 | 2,062,141.43        | (6,778.43)                   | 100%             | 1,766,694.18   |
| <b>EXPENSE TOTALS</b>                      | 2,026,320.00      | 4,212.00             | 2,030,532.00      | 148,385.63                    | 3,788.90            | 1,470,281.52        | 556,461.58                   | 73%              | 1,346,715.30   |
| Fund <b>584 - GOLF COURSE FUND</b> Totals  | \$29,043.00       | (\$4,212.00)         | \$24,831.00       | \$139,724.11                  | (\$3,788.90)        | \$591,859.91        | (\$563,240.01)               |                  | \$419,978.88   |





# BUDGET TO ACTUAL - COUNCIL SUMMARY -

## 9/30/2021

Through 09/30/21

Prior Fiscal Year Activity Included

| Organization                                       | Adopted<br>Budget | Budget<br>Amendments | Amended<br>Budget | Current Month<br>Transactions | YTD<br>Encumbrances | YTD<br>Transactions | Budget - YTD<br>Transactions | % Used/<br>Rec'd | Prior Year YTD  |
|----------------------------------------------------|-------------------|----------------------|-------------------|-------------------------------|---------------------|---------------------|------------------------------|------------------|-----------------|
| Fund <b>592 - WATER AND SEWER FUND</b>             |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>000 - ACCOUNT BALANCES</b>           | 43,652,866.00     | .00                  | 43,652,866.00     | 3,461,789.15                  | .00                 | 33,218,648.60       | 10,434,217.40                | 76               | 35,575,588.70   |
| <b>REVENUE TOTALS</b>                              | \$43,652,866.00   | \$0.00               | \$43,652,866.00   | \$3,461,789.15                | \$0.00              | \$33,218,648.60     | \$10,434,217.40              | 76%              | \$35,575,588.70 |
| <b>EXPENSE</b>                                     |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| Department <b>558 - W &amp; S FINANCIAL ADMIN</b>  | 35,034,916.00     | 3,506.00             | 35,038,422.00     | 2,818,348.98                  | .00                 | 28,312,046.89       | 6,726,375.11                 | 81               | 28,296,423.66   |
| Department <b>559 - W &amp; S FIELD OPERATIONS</b> | 7,087,611.00      | 150,000.00           | 7,237,611.00      | 507,080.41                    | 25,219.83           | 5,230,993.56        | 1,981,397.61                 | 73               | 4,564,956.62    |
| <b>EXPENSE TOTALS</b>                              | \$42,122,527.00   | \$153,506.00         | \$42,276,033.00   | \$3,325,429.39                | \$25,219.83         | \$33,543,040.45     | \$8,707,772.72               | 79%              | \$32,861,380.28 |
| Fund <b>592 - WATER AND SEWER FUND Totals</b>      |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE TOTALS</b>                              | 43,652,866.00     | .00                  | 43,652,866.00     | 3,461,789.15                  | .00                 | 33,218,648.60       | 10,434,217.40                | 76%              | 35,575,588.70   |
| <b>EXPENSE TOTALS</b>                              | 42,122,527.00     | 153,506.00           | 42,276,033.00     | 3,325,429.39                  | 25,219.83           | 33,543,040.45       | 8,707,772.72                 | 79%              | 32,861,380.28   |
| Fund <b>592 - WATER AND SEWER FUND Totals</b>      | \$1,530,339.00    | (\$153,506.00)       | \$1,376,833.00    | \$136,359.76                  | (\$25,219.83)       | (\$324,391.85)      | \$1,726,444.68               |                  | \$2,714,208.42  |
| Grand Totals                                       |                   |                      |                   |                               |                     |                     |                              |                  |                 |
| <b>REVENUE TOTALS</b>                              | 176,496,643.00    | 24,537.00            | 176,521,180.00    | 8,435,237.33                  | .00                 | 154,179,604.19      | 22,341,575.81                | 87%              | 152,189,845.17  |
| <b>EXPENSE TOTALS</b>                              | 180,426,251.00    | 8,757,672.00         | 189,183,923.00    | 12,566,359.40                 | 2,828,202.40        | 129,685,467.14      | 56,670,253.46                | 70%              | 123,681,089.36  |
| Grand Totals                                       | (\$3,929,608.00)  | (\$8,733,135.00)     | (\$12,662,743.00) | (\$4,131,122.07)              | (\$2,828,202.40)    | \$24,494,137.05     | (\$34,328,677.65)            |                  | \$28,508,755.81 |

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

1

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

**1. REQUEST TO APPROVE THE LIVONIA FIRE FIGHTERS UNION (LFFU) CONTRACT AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2021 THROUGH NOVEMBER 30, 2024: Civil Service Department, re: same.**

Denis Maier, Director of Human Resources, presented this request to Council. She stated I am very excited to be standing before you with a new Fire Agreement. As you mentioned it's a three-year agreement and we're actually ahead of schedule. The current contract is still in effect, which is rare, it's a rare occurrence that we settle with our unions prior to expiration of the current contract, so we're very excited. The negotiations went very well, they were extremely professional and collegial and it was a very good negotiation both on the City side and on the union side. So, you have all of the changes summarized for you in a letter from our labor attorney, Greg Schultz, and if you like I can run through them or I would be happy to answer any questions that you may have.

Councilmember Jolly stated I am looking at the letter from Mr. Schultz and I understand a high level overview that's been provided here. Item No. 15, in the first group a capital PPMST, can you provide some kind of background as to what that is.

Maier replied yes, I can. The TEMS team is the tactical EMS unit. It is actually firefighters that are a special unit, they have special training. They go into situations where our police officers have been injured during a situation, usually a high level situation. And these firefighter/paramedics are, as I mentioned, specially trained to go into the situation. Once it is safe for them to do so, to tend to the or to treat the officer until they can get them to the hospital.

Vice President Bahr said first, just looking at the increases and personal business hours and sick leave hours, just refresh my memory; we have a vacation day policy, right, and then there's the sick days on top of that and personal days on top of the sick days, am I right, and Maier replied that's correct. Bahr stated there will be a total between sick days and personal days of ten days in addition to the vacation policy, if I'm looking at that correct?

Maier replied an increase in ten days, is that what you're saying and Bahr replied I probably did say that but I misspoke. It will end up going to three days of personal days and seven days of sick days in addition to whatever their vacation policy is, right?

Maier stated we're increasing the personal business by one day, and the sick hours, we're actually increasing that for the second tier of employees, we actually have two tiers because we adjusted the benefits years ago and every time we come back to the table they want the tiers to be either adjusted or done away with. So, what we did was we increased, in order to stay competitive with other communities, we increased the sick leave hours from eleven per month to fourteen hours per month, which actually gives them seven days per year, seven sick days per year.

Bahr asked and that's in addition to the personal business days, right, and Maier replied yes. He stated I assume there's a cap as far as how many of those they can accumulate?

Maier replied personal business is use it or lose it in the calendar year and sick leave they can accrue up to a certain number of hours and when they leave, there's a special calculation that is done on what is paid out and Bahr said that's the sick leave bonus that's referenced and Maier replied right, exactly.

Bahr asked what is the cap on the sick leave hours that they can accrue and Mike Slater, Director of Finance, came to the podium and replied there's two different tiers and I don't have them totally memorized, but there is a payout formula where only a portion of the hours accumulated are paid out. So, it's, I believe, the first twenty-five days are paid at 25%; the next twenty-five days are 50%, and the final twenty-five days at 70 %. But I would have to actually have the details and I don't have the contract in front of me.

Bahr then asked the four-day work week that's talked about in here, I assume that essentially matches what we did with the police recently, it's the same concept.

Maier replied it's the same concept and that's for the 40-hour per week employees.

Councilmember McCullough asked for a clarification on No. 4, which is the new classification of Paramedic Cadet, this will be a new program and Maier replied this is a brand new program, yes.

McCullough stated I want to highlight that because it's very innovative, with obviously Public Safety, including Fire, I know we're doing better on Fire than we are with Police. I think this is a very cool thing that will pare well with – we also have a program for the high school students and Schoolcraft, I think, that we're partnering with. And the last question I do have for probably millions of viewers out there is, if anybody is watching or looking, is this something also like the Police, would we sponsor people through this Fire training and Maier replied yes, that's what we're doing. We will hire them as a Paramedic Cadet and then we will pay to put them through the Fire Academy and they will have up to a year to get their Firefighter I and II.

McCullough replied I think that's great, thank you.

Councilmember Toy asked if there was an approving resolution offered yet and President McIntyre replied we haven't had any offers. Toy then offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

1.

Civil Service  
October 21, 2021

### MEETING DATE

November 8, 2021

### PREPARED BY

Jillian Emmitt, Personnel Clerk,

### AGENDA ITEM

REQUEST TO APPROVE THE LIVONIA FIRE FIGHTERS UNION (LFFU) CONTRACT AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2021 THROUGH NOVEMBER 30, 2024:  
Civil Service Department, re: same.

### BACKGROUND

Honorable Members of City Council  
City of Livonia

Subject: Livonia Fire Fighters Union Tentative Agreement for the Period December 1, 2021, through November 30, 2024.

Dear Council Members:

At its Regular Meeting of October 20, 2021, with minutes to be approved November 17, 2021, the Civil Service Commission adopted the following resolution:

Upon a motion by Ms. Mahoney, seconded by Mr. Wenson, and unanimously adopted, it was

**21-158** RESOLVED, that having reviewed the letter dated October 14, 2021, from Gregory T. Schultz, Labor Attorney, transmitting the Tentative Agreement between the City of Livonia and the Livonia Fire Fighters Union for the period of December 1, 2021 through November 30, 2024, the Civil Service Commission does hereby approve the Tentative Agreement, provided the agreement is ratified by the Livonia Fire Fighters Union on October 22, 2021, and submits same to City Council for their review and consideration.

Attached is a copy of the Tentative Agreement for your review.

Should you have any questions regarding this matter, please contact me at extension 2527.

Thank you for your consideration.

Sincerely,

Denise C. Maier, SPHR  
Human Resources Director

## RECOMMENDATION

Approved as submitted

## FISCAL CONSIDERATION

## ATTACHMENTS

1. Ltr to City Council-Civil Service Comm Re LFFU TA (002)
2. LFFU Signed Tentative Agreement & Salary Tables 10.21.2021

## APPROVED BY



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Denise C. Maier, SPHR, Human Resources  
Director

Date: October 21, 2021



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Michael Slater, Finance Director

Date: October 21, 2021



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Paul Bernier, City Attorney

Date: October 25, 2021

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Maureen Miller Brosnan, Mayor

Date: January 01,  
1900

# KELLER THOMA

A PROFESSIONAL CORPORATION

THOMAS L. FLEURY  
GARY P. KING  
LAURI A. READ  
GOURI G. SASHITAL  
GREGORY T. SCHULTZ  
MINDY BARRY\*  
ELIZABETH A. YOUNG  
KATHRYN E. JONES

Also admitted in Virginia\*

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STEVEN H. SCHWARTZ  
AND ASSOCIATES  
Of Counsel

LEONARD A. KELLER  
(1905 - 1970)  
RICHARD J. THOMA  
(1904 - 2001)

October 14, 2021

Honorable Members, City Council  
Honorable Members, Civil Service Commission  
City of Livonia  
33000 Civic Center Drive  
Livonia, MI 48154

### **Re: City of Livonia and Livonia Fire Fighters Union**

Dear City Council and Civil Service Commission Members:

I am pleased to advise you that on October 1, 2021, City and Livonia Fire Fighters Union ("LFFU") representatives reached a tentative agreement on a three-year contract that is effective from December 1, 2021 through November 30, 2024. LFFU members are currently in the process of voting on the tentative agreement and should have the results on October 22, 2021. Assuming the LFFU votes to ratify the tentative agreement, all that is needed for formal ratification of the Tentative Agreement is Civil Service Commission and City Council approval.

In the interest of having this matter completed prior to December 1, 2021, the matter will be brought before the Civil Service Commission on October 20. At that meeting the Civil Service Commission can vote on the tentative agreement subject to the LFFU's ratification vote. Then, following the LFFU ratification, the matter will be brought before the City Council. I have attached a copy of the Tentative Agreement for your review.

The following is a summary of the key components of the Agreement:

1. A three-year agreement from December 1, 2021 to November 30, 2024.
2. Salary increases to all bargaining unit members as follows:

|                             |             |
|-----------------------------|-------------|
| Effective December 1, 2021: | 3% increase |
| Effective December 1, 2022: | 2% increase |
| Effective December 1, 2023: | 3% increase |



3. New language defining the length of duty and non-duty disability leaves and memorializing eligible benefits during such leaves.
4. New language memorializing the City's right to hire paramedics into the new classification of Paramedic-Cadet, which will allow the City to employ Paramedic-Cadets for up to one-year to allow for completion of Fire Academy training and transfer to a regular Firefighter position.
5. Increase in personal business hours from 24 hours to 36 hours in a calendar year for 56-hour employees and 16 hours to 24 hours in a calendar year for 40-hour employees.
6. Increase in sick leave accumulation for 56-hour employees hired after December 1, 2012 from 11 hours per month (5.5 days per year) to 14 hours per month (7 days per year.) Employees hired prior to December 1, 2012 will continue to accumulate sick days at the rate of 18 hours per month (9 days per year). The parties also increased the minimum number of hours needed to receive the sick leave bonus upon separation from 2500 hours to 3150 hours for those employees hired on or after Dec 1, 2012.
7. Increase in the City's contribution to employees' RHSP accounts from \$80 per bi-weekly pay period to \$90 per bi-weekly pay period effective December 1, 2022.
8. Increase in the maximum annual reimbursement per employee for classes taken in connection with a master's degree from \$4,000 to \$5,000.
9. Increase in annual ALS bonus from \$3,000 to \$3,200.
10. Modification of promotional system to:
  - Slightly reduce the point value for educational degrees.
  - Provide for an explanation of decision to employee not selected if that employee was highest scoring candidate.
  - Clarify eligible candidates for promotion to Senior Captain.
11. Modification of Hours of Work provisions to allow for a 4-day, 10-hour work week for Fire Prevention employees upon approval of the Fire Chief.
12. Provision allowing the LFFU to approach the City during the term of Agreement to discuss entry into City's dental and optical plans.





KELLER THOMA

City Council  
Civil Service Commission  
October 21, 2021  
Page 3

13. Elimination of language which prevented unit members participating on the TEMS team from carrying a firearm.

As indicated, the above is a summary of the parties' Agreement. If there are any questions regarding the details of this matter please feel free to contact me.

Very truly yours,

KELLER THOMA, A PROFESSIONAL CORPORATION

A handwritten signature in dark ink, appearing to read 'Gregory T. Schultz', with a stylized, flowing script.

Gregory T. Schultz

GTS/dg

Enclosure

cc: Mayor Maureen Miller Brosnan  
Ms. Denise Maier  
Mr. Michael Slater  
Fire Chief Dave Heavener



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MA  
JMP

10/1/2021

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BOM  
WP

**Negotiations  
between  
The City of Livonia  
and  
Livonia Fire Fighters Union**

***Tentative Agreement – October 1, 2021***

1. Duration – 3 years
2. Article 10, Promotions – Modify Section 8.A as follows:
  8. Promotions to the classification of Senior Captain shall be made in accordance with the City Charter and the Rules and Regulations of the Civil Service Commission and the following applies with respect to same:
    - A. This examination is open to Employees of the City of Livonia who, as of January 1 of the year of the examination, are employed as a Fire Captain in the Fire Suppression Division of the Department of Public Safety and have regular status in the classification of Fire Captain. If less than 5 Captains with status apply, then Captains on probation by seniority, then Lieutenants by seniority, will be able to test so there is 5 applicants.
3. Article 10, Promotions – Modify Section 8.F and G and Sections 10.h and j as follows:
  - F. Final Score will consist of 50% of the qualifying written examination and 50% oral interview. One-quarter point for each year of service will then be added to the score, plus ~~two points~~ one point for an associate degree or ~~four~~ two points for a bachelor's degree.
  - G. The Senior Captain will be selected from the top two scoring applicants by the Fire Chief with approval of the Mayor. If the person selected was not the top scoring candidate, a verbal explanation will be provided to the employee upon request. The Union representative will be included in the discussion unless the employee requests otherwise.
  - h. Test Scoring. Final score will consist of 25% written competitive exam, 25% Department evaluations and 50% oral interview score. One-quarter point for each year of service will then be added to the score, plus an additional ~~two~~ one points for an associate degree or ~~four~~ two points for a bachelor's degree.
  - j. Selection. For the position of Driver, the candidate with the highest seniority among those passing the competency test will be selected. For all other positions detailed herein, the City shall have the right to promote

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from among the top two candidates on the eligibility list. Each time a candidate is selected, the City shall select from the top two candidates remaining on the eligibility list. If the person selected was not the top scoring candidate, a verbal explanation will be provided to the employee upon request. The Union representative will be included in the discussion unless the employee requests otherwise. ~~a written explanation will be submitted to the Civil Service Commission.~~

4. Article 12, Personal Business – Modify Article as follows:

#### 12. PERSONAL BUSINESS

All 56-hour Employees shall be allowed time for the conducting of personal business without loss of pay or deduction from sick leave, such time not to exceed 24 36 hours in any calendar year. All 40-hour Employees shall be allowed time for the conducting of personal business without loss of pay or deduction from sick leave, such time not to exceed 16 24 hours in any calendar year. Requests and approval for Personal Business time shall not be for less than one hour. Such time can be taken at any time subject to the operational needs of the department. Such requests shall be made in advance and in writing. The Employee shall not be required to describe the nature of his Personal Business in requesting time off. When 22 personnel are on duty, the language in Article 15 regarding vacations when 22 personnel are on duty shall apply to the use of Personal Business Time.

5. Article 14, Overtime and Article 19, Schedule of Hours – Modify Article 14, Section D and Article 19, Section B as follows:

#### 14. OVERTIME

\* \* \*

- D. An Employee who is normally assigned an eight-hour, 40-hour week and is required to work beyond eight hours in one day or 40 hours in one week shall be compensated for overtime at a time-and-one-half rate, based on the hourly rate for a 40-hour work week. Employees working a ten-hour workday schedule shall be paid overtime at a time-and-one-half rate for hours worked over ten in one day or 40 in one week.

#### 19. SCHEDULE OF HOURS

\* \* \*

- B. For Employees in the Fire Prevention Bureau, the regular and normal workweek shall consist of a 5-day, 40-hour week, extending from Monday through Friday inclusive, with a maximum regular schedule of eight hours in any one day and a maximum of 40 hours in any one week. Notwithstanding the above, an employee may work a 4-day, 40-hour week
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schedule if requested and approved by the Fire Chief, with a maximum regular schedule of ten hours worked in any one day.

6. Article 16, Sick Leave – Modify Section A as follows:

A. All regular full-time Employees hired prior to December 1, 2012 on a 56-hour duty week shall accumulate sick leave at the rate of 18 hours for each completed month of service with unlimited accumulation. Regular full-time Employees hired into the bargaining unit on or after December 1, 2012 shall accumulate sick leave at the rate of ~~14~~ 14 hours for each completed month of service with unlimited accumulation. All regular full-time Employees . . .

Payment will be made in the following manner:

1. Upon termination from the City, accumulated sick leave up to a maximum of seventy-five (75) days shall be paid out upon termination to Employees as follows:

- a. The first 600 hours (hours 1 to 600) in the Employee's sick leave bank shall be paid based upon 25% of the Employee's hourly rate at the time of termination.
- b. The next 600 hours (hours 601 to 1200) in the Employee's sick leave bank shall be paid based upon 50% of the Employee's hourly rate at the time of termination.
- c. The next 600 hours (hours 1201 to 1800) in the Employee's sick leave bank shall be paid based upon 75% of the Employee's hourly rate at the time of termination.
- d. Employees hired prior to December 1, 2012 who have over 3400 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections a.-c., above, receive a bonus of \$6,000.
- e. Employees hired on or after December 1, 2012 who have over ~~2500~~ 3150 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections a.-c., above, receive a bonus of \$6,000.

7. Article 24, Hospitalization – Modify Section A.7.a as follows:

7. Employees who are hired on or after December 1, 2012 shall not be entitled to retiree health insurance upon retirement. Instead, the City will contribute to a retirement health savings plan (RHSP) for use by the Employee following separation from employment under the following terms:

- a. The City will contribute ~~\$70~~ \$80 per bi-weekly pay period into the Employee's RHSP account. Effective December 1, 2022 the City will contribute \$90 per bi weekly pay period into the Employee's

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~~RHSP account November 4, 2020, the City will contribute \$80 per bi-weekly pay period.~~

8. Article 24, Hospitalization – Medical Coverage – Clean up language/Change Article title to Health Insurance. Both parties must agree to any changes.
9. Article 24, Hospitalization – Medical Coverage – The Union can approach the City during the term of this Contract to discuss inclusion in the City's Dental and Optical plan.
10. Article 28 – Longevity Pay – Delete Section A.1 as follows and renumber remaining provisions accordingly:
  - A. Longevity pay, within the meaning of this section, is not a part of the base salary of an Employee but is a payment for length of service or seniority for the purpose of retaining and rewarding faithful Employees for their City service. In recognition of this, Employees hired prior to December 1, 2012 only, shall receive longevity pay based on the following years of service:
    - ~~1. Upon completion of five years of service, and not more than seven years of service, an Employee shall receive 1% of his base rate or \$300, whichever is less, but not to exceed \$300; such pay to commence and accrue from the payroll period in which the Employee's fifth anniversary date occurs. Longevity pay which commences upon completion of seven years of service as provided under A.2. shall be in lieu of the longevity pay provided here and not in addition thereto.~~
11. Article 32, Wages – Modify Section A as follows:
  - A. The salary rates in effect for this Agreement shall be as provided in Appendix A attached hereto, which will reflect the following wage schedule:

|                                            |                              |
|--------------------------------------------|------------------------------|
| Effective December 1, <del>2018</del> 2021 | 3% wage increase             |
| Effective December 1, <del>2019</del> 2022 | 2% wage increase             |
| Effective December 1, <del>2020</del> 2023 | 2.5 <u>3</u> % wage increase |

Wages from December 1, ~~2018~~2021 through [Date of Ratification] November 4, 2020 shall be retroactive for all Employees who were on the payroll on [Date of Ratification] November 4, 2020.
12. Article 34, Education – Modify Section H as follows:
  - H. The maximum annual reimbursement per Employee for classes taken in connection with a master's degree shall be ~~\$4,000~~ \$5,000 per year. This cap does not apply to undergraduate degrees.
13. Article 39, Loss of Seniority – Modify Article as follows:

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An Employee shall lose his seniority for the following reasons:

- A. He quits.
- B. He is discharged and the discharge is sustained.
- C. He is absent for two (2) consecutive working days without notifying the Employer. After such absence, the Employer will send written notification to the Employee, at his last known address, that he has lost his seniority, and his employment has been terminated.
- D. He does not return to work when recalled from layoff.
- E. Return from sick leave or leaves of absence will be treated the same as "C" above.
- F. He retires.
- G. He is absent without approved leave for a period of three (3) consecutive days.

H. The employee is unable to return to work after twelve (12) consecutive months of approved leave for a non-duty injury or illness. Employees unable to perform their regular duties because of a non-duty related disability and who are receiving disability benefits pursuant to a City benefit plan required by this Agreement shall be placed on a leave of absence not to exceed twelve (12) months from the date of the injury or the commencement of the illness, and shall continue to accrue seniority during said leave, and be eligible for benefits, including healthcare, for the duration of the leave, and will only be eligible to accrue leave time while on paid status and will only be eligible for pay for Holidays that occurred while on paid status. If the employee's doctor certifies a return to work date within 30 days of the expiration of the one-year leave, the leave will be extended until that date.

I. The employee is unable to return to work after twenty-four (24) consecutive months of approved leave for a duty-related disability. Employees unable to perform their regular duties because of a duty-related disability shall be placed on a leave of absence for the period they are receiving workers' compensation benefits for a maximum of twenty-four (24) months from the date of the injury or the commencement of the illness, and shall continue to accrue seniority during said leave, and be eligible for benefits, including healthcare, for the duration of the leave. If the employee initiates a duty disability retirement within 18 months of the start of the leave, the leave will be extended until such time as all appeals to the Retirement Board have been exhausted.

Ram

- 554
- ~~HJ.~~ In the application of the provisions of this article, due consideration will be given to extenuating circumstances. In applying paragraphs C, D, E ~~and G, H and I~~ the City will advise the Union prior to effectuating the termination.

14. Article 44, Paramedics – Modify Section B as follows:

B. Wages/Daily Paramedic Assignments

1. Any member of the Department licensed as a Paramedic shall receive an annual ALS bonus of ~~\$3,000.00~~\$3,200, which shall be paid in 12 equal installments over the course of the year, in lieu of the EMT bonus provided in Article ~~4038~~, above, irrespective of how much time, if any, is spent assigned and performing as a Paramedic. Employees who obtain their paramedic license during the year shall receive a pro-rated ALS bonus.

15. Article 44, Paramedics – Delete Section E.2 as follows:

- ~~2. No bargaining unit member participating on the TEMS Team shall be allowed to carry a firearm.~~

16. General – New Article to read:

**. PARAMEDIC CADETS**

- A. The City reserves the right to hire individuals to serve in the capacity of Paramedic-Cadet without firefighting responsibilities, provided that any such employees will not be included in the staffing requirements set forth in the City Charter or any contractual daily staffing counts.
- B. Paramedic Cadets shall be “at-will” employees and members of the Union’s bargaining unit. They must complete all Fire Academy training and become certified as Firefighter I and II within one year of hire or they shall be terminated.
- C. Paramedic Cadets will be paid at the rate of 90% of the Step 1 Firefighter rate and receive all other contractual benefits, except for pension benefits, until successful completion of the Fire Academy requirements, at which time, if the City elects, the Paramedic-Cadet will become a probationary fire fighter. Time spent as a Cadet shall not entitle an employee to any City or Department seniority.
- D. Paramedic Cadets can perform any and all paramedic duties under the supervision of a regularly assigned crew member, but a truck will not be

53H

assigned with less personnel due to the presence of Paramedic Cadets. Paramedic Cadets can only "third-ride" with existing crews.

- E. Should a Paramedic-Cadet voluntarily terminate employment with the City prior to serving five (5) years as a firefighter for the City and becoming certified as Firefighter I & II, that employee will reimburse the City for all Fire Academy training costs. The City shall have the right to deduct any money owed to the City from the employee's final paycheck and any payout of accrued leave time.

17. General – Incorporate LOUs into CBA, including promotion bypass LOU.

THE CITY RESERVES THE RIGHT TO MODIFY, AMEND AND ADD TO THESE ISSUES

DRAFT

Sam



DRAFT

**CITY OF LIVONIA - CIVIL SERVICE DEPARTMENT**  
**LFFU ANNUAL AND BI-WEEKLY SALARY RATES FOR EMPLOYEES HIRED BEFORE 12/01/2012**  
**12/01/21 THRU 11/30/2024**

|                                                     |         | 3%            |                 |               | 2%            |                 |               | 3%            |                 |               |
|-----------------------------------------------------|---------|---------------|-----------------|---------------|---------------|-----------------|---------------|---------------|-----------------|---------------|
|                                                     |         | 12/01/21      |                 |               | 12/01/22      |                 |               | 12/01/23      |                 |               |
|                                                     |         | <u>HOURLY</u> | <u>BIWEEKLY</u> | <u>ANNUAL</u> | <u>HOURLY</u> | <u>BIWEEKLY</u> | <u>ANNUAL</u> | <u>HOURLY</u> | <u>BIWEEKLY</u> | <u>ANNUAL</u> |
| <b>FIREFIGHTER</b>                                  | MINIMUM | 25.80         | 2,064.00        | 53,664.00     | 26.32         | 2,105.60        | 54,745.60     | 27.11         | 2,168.80        | 56,388.80     |
|                                                     | STEP 2  | 26.66         | 2,132.80        | 55,452.80     | 27.19         | 2,175.20        | 56,555.20     | 28.01         | 2,240.80        | 58,260.80     |
|                                                     | STEP 3  | 27.62         | 2,209.60        | 57,449.60     | 28.17         | 2,253.60        | 58,593.60     | 29.02         | 2,321.60        | 60,361.60     |
|                                                     | STEP 4  | 30.57         | 2,445.60        | 63,585.60     | 31.18         | 2,494.40        | 64,854.40     | 32.12         | 2,569.60        | 66,809.60     |
|                                                     | MAXIMUM | 36.54         | 2,923.20        | 76,003.20     | 37.27         | 2,981.60        | 77,521.60     | 38.39         | 3,071.20        | 79,851.20     |
| <b>FIREFIGHTER</b><br>(MORE THAN 12 YRS OF SERVICE) | MAXIMUM | 38.41         | 3,072.80        | 79,892.80     | 39.18         | 3,134.40        | 81,494.40     | 40.36         | 3,228.80        | 83,948.80     |
| <b>ASSISTANT DRIVER</b>                             | MAXIMUM | 38.41         | 3,072.80        | 79,892.80     | 39.18         | 3,134.40        | 81,494.40     | 40.36         | 3,228.80        | 83,948.80     |
| <b>FIRE ENGINEER</b>                                | MAXIMUM | 40.26         | 3,220.80        | 83,740.80     | 41.07         | 3,285.60        | 85,425.60     | 42.30         | 3,384.00        | 87,984.00     |
| <b>FIRE LIEUTENANT AND</b>                          | STEP 4  | 42.31         | 3,384.80        | 88,004.80     | 43.16         | 3,452.80        | 89,772.80     | 44.45         | 3,556.00        | 92,456.00     |
| <b>FIRE INSPECTOR</b>                               | MAXIMUM | 43.89         | 3,511.20        | 91,291.20     | 44.77         | 3,581.60        | 93,121.60     | 46.11         | 3,688.80        | 95,908.80     |
| <b>FIRE CAPTAIN AND</b>                             | STEP 4  | 46.59         | 3,727.20        | 96,907.20     | 47.52         | 3,801.60        | 98,841.60     | 48.95         | 3,916.00        | 101,816.00    |
| <b>SENIOR INSPECTOR</b>                             | MAXIMUM | 48.26         | 3,860.80        | 100,380.80    | 49.23         | 3,938.40        | 102,398.40    | 50.71         | 4,056.80        | 105,476.80    |
| <b>SENIOR CAPTAIN</b>                               | STEP 4  | 50.05         | 4,004.00        | 104,104.00    | 51.05         | 4,084.00        | 106,184.00    | 52.58         | 4,206.40        | 109,366.40    |
|                                                     | MAXIMUM | 51.86         | 4,148.80        | 107,868.80    | 52.90         | 4,232.00        | 110,032.00    | 54.49         | 4,359.20        | 113,339.20    |
| <b>BATTALION CHIEF,</b>                             | STEP 4  | 53.61         | 4,288.80        | 111,508.80    | 54.68         | 4,374.40        | 113,734.40    | 56.32         | 4,505.60        | 117,145.60    |
| <b>FIRE MARSHAL</b>                                 | MAXIMUM | 55.43         | 4,434.40        | 115,294.40    | 56.54         | 4,523.20        | 117,603.20    | 58.24         | 4,659.20        | 121,139.20    |
| <b>TRAINING OFFICER</b>                             |         |               |                 |               |               |                 |               |               |                 |               |

APPENDIX A

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**CITY OF LIVONIA - CIVIL SERVICE DEPARTMENT**  
**LFFU ANNUAL AND BI-WEEKLY SALARY RATES FOR EMPLOYEES HIRED ON OR AFTER 12/01/2012**  
**12/01/21 THRU 11/30/2024**

|                                                          |         | 3%       |          |            | 2%       |          |            | 3%       |          |            |
|----------------------------------------------------------|---------|----------|----------|------------|----------|----------|------------|----------|----------|------------|
|                                                          |         | 12/01/21 |          |            | 12/01/22 |          |            | 12/01/23 |          |            |
|                                                          |         | HOURLY   | BIWEEKLY | ANNUAL     | HOURLY   | BIWEEKLY | ANNUAL     | HOURLY   | BIWEEKLY | ANNUAL     |
| PARAMEDIC-CADET                                          | MAXIMUM | 22.05    | 1,764.00 | 45,864.00  | 22.49    | 1,799.20 | 46,779.20  | 23.17    | 1,853.60 | 48,193.60  |
| FIREFIGHTER                                              | MINIMUM | 24.50    | 1,960.00 | 50,960.00  | 24.99    | 1,999.20 | 51,979.20  | 25.74    | 2,059.20 | 53,539.20  |
|                                                          | STEP 2  | 25.34    | 2,027.20 | 52,707.20  | 25.85    | 2,068.00 | 53,768.00  | 26.63    | 2,130.40 | 55,390.40  |
|                                                          | STEP 3  | 26.23    | 2,098.40 | 54,558.40  | 26.75    | 2,140.00 | 55,640.00  | 27.55    | 2,204.00 | 57,304.00  |
|                                                          | STEP 4  | 29.04    | 2,323.20 | 60,403.20  | 29.62    | 2,369.60 | 61,609.60  | 30.51    | 2,440.80 | 63,460.80  |
|                                                          | MAXIMUM | 34.71    | 2,776.80 | 72,196.80  | 35.40    | 2,832.00 | 73,632.00  | 36.46    | 2,916.80 | 75,836.80  |
| FIREFIGHTER<br>(MORE THAN 12 YRS OF SERVICE)             | MAXIMUM | 36.47    | 2,917.60 | 75,857.60  | 37.20    | 2,976.00 | 77,376.00  | 38.32    | 3,065.60 | 79,705.60  |
| ASSISTANT DRIVER                                         | MAXIMUM | 36.47    | 2,917.60 | 75,857.60  | 37.20    | 2,976.00 | 77,376.00  | 38.32    | 3,065.60 | 79,705.60  |
| FIRE ENGINEER                                            | MAXIMUM | 38.25    | 3,060.00 | 79,560.00  | 39.02    | 3,121.60 | 81,161.60  | 40.19    | 3,215.20 | 83,595.20  |
| FIRE LIEUTENANT AND<br>FIRE INSPECTOR                    | STEP 4  | 40.20    | 3,216.00 | 83,616.00  | 41.00    | 3,280.00 | 85,280.00  | 42.23    | 3,378.40 | 87,838.40  |
|                                                          | MAXIMUM | 41.67    | 3,333.60 | 86,673.60  | 42.50    | 3,400.00 | 88,400.00  | 43.78    | 3,502.40 | 91,062.40  |
| FIRE CAPTAIN AND<br>SENIOR INSPECTOR                     | STEP 4  | 44.26    | 3,540.80 | 92,060.80  | 45.15    | 3,612.00 | 93,912.00  | 46.50    | 3,720.00 | 96,720.00  |
|                                                          | MAXIMUM | 45.84    | 3,667.20 | 95,347.20  | 46.76    | 3,740.80 | 97,260.80  | 48.16    | 3,852.80 | 100,172.80 |
| SENIOR CAPTAIN                                           | STEP 4  | 47.54    | 3,803.20 | 98,883.20  | 48.49    | 3,879.20 | 100,859.20 | 49.94    | 3,995.20 | 103,875.20 |
|                                                          | MAXIMUM | 50.73    | 4,058.40 | 105,518.40 | 51.74    | 4,139.20 | 107,619.20 | 53.29    | 4,263.20 | 110,843.20 |
| BATTALION CHIEF,<br>FIRE MARSHAL AND<br>TRAINING OFFICER | STEP 4  | 50.94    | 4,075.20 | 105,955.20 | 51.96    | 4,156.80 | 108,076.80 | 53.52    | 4,281.60 | 111,321.60 |
|                                                          | MAXIMUM | 52.66    | 4,212.80 | 109,532.80 | 53.71    | 4,296.80 | 111,716.80 | 55.32    | 4,425.60 | 115,065.60 |

APPENDIX A

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**2**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

**2. REQUEST TO APPROVE BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING NOVEMBER 30, 2021: Department of Finance, re: same.**

Mike Slater, Director of Finance, presented this request to Council. He said tonight we're bringing before you something we've done before the end of each fiscal year for a number of years now whereby we go through our results for the fiscal year that we're in; this year it's Fiscal 2021 which will end on November 30<sup>th</sup>, end of this month. Take a look at what our actual results are and comparing it to the budget and I'm happy to say there's a number of areas where our results have been favorable and those dollars can be reallocated. The total budget that we're proposing to reallocate is \$2,790,000.00 I've got a list of the items that would make that up, there's eleven items that make that up and again this year we're proposing that those dollars be split 50/50 with half of it being moved to the VEBA which is our funding for retirees health care As everyone knows, we are still well under funded in that trust fund and this does accelerate the date where we become fully funded. And then secondly, the other half would go to our building improvement fund which we are setting aside for major building projects which we know will be coming down the road. With that, I'd be happy to answer any questions.

Vice President Bahr stated this is becoming tradition for us and it's an excellent tradition, of how to handle these, I wholeheartedly support the proposal to split this between VEBA and the building fund, I think it's sound financial management and I'm glad we're still in this scenario, hopefully it happens for many more years to come and I'd be happy to offer an approving for Consent if there's no objections.

**DIRECTION:**

**APPROVING**

**CONSENT**



## LETTER TO THE LIVONIA CITY COUNCIL

2.

**Finance**  
**October 18, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

DeAnne Bates, Program Supervisor,

### AGENDA ITEM

REQUEST TO APPROVE BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING NOVEMBER 30, 2021: Department of Finance, re: same.

### BACKGROUND

We have reviewed the budget-to-actual comparison for fiscal year 2021 and identified areas where the results have been favorable, and funds could be re-allocated for other purposes. A total budget of \$2,790,000 is proposed to be re-allocated as described below.

1. Local Community Stabilization Authority (LCSA) Revenue - \$500,000 – As we have done the last several years, this revenue source was conservatively budgeted and actual revenue exceeds the adopted budget.
2. State Shared Revenue - \$850,000 – The budgeted amount was based upon Michigan Department of Treasury estimates in the summer of 2020. Actual results exceeded the estimate as the economy recovered from COVID impacts more quickly than projected.
3. Court Fines and Forfeitures Revenue – (\$1,700,000) – Court activity is significantly reduced, resulting in court revenue well below budgeted levels.
4. Communications - \$40,000 – This was a new department in 2021 and actual costs came in below budget.
5. Telephone - \$50,000 – The installation of a new phone system and audit of the bills by CBI Telecommunications has resulted in lower maintenance agreement costs and lower monthly bills.
6. Elections - \$80,000 – Cost savings resulting from not having a primary election.
7. Civil Service - \$100,000 – Cost savings primarily due to vacant positions and new employees at lower steps.
8. Inspection - \$90,000 – Scanning of records to digital format cost less than anticipated.
9. Parks - \$250,000 – Inability to hire seasonal employees resulted in wage savings.

10. Planning - \$30,000 – Professional services were lower than anticipated.

11. Police - \$2,500,000 – Savings resulting primarily from vacant positions and reduced prisoner housing costs.

The administration considered the following options in determining the best use for the General Fund additional resources:

1. Leave the additional resources in the General Fund, thus increasing the unassigned fund balance.
2. Transfer the additional resources to the Building Improvement Fund (418) to be used for future building projects.
3. Make an additional contribution to the VEBA to reduce the unfunded liability for retiree healthcare.

It is our recommendation that the City split the additional resources between Option 2 and Option 3. The following reasons are offered in support of this recommendation:

1. Per the November 30, 2020, audited financial statements, the net OPEB liability for retiree healthcare is \$84.8 million. This is the City's largest liability. In fact, it exceeds all other bonded indebtedness, which totals only \$32.8 million.
2. The City has numerous buildings that are aging and will require significant repairs or replacement in future years.

Setting aside resources in a separate fund will lessen the financial impact when these costs are eventually incurred. If City Council concurs in this recommendation, it is requested that City Council:

1. Authorize an additional contribution to the VEBA in the amount of \$1,395,000.
2. Authorize an additional contribution to the Building Improvement Capital Projects Fund (418) in the amount of \$1,395,000.
3. Authorize a budget amendment to the following accounts:

| General Fund    |                    | Increase | Decrease  |
|-----------------|--------------------|----------|-----------|
| 101-000-573-000 | LCSA Rev           | 500,000  |           |
| 101-000-568-000 | State Shared Rev   | 850,000  |           |
| 101-000-657-010 | Court Fine Rev     |          | 1,700,000 |
| 101-174-702-000 | Communications Exp |          | 40,000    |
| 101-261-853-000 | Telephone Exp      |          | 50,000    |
| 101-262-818-000 | Elections Exp      |          | 80,000    |
| 101-269-702-000 | Civil Service Exp  |          | 100,000   |
| 101-371-818-000 | Inspection Exp     |          | 90,000    |
| 101-524-702-000 | DPW Parks Exp      |          | 250,000   |
| 101-701-818-800 | Planning Exp       |          | 30,000    |

|                 |                            |           |           |
|-----------------|----------------------------|-----------|-----------|
| 101-325-702-000 | Police Exp                 |           | 2,000,000 |
| 101-304-761-400 | Police - Prisoner Housing  |           | 500,000   |
| 101-238-995-418 | Cont. to Bldg. Improv Fund | 1,395,000 |           |
| 101-238-995-737 | Cont. to VEBA              | 1,395,000 |           |

## RECOMMENDATION

Based upon the information provided above, it is recommended that City Council authorize the proposed budget amendment.

## FISCAL CONSIDERATION

See explanation above.

## ATTACHMENTS

None

## APPROVED BY



Date: October 19, 2021

Michael Slater, Finance Director



Date: October 21, 2021

Maureen Miller Brosnan, Mayor

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**3**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

3. AWARD OF BID: Department of Parks and Recreation, re: for the fabrication and installation of a fence at Union Briggs Cemetery, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented this request to Council. He stated we are before Council right now for fabrication and installation for a fence at Union Briggs Cemetery, that's the cemetery on Six Mile Road between 275 and Haggerty Road, right next to Bucca de Beppo and Trinity Theater as well. So, we went out for bid, we received one from a company that gave us an alternative, gave us a proposal for two different options. Per the approval of the Historic Preservation Commission we are asking Council to approve the Nationwide Construction bid of \$21,000.00 for this project. This is a partial fencing of the cemetery, it is basically going to encapsulate around Trinity Theater, that will be Phase I and then we'll come back probably next year and do the front on the two ends of it. I'd be happy to answer any questions Council might have at this time.

Councilmember Donovic asked Davis if he decided to go with the \$21,000.00 bid because of the material, the ultra-aluminum, and you didn't want to use iron or did you just go with the bid because of the price.

Davis replied it was price and they also didn't know what the Historic Preservation Commission was going to approve. This is the first time they actually approved fencing alternative material as opposed to the wrought iron; that's typically in the past all they've approved. So, we went out and we asked for alternatives. We got one and they actually approved it and we felt it was cost efficient to go with the lowest price material.

Donovic then asked if that aluminum is going to be painted or power coated black to look like and Davis replied yes.

Councilmember Toy asked Davis if there was a fence there before and Davis replied not to my knowledge since he's been here but if you had asked two years ago and our City attorney, I didn't even know there was a cemetery there before February of this year actually, so I was kind of surprised there has not been that I've been aware of and I think this is the only one of our cemeteries that is not fenced.

Toy then said it leads me to that joke, why do cemeteries have fences, because people are dying to get in there. Thank you, Mr. Davis, I'll end on that crazy note.

Donovic then offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT





## LETTER TO THE LIVONIA CITY COUNCIL

3.

**Parks and Recreation**  
**October 12, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Ann Cox, Program Supervisor,

### AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for the fabrication and installation of a fence at Union Briggs Cemetery, from budgeted funds

### BACKGROUND

On behalf of Greenmead Historical Park, we respectfully request the acceptance of a proposal from Nationwide Construction Group for the installation of a fence at Union Briggs Cemetery in the amount of \$21,000.

Bids were solicited through MITN, with only one company submitting a proposal for two materials and styles:

|                                                 |          |
|-------------------------------------------------|----------|
| Nationwide Construction- Ultra Aluminum UAS-100 | \$21,000 |
| Nationwide Construction- Wrought Iron Classic   | \$26,700 |

The Historic Preservation Commission has approved the installation of a fence at Union Briggs Cemetery in the Ultra Aluminum UAS-100 style in gloss black.

### RECOMMENDATION

We recommend that City Council authorize the Mayor and City Clerk to execute a contract in the amount of \$21,000 with Nationwide Construction, 69951 Lowe Plank Road, Richmond, MI 48062.

### FISCAL CONSIDERATION

Sufficient funds have been budgeted in account 101-821-974-000 for the 2021/2022 budget.

### ATTACHMENTS

1. 2021 Cemetery Fence

### APPROVED BY

Date: October 13, 2021

Ted Davis, CPRP, Superintendent of Parks and

---

Recreation



Date: October 19, 2021

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Michael Slater, Finance Director



Date: October 21, 2021

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Maureen Miller Brosnan, Mayor



Date: September 2, 2021  
From: Enna A. Bachelor, Purchasing Manager  
To: Prospective Bidders  
Subject: Addendum No. 1 – Fence Fabrication and Installation

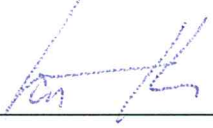
Addendum No. 1 is being issued to advise potential bidders that the City is willing to consider alternates which are equal to the specification provided. Bids submitted as alternates should clearly be marked as such.

All other provisions of the bid remain the same. The due date remains the same. Please include a signed copy of the addendum acknowledgement with your bid submission.

---ADDENDUM NO. 1 ACKNOWLEDGEMENT---

---

Company Name: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

Signature: 

Title: C.O.O.

Print Name: Scott Keller Date 09/14/2021



Please note that solicitations issued prior to June 10, 2017 can be found here: <http://legacy.mitn.info>

#### Addendum Description

Please be advised that addendum no. 2 is being issued to notify bidders that the due date has changed. Bids will now be due on or before 2pm on 9/14/2021. All other provisions of the bid remain the same.

#### Notice Modifications

| Notice Information | From Value             | To Value                |
|--------------------|------------------------|-------------------------|
| Closing Date       | 9/7/21 2:00 PM EST/EDT | 9/14/21 2:00 PM EST/EDT |

#### Category Modifications

|                     |
|---------------------|
| Added Categories    |
| No Categories Added |

|                       |
|-----------------------|
| Removed Categories    |
| No Categories Removed |

#### Addendum No. 2 Acknowledgement

RMD Holdings, Ltd. d/b/a Nationwide Construction Group

X

\_\_\_\_\_  
Scott Keller - C.O.O.

A handwritten signature in blue ink, appearing to be "SK", written over a horizontal line.

## Fabrication and Installation of Fence at Trinity Theatre/Union Cemetery

Honorable Members of the Council  
33000 Civic Center Drive  
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

**FURNISH:** All materials, labor and equipment necessary to fabricate and install fencing at Trinity Theatre/Union Cemetery located at 38840 West Six Mile Road, MI 48152, Livonia Michigan as per the specifications and scope of work provided herein.

- 
- COMPLETE FOR THE SUM OF \$ 26,700.00
  - MANUFACTURER: Iron Fence Shop MODEL # Stronghold Iron Signature Grade
  - WARRANTY: PARTS 25 Years LABOR 1 Year
  - Date Mandatory Site Visit Conducted: 8/31/2021
  - State hours of operation: 8:00 am - 4:30 pm
  - State terms Net 30
  - Total work time needed to complete project including any prep time: 90 days
  - Number of days it will take to get started upon notice to proceed: 4 days
  - Pricing valid until 9/30/2021
- 

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are



# Alternate

## Fabrication and Installation of Fence at Trinity Theatre/Union Cemetery

Honorable Members of the Council  
33000 Civic Center Drive  
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

**FURNISH:** All materials, labor and equipment necessary to fabricate and install fencing at Trinity Theatre/Union Cemetery located at 38840 West Six Mile Road, MI 48152, Livonia Michigan as per the specifications and scope of work provided herein.

- 
- COMPLETE FOR THE SUM OF \$ 21,000.00
  - MANUFACTURER: ULTRA ALUMINUM MODEL # UAS-100
  - WARRANTY: PARTS Lifetime Warranty LABOR 1 Year
  - Date Mandatory Site Visit Conducted: 8/31/2021
  - State hours of operation: 8:00 am - 4:30 pm
  - State terms Net 30
  - Total work time needed to complete project including any prep time: 90 days
  - Number of days it will take to get started upon notice to proceed: 4 days
  - Pricing valid until 9/30/2021
- 

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are

treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name RMD Holdings, Ltd. d/b/a Nationwide Construction Group  
(If corporation, partnership, or assumed name)

Address 69951 Lowe Plank Road

City/State/Zip Richmond, MI 48062

Phone (586) 749-6900 FAX (586) 749-6909

Signature  Date September 7, 2021  
(Person executing bid and official capacity)  
Scott Keller - C.O.O.

See attached Corporate Resolution  
(Names of principal officers and designate official capacity)

N/A  
(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Adam Irish

Title Project Manager

Phone No. ( 586 ) 749-6900

Email: airish@nationwidecos.com

FORMS TO RETURN WITH BID SUBMISSION:

- Form of Proposal Pages (FP-1-FP7)
- Warranty Documentation One year warranty on Installation. See attached Manufactures Warranty
- Project Timeline 4-5 Days
- Company Overview Attached

*Please return forms in order listed above.*

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF  
RMD HOLDINGS, LTD. D/B/A NATIONWIDE CONSTRUCTION GROUP**

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A special meeting of the Board of Directors was held on December 6, 2018. The Directors waived notice without objection to the holding of this special meeting and ratified and consented to all actions and resolutions adopted as indicated by their signatures below.

Present: Robert E. DeMil, who appeared as the Board of Directors.

A quorum of the Directors was present and the meeting was called to order.

The first item on the agenda was the election of officers. The following individuals were unanimously elected to the positions indicated:

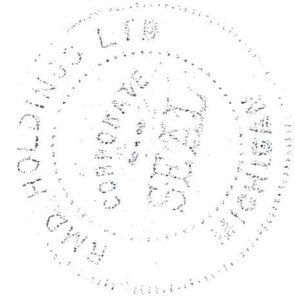
|                  |                                       |
|------------------|---------------------------------------|
| Robert DeMil:    | President                             |
| Andre DeMil:     | Vice President                        |
| Scott Keller:    | Chief Operating Officer and Treasurer |
| Franco Amicucci: | Secretary                             |

There being no further business to come before the meeting, the meeting was adjourned.

NOTICE WAIVED AND MINUTES RATIFIED WITH CONSENT TO ALL  
ACTIONS TAKEN:



Robert E. DeMil, President



Dated: December 6, 2018



**STATEMENT OF QUALIFICATIONS**  
*Fabrication and Installation of Fence at Trinity Theatre/Union Cemetery*

Respondents must answer all questions. If more space is needed to complete a question, attach a separate sheet.

Company Name: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

Address 69951 Lowe Plank Road

Contact Person: Adam Irish Title Project Manager

Phone No. (586) 749-6900 Email airish@nationwidecos.com

1. Number of years operating under you present name: 31
2. Number of years present owners have owned the company: 31
3. How many years of experience does your company have with historical structures? 31
4. List municipalities who the bidder has serviced in the past five (5) years to present:

| Name of Municipality                          | Term of Service                        |
|-----------------------------------------------|----------------------------------------|
| City of Detroit (Water and Sewage Department) | On going Fence Maintenance             |
| Wayne County, Michigan                        | On going Fence & Guardrail Maintenance |
| City of Farmington Hills                      | On going Fence & Guardrail Maintenance |
| City of Sterling Heights                      | On going Fence Maintenance             |
| Troy School District                          | On going Fence Maintenance             |

5. General nature of work performed by your company:

Fencing and Guardrail Construction

COMPANY NAME: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

6. Have you performed work for the City of Livonia in the last ten (10) years? If so, please specify:

| Year of Service | Department Serviced | Description of Services Provided |
|-----------------|---------------------|----------------------------------|
| N/A             |                     |                                  |
|                 |                     |                                  |
|                 |                     |                                  |

7. List the members of the team who will oversee the contract and the roles they will perform.

| Name                                     | Title | Role | Years of Experience |
|------------------------------------------|-------|------|---------------------|
| See attached Schedule of Key Employees   |       |      |                     |
| (Adam Irish will be the Project Manager) |       |      |                     |
|                                          |       |      |                     |
|                                          |       |      |                     |

8. What challenges to you foresee?

None

9. What is included in your base price for services? What services will incur additional fees:

Material and Installation - No additional fees

10. Provide Phone Numbers for Customer contact during normal business hours. Provide phone number for 24-hour contact by City of Livonia personnel.

Company Phone No.: (586) 749-6900

24-Hour Phone No.: (734) 693-6703

11. Hours of Operation

| DAYS            | BUSINESS HOURS         |
|-----------------|------------------------|
| Monday – Friday | 8:00 am to 4:30 pm EST |
| Saturday        | Closed                 |
| Sunday          | Closed                 |
| Holidays        | Closed                 |

COMPANY NAME: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

**RMD HOLDINGS, LTD. D/B/A NATIONWIDE CONSTRUCTION GROUP**  
**SCHEDULE OF KEY EMPLOYEES**

| <b>NAME</b>                                   | <b>PRESENT POSITION</b>                     | <b>LENTH OF<br/>TIME WITH<br/>COMPANY</b> | <b>YEARS OF<br/>CONSTRUCTION<br/>EXPERIENCE</b> |
|-----------------------------------------------|---------------------------------------------|-------------------------------------------|-------------------------------------------------|
| <b><u>OFFICERS</u></b>                        |                                             |                                           |                                                 |
| Robert DeMil                                  | Owner & President                           | 41                                        | 41                                              |
| <b><u>PROJECT MANAGEMENT</u></b>              |                                             |                                           |                                                 |
| Scott Keller                                  | Treasurer/Sales Manager/Project Manager     | 28                                        | 28                                              |
| Melvin Kucway                                 | Project Manager/Estimator                   | 31                                        | 31                                              |
| Franco Amicucci                               | Secretary/Project Manager/Estimator         | 26                                        | 28                                              |
| Joseph Carrier                                | Project Manager/Estimator                   | 24                                        | 28                                              |
| Andre DeMil                                   | Vice President/Project Manager/Estimator    | 23                                        | 23                                              |
| Brian Schultz                                 | Project Manager/Estimator                   | 16                                        | 41                                              |
| Mike Carr                                     | Project Manager/Estimator                   | 13                                        | 25                                              |
| Adam Irish                                    | Project Manager/Estimator                   | 0                                         | 6                                               |
| Scott Gray                                    | Project Manager/Estimator                   | 5                                         | 5                                               |
| Scott Wasik                                   | Project Manager/Estimator                   | 3                                         | 4                                               |
| Bryan Decker                                  | Assistant Project Manager                   | 4                                         | 4                                               |
| <b><u>FIELD SUPERVISORS &amp; FOREMEN</u></b> |                                             |                                           |                                                 |
| James Raines                                  | Field Supervisor                            | 26                                        | 50                                              |
| Steve Gonzales                                | Field Foreman                               | 16                                        | 37                                              |
| Rusty Dawson                                  | Field Foreman                               | 11                                        | 31                                              |
| Miguel Sanchez                                | Field Foreman                               | 21                                        | 28                                              |
| Darrin Johnson                                | Field Foreman                               | 15                                        | 25                                              |
| Chad Fox                                      | Field Foreman                               | 13                                        | 19                                              |
| James Behnke                                  | Field Foreman                               | 5                                         | 19                                              |
| Chris Behnke                                  | Field Foreman                               | 7                                         | 17                                              |
| William McNabb Jr.                            | Field Foreman                               | 5                                         | 16                                              |
| Jeff Weilnau                                  | Field Foreman                               | 9                                         | 14                                              |
| Brandon Kaul                                  | Field Foreman                               | 7                                         | 8                                               |
| Joshua Pasco                                  | Field Foreman                               | 4                                         | 4                                               |
| <b><u>YARD EMPLOYEES</u></b>                  |                                             |                                           |                                                 |
| Larry Furton                                  | General Yard Laborer                        | 29                                        | 29                                              |
| Jacob Cooke                                   | Yard Manager                                | 5                                         | 5                                               |
| De'Andrew Lewis                               | Welder                                      | 27                                        | 28                                              |
| Dusten Crider                                 | Mechanic                                    | 3                                         | 11                                              |
| <b><u>OFFICE MANAGEMENT</u></b>               |                                             |                                           |                                                 |
| Rogue Tyson                                   | Corporate Attorney                          | 19                                        | 19                                              |
| Robert Dray                                   | Controller                                  | 2                                         | 14                                              |
| John Zuehlke                                  | Assistant Controller                        | 29                                        | 29                                              |
| Dora Osborne                                  | Accountant                                  | 8                                         | 8                                               |
| Allan Reyes                                   | Safety Manager                              | 13                                        | 29                                              |
| Paul Macker                                   | Contract Administrator                      | 17                                        | 17                                              |
| Bryan Muir                                    | Subcontract Administrator & Project Manager | 29                                        | 29                                              |

12. What value added services in addition to those specified can your company provide?

| DESCRIPTION | FEE |
|-------------|-----|
| N/A         |     |
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13. List any exceptions taken to the requirements, terms and conditions of the bid.

No Exceptions

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COMPANY NAME: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

## REFERENCES

### Fabrication and Installation of Fence at Trinity Theatre/Union Cemetery

COMPANY NAME: RMD Holdings, Ltd. d/b/a Nationwide Construction Group

|                            |                                                    |
|----------------------------|----------------------------------------------------|
| Reference Company Name:    |                                                    |
| City/State:                | See attached Project Experience / Reference Report |
| Summary of Work Performed: |                                                    |
| Dates of Work:             |                                                    |
| Company Contact Person:    | Title:                                             |
| Phone Number:              | Email:                                             |

|                            |        |
|----------------------------|--------|
| Reference Company Name:    |        |
| City/State:                |        |
| Summary of Work Performed: |        |
| Dates of Work:             |        |
| Company Contact Person:    | Title: |
| Phone Number:              | Email: |

|                            |        |
|----------------------------|--------|
| Reference Company Name:    |        |
| City/State:                |        |
| Summary of Work Performed: |        |
| Dates of Work:             |        |
| Company Contact Person:    | Title: |
| Phone Number:              | Email: |















| RMD Holdings, Ltd. d/b/a Nationwide Construction Group<br>Project Experience / Reference Report |                                                                  |                                                    |                                                                                                                                                                       |                                                                                                                                                                      |                |                  |                |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------|----------------|
| Completion Date                                                                                 | Owner/Customer                                                   | Location                                           | Job Name                                                                                                                                                              | Work scope                                                                                                                                                           | Contract Value | Contact Name     | Phone          |
| Aug-16                                                                                          | Michigan Department of Technology, Management and Budget         | Carson City, MI Correctional Facility              | Carson City Correctional Facility Upgrade Perimeter Fence Security Systems.                                                                                           | Furnish and install 1,400 lf of 12' high perimeter fence with razor wire. Installation of 4' man gates and vehicle gate.                                             | \$ 288,000     | Joe Sovis        | (517) 487-2511 |
| Aug-16                                                                                          | Michigan Department of Technology, Management and Budget         | Richard Handlon Correctional Facility in Ionia, MI | Security Upgrades.                                                                                                                                                    | Furnish and install 450 lf of 12' high perimeter fence with razor wire and vehicle gate.                                                                             | \$ 767,094     | Adam Daublestein | (616) 456-9944 |
| Jun-16                                                                                          | DTE Gas Company                                                  | Lycaste Power Station, Detroit, MI                 | Gas Renewal Yard Fence Installation                                                                                                                                   | Furnish and install approximately 850' of 8' high commercial chainlink fence. Furnish and install 1,200' of commercial grade privacy slats.                          | \$ 90,977      | Ryan Scratch     | (586) 651-5692 |
| Dec-16                                                                                          | Wayne County Airport Authority                                   | Detroit Metropolitan Airport, Romulus, MI          | Vehicular & equipment fueling facilities & fuel management system at Detroit Metropolitan Wayne County Airport.                                                       | Furnish and install chain link fence.                                                                                                                                | \$ 2,712,259   | Miguel D. Vargas | (734) 942-3673 |
| Jun-16                                                                                          | Michigan Department of Transportation                            | Metro Region in Wayne County, MI                   | Fence repair along MDOT right-of-way on various state trunklines, Wayne County Construct Perimeter Fence Wisconsin Army National Guard Department of Military Affairs | Repair various locations with 4' high chainlink fence including woven wire.                                                                                          | \$ 491,998     | Mike Gorman      | (313) 218-3622 |
| May-16                                                                                          | Wisconsin Department of Administration                           | National Guard Military Affairs, Arcadia, WI       |                                                                                                                                                                       | Furnish and install approximately 2,250 lf of 6' high perimeter chain link fence including gates.                                                                    | \$ 51,746      | Jim McMillan     | (608) 266-3855 |
| Apr-16                                                                                          | Genesee County Land Bank Authority/L.A. Construction Corporation | Chevy Commons in Flint, MI                         | Chevy Commons Phase I fence removal.                                                                                                                                  | Remove and replace various types of fence and gates.                                                                                                                 | \$ 80,510      | Shari Bramlett   | (810) 659-7565 |
| Apr-16                                                                                          | Michigan Department of Military and Veterans Affairs             | Grand Ledge, MI                                    | Grand Ledge Hangar Airport perimeter fencing at the Roscommon County Blodgett Memorial Airport.                                                                       | Install new fencing and gates.                                                                                                                                       | \$ 41,165      | Brian Bushnell   | (517) 481-7561 |
| Apr-16                                                                                          | Michigan Department of Transportation                            | Blodgett Memorial Airport in Houghton Lake, MI     |                                                                                                                                                                       | Furnish and install 16,947 lf of 10' high chain link fence including seven gates.                                                                                    | \$ 772,747     | Clinton Nemeth   | (517) 327-1980 |
| Apr-16                                                                                          | Michigan Department of Transportation/Dan's Excavating, Inc.     | I-275 in Romulus, MI                               | I-275 Metro BikeTrail                                                                                                                                                 | Furnish and install 24,975 lf of woven wire fence, 2,056 lf of 4' high chain link fence, 671 lf of 5' high chain link fence. Removal of 26,814 lf of existing fence. | \$ 140,377     | Justin Peverk    | (586) 254-2040 |

SUBCONTRACTOR'S LIST  
Fabrication and Installation of Fence at Trinity Theatre/Union Cemetery

| Company Name                | Contact Person | Phone No. | Services to be provided |
|-----------------------------|----------------|-----------|-------------------------|
| No Subcontract's to be used |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |
|                             |                |           |                         |

COMPANY NAME: RMD Holdings, Ltd. d/b/a Nationwide Construction Group





**ULTRA<sup>®</sup>**  
FENCING • RAILING

## Limited Lifetime Warranty

Ultra Aluminum fencing and railing products are guaranteed for life against defects in workmanship and/or materials. The Powercoat™ finish on all Ultra fencing and railing is unconditionally guaranteed for life against cracking, peeling or chipping.

If the product should fail in accordance with any of the above conditions, the manufacturer, Ultra Aluminum, guarantees to the original purchaser replacement or renewal of the defective parts, providing the purchaser has registered the product at [www.ultrafence.com](http://www.ultrafence.com) within thirty (30) days of receipt of material. (Product may also be registered by mailing form below) Notice of such a failure will be sent to manufacturer in writing together with a proof of purchase and photos showing the nature of the defect.

**Limitations:** Should the fence/railing be improperly installed, Ultra will not be responsible for guaranteed performance or appearance of material. Neither does this guarantee apply where failure or damage is due to improper use or application, abuse or misuses, extreme environmental conditions such as coastal installations and acts of God. For installations exposed to salt water or ice melting products, cleaning guidelines specified at [www.ultrafence.com](http://www.ultrafence.com) must be adhered to.

Ultra reserves the right to request return of the fence/railing [transportation charges prepaid] for the purpose of inspecting the material to determine the validity of the claim.

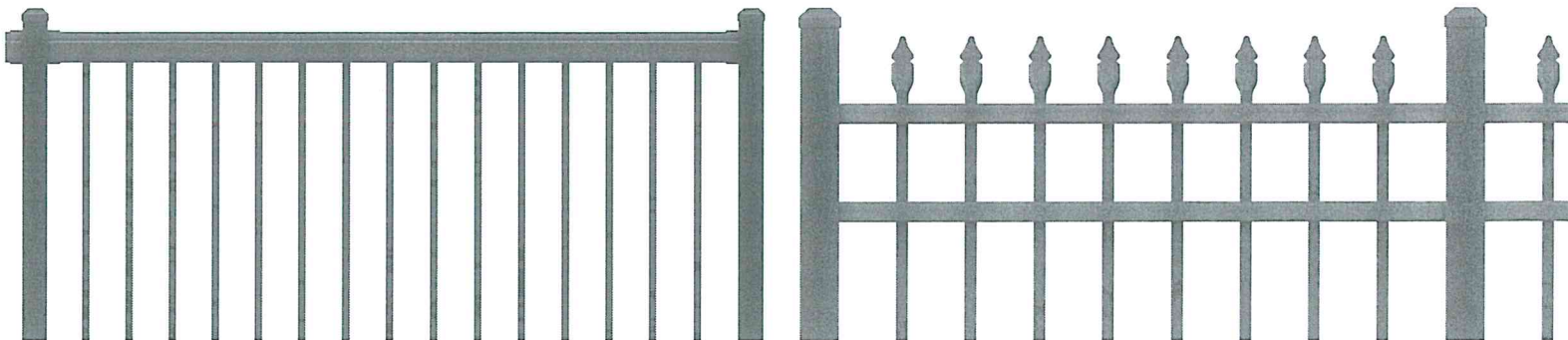
Upon validation of a claim by Ultra, replacement will be made from the factory only for material which will be returned to the factory in Howell, Michigan, transportation prepaid. Material must not be returned to the factory without prior authorization from Ultra.

Manufacturer's liability is discharged upon delivery of material to site. Manufacturer will not be responsible for cost of removal, reinstallation or transportation. Manufacturer is not responsible for accidental and consequential damages.

Code compliance and applicability for intended usage is the responsibility of purchaser. **In cases where purchaser is a non-living entity (i.e. Governments, Municipalities, Corporations or Commercial Operations) the limited warranty will be for a period of 10 years.**

The above constitutes the complete warranty by the manufacturer and no other agreement, written or implied, is valid. This guarantee is not transferable.

**Ultra Aluminum Manufacturing, Inc. 2124 Grand Commerce Dr., Howell, MI 48855**





## ORNAMENTAL IRON FENCE 25 YEAR LIMITED WARRANTY

For a 25 Year period from the original date of purchase Iron Fence Shop LLC guarantees, with proper installation and normal and proper usage, against any defects in materials and workmanship on all framework.

The powder coat surface on all framework is also guaranteed for 25 Years for adhesion protection against cracking, peeling or blistering.

Should any Iron Fence Shop LLC ornamental iron fence fail in accordance with any of the above conditions, Iron Fence Shop LLC warrants to the original purchaser correction through replacement, renewal or a pro-rated credit. This decision is solely at the discretion of Iron Fence Shop LLC.

Notice of failure under the conditions of this warranty must be sent in writing to Iron Fence Shop LLC with proof of purchase. Iron Fence Shop LLC will not be responsible or guarantee performance of any fence improperly installed. This warranty is also invalid in the event of corrosive elements, abuse or misuse, vandalism or Acts of God. This warranty is Non-Transferable and must be completed in full and a copy returned within 30 Days of Installation.

MAIL TO:  
Iron Fence Shop LLC  
887 Hampshire Rd., Unit B  
Stow, OH 44224

Dealer Name & Address: \_\_\_\_\_

Installation Name & Address: \_\_\_\_\_

Purchase Date: \_\_\_\_\_

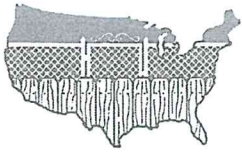
Installer Signature: \_\_\_\_\_

Toll Free Phone 800.261.2729 • Local Phone 330.673.2729 • Fax 330.470.2444

887 Hampshire Rd., Unit B  
Stow, OH 44224

WWW.IRONFENCESHOP.COM





RMD HOLDINGS, LTD. d/b/a  
**NATIONWIDE**  
CONSTRUCTION GROUP  
*Equal Opportunity Employer*

Corporate Office - 53861 Gratiot, Chesterfield, MI 48051  
Mailing Address - P.O. Box 480637, New Haven, MI 48048  
Phone (586) 749-6900 - Fax (586) 749-6909

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September 7, 2021

City of Livonia  
12973 Farmington Road  
Livonia, MI 48150

**RE: Company Overview – City of Livonia – Cemetery Fencing Bid**

Founded in 1979 in Chesterfield, Michigan, Nationwide has steadily expanded its operations to become one of the premier fence and guardrail contractors in the country. Nationwide's steady growth, financial strength, reputation for quality, and timeliness have all been contributing factors enabling the company to be a driving force and a recognized leader in the industry.

Located in Southeast Michigan, Nationwide routinely performs on projects across the country with specialties in perimeter security fencing and access control systems, airports, prisons, commercial and industrial fencing, crash barriers, gate operators, guardrail and cable guardrail systems.

Nationwide's current clientele includes numerous State Departments of Transportation, County Road Commissions, Airport Operating Boards, Municipalities, School Districts, Utilities, Automotive Manufacturers, Construction Managers and General Contractors.

We have performed installations at many businesses, schools, airports, military bases and prisons. We also perform extensive guardrail and fence projects along roads and highways for local, city and state governments including maintenance contracts with General Motors Corporation, Ford Motor Company, Daimler Chrysler, Detroit Edison, Michigan Consolidated Gas and Cleveland Public Power.

Trust Nationwide and its professional, fully equipped crews to complete your project in a timely, efficient manner. Nationwide is fully insured--with a bonding capacity of \$30 million--and is pre-qualified in over thirty states to satisfy the strictest contractor requirements.

Please feel free to visit our website at [www.natiowide-companies.com](http://www.natiowide-companies.com) for more information.

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

4

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

**4. REQUEST TO ACCEPT PROPOSALS FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS:** Public Service Division, re: for snow fall of over four (4) inches for a three-year period (2021-2022, 2022-2023, 2023-2024).

Don Rohraff, Director of Public Works, presented this request to Council. He stated we, as you know, come before you every year for assistance for our snow removal program with our contractors that come in and do approximately 30 to 35% of our snow clearing during an emergency. We solicited proposals for a three-year contract for the snow removal assistance and as it's been the last few years we've only received two quotes back or two proposals back. We did reach out to the other contractors that have helped us in the past to see if we could get them to submit a proposal but that was just to no response. And again, as I mentioned, these emergencies, they do about 30 to 35% of our 370 miles of road. A sealed bid process doesn't really present a competitive pricing advantage because these contractors aren't really competing against themselves, they're against each other, and that really wouldn't change the outcome of what we're paying. So, it is the recommendation of the Department that Council approve the three-year contract with the following vendors: Great Lakes Contracting and B & V Earth Movers and also waive the bid process according to City Ordinance as there would be no advantage to the City from competitive bidding. No additional appropriation is required since sufficient funds are available in the Roads Maintenance budget and I'd be happy to answer any questions you have.

Councilmember Toy stated everything is in order and I would offer an approving resolution for the Consent Agenda.

Councilmember Jolly asked for clarification on the column Monday – Friday overtime and Saturday; just to be clear, does that say \$50.00?

Rohraff replied \$50.00 per hour additional fees, yes.

Councilmember McCullough stated obviously not going out to bid or through MITN is not always the best recommendation but obviously I defer to you and your expertise in



the area that this sole source route would be the best. In the event that either of these contractors do not work out, I just worry about the three-year. I'm assuming that per this contract you do have a way to get out of it, as a City we do have the way to cancel it and go back out to bid if you're not satisfied?

Rohraff replied I will answer your question but to answer something that had been brought up in the past, these are the only companies and we've been dealing with them for a long, long time, thirty years give or take. They've always come in and done a great job for us, we've never had any problems. So, to answer your question, yes, but I would not anticipate that being an issue at all. They've always been here and they've always been responsiveness for us and they do a great job.

McCullough replied absolutely, I do value you coming through and stating that, so, no, I have no issues with it, I just want to make sure that you have everything, the X's crossed and the I's dotted.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

4.

**DPW**

**October 20, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Jill Russell, Secretary III

### AGENDA ITEM

REQUEST TO ACCEPT PROPOSALS FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS: Public Service Division, re: for snow fall of over four (4) inches for a three-year period (2021-2022, 2022-2023, 2023-2024).

### BACKGROUND

For over thirty years, the Public Works Division has relied on contracted assistance to provide a high level of snow removal service for City streets following major storms in excess of four inches. During these storms, the contractor(s) provides approximately 35% of the total effort in cleaning all City streets.

The Public Works Division has taken quotes for equipment and operators to assist in plowing City streets for a three year period, 2021-2022/ 2022-2023 / 2023-2024. The City's main priority is for six to eight graders and operators to plow streets along with City forces. If graders are not available, tandem dump trucks and 4-wheel pickups will be considered. Proposals were received from two (2) companies.

The Department has solicited proposals from contractors for decades for snow plowing assistance. Without this assistance, the Department would not be able to plow the 370 miles of City streets in a timely basis following heavy snow storms. While many snow contractors exist to do driveways and parking lots, we require road grader equipment to move large quantities of snow quickly. The challenge each year is to have the few contractors in the area who are willing to provide this service remain interested in doing so. We always need to cajole them into returning the pricing proposals and commit to providing this service for our public. The reasons for reluctance on the part of contractors include:

- Availability of equipment operators and unemployment compensation issues.
- Wear and tear on their equipment.
- Insurance issues and potential liability for problems, such as damage to parked vehicles.
- Uncertainty of significant revenue, such as the winter of 2011-12 where no storms occurred requiring city-wide plowing.

With this service need, the sealed bid process doesn't present a competitive pricing advantage, because the contractors are not competing against each other to obtain this work. Sealed bids will

not change the outcome of what we will ultimately pay. The greatest challenge is to have enough companies available and willing to do this service.

Having multiple contractors authorized to provide this service allows the Department to:

- Have backup in the event a contractor might not be available to respond, or the magnitude of the storm is such that much greater equipment is required.
- Determine the type and size of equipment based on the road conditions and weather factors.
- Utilize a contractor as a primary provider based on the years of experience their equipment operators may have servicing Livonia neighborhoods. Beyond the hourly rate for a piece of equipment, the DPW factors into the overall cost the number of hours it historically takes each service provider to clear a neighborhood. A contractor whose operators are familiar with our service needs takes less time to service their assigned areas.

## RECOMMENDATION

It is the recommendation of the Public Service Division that Council approve the three-year contract with the following vendors and proceed as follows:

1. Authorize the use of Great Lakes Contracting Solutions, LLC, 2300 Edinburgh, Waterford, MI 48328, bid proposal dated September 30, 2021, attached.
2. Authorize the use of BNV Earthmovers LLC (formerly Stante Excavating), 46912 Liberty Drive, Wixom, MI 48393, bid proposal dated October 14, 2021, attached.
3. Waive the formal bidding process in accordance with Section 3.04.140.D.4. of the Livonia Code of Ordinances, as amended, since no advantage to the City would result from competitive bidding.

## FISCAL CONSIDERATION

No additional appropriation is required since sufficient funds are available in Road Maintenance Contractual Services (Account No. 101-463-818-022) budgeted for this purpose.

## ATTACHMENTS

1. 2021-2024 3 Yr Bids

## APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works

Date: October 21, 2021



Donald Rohraff, Director of Public Works

Date: October 21, 2021

*Michael T Slater*

Date: October 21, 2021

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Michael Slater, Finance Director

*Maureen Miller Brosnan*

Date: October 21, 2021

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Maureen Miller Brosnan, Mayor



# CITY OF LIVONIA

## QUOTE FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS

The City of Livonia is requesting quotes for equipment and operators to assist in plowing City streets following major storms in excess of four (4) inches for the **2021-2022, 2022-2023** and **2023-2024** seasons. The minimum time will be 12 hours. The City's main priority is for loaders with plows and graders, all with operators, to plow streets along with City forces. If graders are not available, tandem dump trucks and 4-wheel pickups will be considered

ADD PER HOUR TO STANDARD RATE

| 2021-2022<br>Equipment                                                          |    | Mon-Fri<br>Standard<br>8 hours                                                     | Mon-Fri<br>Overtime &<br>Saturday | Sunday              |
|---------------------------------------------------------------------------------|----|------------------------------------------------------------------------------------|-----------------------------------|---------------------|
| Cat 16 or equivalent grader and operator (per hour)                             | \$ | 270. <sup>00</sup>                                                                 | + 50. <sup>00</sup>               | + 96. <sup>00</sup> |
| Cat 14 or equivalent grader and operator (per hour)                             | \$ | 240. <sup>00</sup>                                                                 |                                   |                     |
| Cat 12 or equivalent grader and operator (per hour)                             | \$ | 224. <sup>00</sup>                                                                 |                                   |                     |
| Dump truck w/front plow and operator (per hour)                                 |    | N/A                                                                                |                                   |                     |
| 4WD pickup and operator (per hour)                                              | \$ | 145. <sup>00</sup>                                                                 |                                   |                     |
| Mechanic and Truck (per hour)                                                   | \$ | 152. <sup>00</sup>                                                                 |                                   |                     |
| Foreman and truck (per hour)                                                    | \$ | 140. <sup>00</sup>                                                                 |                                   |                     |
| Loader with snow plow blade (per hour)                                          | \$ | 235. <sup>00</sup>                                                                 |                                   |                     |
| Any other costs such as moves, prep time and retainages should also be included |    |                                                                                    |                                   |                     |
| Moves                                                                           | \$ | 600. <sup>00</sup> PER MACHINE PER SNOWFALL                                        |                                   |                     |
| Prep Time                                                                       |    | 1 HOUR WARM UP / GROSS TIME TO BE BILLED AS TIME & MATERIALS                       |                                   |                     |
| Retainages                                                                      | \$ | 5000. <sup>00</sup> ANNUALLY PRIOR TO DEC 10TH                                     |                                   |                     |
| Miscellaneous                                                                   |    | BLADE REPLACEMENT / CUTTING EDGES TO BE BILLED ON TIME & MATERIALS BASIS AS NEEDED |                                   |                     |

| 2022-2023<br>Equipment                              |    | Mon-Fri<br>Standard<br>8 hours | Mon-Fri<br>Overtime &<br>Saturday | Sunday               |
|-----------------------------------------------------|----|--------------------------------|-----------------------------------|----------------------|
| Cat 16 or equivalent grader and operator (per hour) | \$ | 284. <sup>00</sup>             | + 53. <sup>00</sup>               | + 100. <sup>00</sup> |
| Cat 14 or equivalent grader and operator (per hour) | \$ | 252. <sup>00</sup>             |                                   |                      |
| Cat 12 or equivalent grader and operator (per hour) | \$ | 236. <sup>00</sup>             |                                   |                      |
| Dump truck w/front plow and operator (per hour)     |    | N/A                            |                                   |                      |
| 4WD pickup and operator (per hour)                  | \$ | 153. <sup>00</sup>             |                                   |                      |
| Mechanic and Truck (per hour)                       | \$ | 160. <sup>00</sup>             |                                   |                      |

|                                                                                 |                                                                                   |                          |                      |          |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------|----------------------|----------|
| Foreman and truck (per hour)                                                    | \$ 147. <sup>00</sup>                                                             | + \$ 53. <sup>00</sup>   | + 100. <sup>00</sup> | PER HOUR |
| Loader with snow plow blade (per hour)                                          | \$ 247. <sup>00</sup>                                                             | + \$ 53. <sup>00</sup>   | + 100. <sup>00</sup> | PER HOUR |
| Any other costs such as moves, prep time and retainages should also be included |                                                                                   |                          |                      |          |
| Moves                                                                           | \$ 630. <sup>00</sup>                                                             | PER MACHINE PER SNOWFALL |                      |          |
| Prep Time                                                                       | 1 HOUR WARM UP / GREASE TIME TO BE BILLED AS TIME & MATERIAL                      |                          |                      |          |
| Retainages                                                                      | \$ 5000. <sup>00</sup> ANNUALLY PRIOR TO DEC 10TH                                 |                          |                      |          |
| Miscellaneous                                                                   | BLADE REPLACEMENT / CUTTING EDGES TO BE BILLED ON TIME & MATERIAL BASIS AS NEEDED |                          |                      |          |

| 2023-2024<br>Equipment                                                          | Mon-Fri<br>Standard<br>8 hours                                              | Mon-Fri<br>Overtime &<br>Saturday | Sunday               |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------|----------------------|
| Cat 16 or equivalent grader and operator (per hour)                             | \$ 247. <sup>00</sup>                                                       | + \$5. <sup>00</sup>              | + 106. <sup>00</sup> |
| Cat 14 or equivalent grader and operator (per hour)                             | \$ 264. <sup>00</sup>                                                       |                                   |                      |
| Cat 12 or equivalent grader and operator (per hour)                             | \$ 247. <sup>00</sup>                                                       |                                   |                      |
| Dump truck w/front plow and operator (per hour)                                 | N/A                                                                         |                                   |                      |
| 4WD pickup and operator (per hour)                                              | \$ 160. <sup>00</sup>                                                       |                                   |                      |
| Mechanic and Truck (per hour)                                                   | \$ 167. <sup>00</sup>                                                       |                                   |                      |
| Foreman and truck (per hour)                                                    | \$ 154. <sup>00</sup>                                                       |                                   |                      |
| Loader with snow plow blade (per hour)                                          | \$ 259. <sup>00</sup>                                                       |                                   |                      |
| Any other costs such as moves, prep time and retainages should also be included |                                                                             |                                   |                      |
| Moves                                                                           | \$ 600. <sup>00</sup> PER MACHINE PER SNOWFALL                              |                                   |                      |
| Prep Time                                                                       | 1 HOUR WARM UP / GREASE TIME TO BE BILLED AS TIME & MATERIAL                |                                   |                      |
| Retainages                                                                      | \$ 5000. <sup>00</sup> ANNUALLY PRIOR TO DEC 10TH                           |                                   |                      |
| Miscellaneous                                                                   | BLADE REPLACEMENT / CUTTING EDGES TO BE BILLED AS TIME & MATERIAL AS NEEDED |                                   |                      |

If the above proposal is accepted, contractor will furnish the necessary proofs of insurance carriage (see attached).

Firm Name BNV EARTH MOVERS LLC  
Address, City, State, Zip 46912 LIBERTY DRIVE WYOM, MI 48393  
Phone 248 624 0030 Fax #: 248 624 2817

Submitted by: DREW SNARSKI 10/14/21  
ASNA@BNV EARTHMOVERS.COM Date:

Quotes received on or before October 14, 2021 will be considered

Submit to Jill Russell, 12973 Farmington Road, Livonia, MI 48150 (jrussell@livonia.gov)





## CITY OF LIVONIA

### QUOTE FOR CONTRACTED SNOW REMOVAL SERVICE FOR MAJOR STORMS

*Great Lakes*

The City of Livonia is requesting quotes for equipment and operators to assist in plowing City streets following major storms in excess of four (4) inches for the **2021-2022, 2022-2023** and **2023-2024** seasons. The minimum time will be 12 hours. The City's main priority is for loaders with plows and graders, all with operators, to plow streets along with City forces. If graders are not available, tandem dump trucks and 4-wheel pickups will be considered

| <b>2021-2022<br/>Equipment</b>                                                         | <b>Mon-Fri<br/>Standard<br/>8 hours</b>                                                                                                     | <b>Mon-Fri<br/>Overtime &amp;<br/>Saturday</b> | <b>Sunday/Holiday</b> |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------|
| Cat 16 or equivalent grader and operator (per hour)                                    | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Cat 14 or equivalent grader and operator (per hour)                                    | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Cat 12 or equivalent grader and operator (per hour)                                    | \$235                                                                                                                                       | \$352.50                                       | \$352.50/\$470        |
| Dump truck w/front plow and operator (per hour)                                        | N/A                                                                                                                                         | N/A                                            | N/A                   |
| 4WD pickup and operator (per hour)                                                     | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Mechanic and Truck (per hour)                                                          | \$110                                                                                                                                       | \$165                                          | \$165/\$220           |
| Foreman and truck (per hour)                                                           | \$110                                                                                                                                       | \$165                                          | \$165/\$220           |
| Loader with snow plow blade (per hour)                                                 | \$200                                                                                                                                       | \$300                                          | \$300/\$400           |
| <b>Any other costs such as moves, prep time and retainages should also be included</b> |                                                                                                                                             |                                                |                       |
| <b>Moves</b>                                                                           | \$650/EACH WAY AND MECHANIC TIME PORT TO PORT                                                                                               |                                                |                       |
| <b>Prep Time</b>                                                                       | 1.5 HOURS PREP TIME FOR GREASE AND WARM UP PER UNIT PER DAY                                                                                 |                                                |                       |
| <b>Retainages</b>                                                                      | PAYMENT AT THE END OF THE MONTH                                                                                                             |                                                |                       |
| <b>Miscellaneous</b>                                                                   | \$950 will be charged for cutting edge, and they will be changed every +/- 12 hours of operation. Plus labor charge to change cutting edge. |                                                |                       |

\*We are not responsible for damage to curbs, driveways, mailboxes, signs, lawns, shrubs, fire hydrants, etc. from lack of visibility in extreme weather condition.

\*GLCS will charge parts and labor for damage to blades on graders and snow plows due to manholes and catch basins that are flush with the top of pavement and cannot be exposed, and damage to other unexposed obstacles.

\*If a cycle is called off, the 2-4-8 rule will be in effect. The 2-4-8 rule will require 2 hours pay for showing up, 4 hours pay if the operator starts to operate, and any time beyond 4 hours and less than 8 will be paid at 8 hours. Anything over 8 hours in one day will be at the overtime rate.

| <b>2022-2023<br/>Equipment</b>                                                         | <b>Mon-Fri<br/>Standard<br/>8 hours</b>                                                                                                     | <b>Mon-Fri<br/>Overtime &amp;<br/>Saturday</b> | <b>Sunday/Holiday</b> |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------|
| Cat 16 or equivalent grader and operator (per hour)                                    | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Cat 14 or equivalent grader and operator (per hour)                                    | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Cat 12 or equivalent grader and operator (per hour)                                    | \$245                                                                                                                                       | 367.50                                         | \$367.50/\$480        |
| Dump truck w/front plow and operator (per hour)                                        | N/A                                                                                                                                         | N/A                                            | N/                    |
| 4WD pickup and operator (per hour)                                                     | N/A                                                                                                                                         | N/A                                            | N/A                   |
| Mechanic and Truck (per hour)                                                          | \$120                                                                                                                                       | \$180                                          | \$180/\$230           |
| Foreman and truck (per hour)                                                           | \$120                                                                                                                                       | \$180                                          | \$180/\$230           |
| Loader with snow plow blade (per hour)                                                 | \$210                                                                                                                                       | \$315                                          | \$315/\$410           |
| <b>Any other costs such as moves, prep time and retainages should also be included</b> |                                                                                                                                             |                                                |                       |
| <b>Moves</b>                                                                           | \$650/EACH WAY AND MECHANIC TIME PORT TO PORT                                                                                               |                                                |                       |
| <b>Prep Time</b>                                                                       | 1.5 HOURS PREP TIME FOR GREASE AND WARM UP PER UNIT PER DAY                                                                                 |                                                |                       |
| <b>Retainages</b>                                                                      | PAYMENT AT THE END OF THE MONTH                                                                                                             |                                                |                       |
| <b>Miscellaneous</b>                                                                   | \$950 will be charged for cutting edge, and they will be changed every +/- 12 hours of operation. Plus labor charge to change cutting edge. |                                                |                       |

\*We are not responsible for damage to curbs, driveways, mailboxes, signs, lawns, shrubs, fire hydrants, etc. from lack of visibility in extreme weather condition.

\*GLCS will charge parts and labor for damage to blades on graders and snow plows due to manholes and catch basins that are flush with the top of pavement and cannot be exposed, and damage to other unexposed obstacles.

\*If a cycle is called off, the 2-4-8 rule will be in effect. The 2-4-8 rule will require 2 hours pay for showing up, 4 hours pay if the operator starts to operate, and any time beyond 4 hours and less than 8 will be paid at 8 hours. Anything over 8 hours in one day will be at the overtime rate.

| <b>2023-2024<br/>Equipment</b>                                                         |                                                                                                                                             | <b>Mon-Fri<br/>Standard<br/>8 hours</b> | <b>Mon-Fri<br/>Overtime &amp;<br/>Saturday</b> | <b>Sunday/Holiday</b> |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------|-----------------------|
| Cat 16 or equivalent grader and operator (per hour)                                    |                                                                                                                                             | N/A                                     | N/A                                            | N/A                   |
| Cat 14 or equivalent grader and operator (per hour)                                    |                                                                                                                                             | N/A                                     | N/A                                            | N/A                   |
| Cat 12 or equivalent grader and operator (per hour)                                    |                                                                                                                                             | \$245                                   | \$367.50                                       | \$367.50/\$480        |
| Dump truck w/front plow and operator (per hour)                                        |                                                                                                                                             | N/A                                     | N/A                                            | N/A                   |
| 4WD pickup and operator (per hour)                                                     |                                                                                                                                             | N/A                                     | N/A                                            | N/A                   |
| Mechanic and Truck (per hour)                                                          |                                                                                                                                             | \$120                                   | \$180                                          | \$180/\$230           |
| Foreman and truck (per hour)                                                           |                                                                                                                                             | \$120                                   | \$180                                          | \$180/\$230           |
| Loader with snow plow blade (per hour)                                                 |                                                                                                                                             | \$210                                   | \$315                                          | \$315/\$410           |
| <b>Any other costs such as moves, prep time and retainages should also be included</b> |                                                                                                                                             |                                         |                                                |                       |
| <b>Moves</b>                                                                           | \$650/EACH WAY AND MECHANIC TIME PORT TO PORT                                                                                               |                                         |                                                |                       |
| <b>Prep Time</b>                                                                       | 1.5 HOURS PREP TIME FOR GREASE AND WARM UP PER UNIT PER DAY                                                                                 |                                         |                                                |                       |
| <b>Retainages</b>                                                                      | PAYMENT AT THE END OF THE MONTH                                                                                                             |                                         |                                                |                       |
| <b>Miscellaneous</b>                                                                   | \$950 will be charged for cutting edge, and they will be changed every +/- 12 hours of operation. Plus labor charge to change cutting edge. |                                         |                                                |                       |

\*We are not responsible for damage to curbs, driveways, mailboxes, signs, lawns, shrubs, fire hydrants, etc. from lack of visibility in extreme weather condition.

\*GLCS will charge parts and labor for damage to blades on graders and snow plows due to manholes and catch basins that are flush with the top of pavement and cannot be exposed, and damage to other unexposed obstacles.

\*If a cycle is called off, the 2-4-8 rule will be in effect. The 2-4-8 rule will require 2 hours pay for showing up, 4 hours pay if the operator starts to operate, and any time beyond 4 hours and less than 8 will be paid at 8 hours. Anything over 8 hours in one day will be at the overtime rate.

If the above proposal is accepted, contractor will furnish the necessary proofs of insurance carriage (see attached).

**Firm Name** GREAT LAKES CONTRACTING SOLUTIONS, LLC

**Address, City, State, Zip** 2300 EDINBURGH, WATERFORD, MICHIGAN 48328

**Phone** 810-560-0165 **Fax #:** 313-962-0404

**Submitted by:** Philip A. Sakalian Digitally signed by Philip A. Sakalian  
Date: 2021.09.30  
10:33:12 -04'00' **PHILIP A. SAKALIAN** 9/30/2021

**Date:**

Quotes received on or before **October 14, 2021** will be considered

Submit to Jill Russell, 12973 Farmington Road, Livonia, MI 48150 ([jrussell@livonia.gov](mailto:jrussell@livonia.gov))

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

5

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

**5. REQUEST FOR AUTHORIZATION TO PURCHASE ONE ASPHALT ZIPPER RECLAIMER; Department of Public Works, re: from budgeted funds.**

Don Rohraff, Director of Public Works, presented this request to Council. He stated as you mentioned, the asphalt zipper that we're looking at here just to put things in perspective, we have 145 miles of asphalt roads. In the last three years we spent about 3.8 million dollars on repaving those roads. We're always trying to find a better way to do our job, the DPW, we've been trying to bring more smaller scale work in-house as you know, buying more road repair equipment and those types of things for our DPW staff. This piece of equipment will allow us to repair asphalt roads and cracks. The potholes, damage caused by tree roots, allowing us to go to these trouble spots, grind this out, pulverize the asphalt, use it as a base to put that down which will be a better base than what we had down there previously with the mixture of the pulverized asphalt and induced spot repairs extending those sections of the road and that life for that road. Making these repairs allows us to focus funds to do the larger scale projects for our Road Program in the other areas that we may not have had the opportunity to do if we had this piece of equipment. We have had this company out a couple of times to do demos for us in certain areas, it worked out perfectly. This machine is only manufactured by this company, they are the only sole provider. They've told us there's been two price increases as I'm sure you've heard 1,000 times over the last few months. But they're willing to hold the pricing that we have here which is a savings of about \$19,000.00 at this point if we make this purchase by the end of the year. So, it is the recommendation of the Department that Council approve the purchase of this equipment from Asphalt Zipper at a cost of \$180,200.00 from budgeted funds and waive the bid process according to City Ordinance as there is no advantage to the City from competitive bidding and I'd be happy to answer any questions you may have.

Councilmember Donovic stated that oftentimes you get the question about the County roads, the State roads and the City roads; this piece of machinery is going to be intended to use for smaller repairs. Are we allowed to repair the small holes that we find on the County-owned road or a State-owned road or this piece of machinery only allowed to be used for City-owned roads?

Rohraff replied I'm going to borrow Ted Davis' statement, that's a great question. As anything that we have, we try not to make it a practice to go on a County road or a State road for that matter, obviously for a lot of reasons. You start going out and exhibiting that behavior then it's going to become expected and then you don't get the results that you need. If there was an emergency situation this piece of equipment could definitely be taken out there and used for that. We've done it in the past where we've had debris that's fallen on road that we were getting no response, those type of things. But yes, it would be, its focus is on local for City roads that we have here. But if there was an emergency situation we would definitely respond with it.

Donovic said I feel like a genius because that's exactly the answer I give to residents when they ask me so thanks, Mr. Rohraff, and I'd like to offer an approving on Consent if there's no objection.

DIRECTION:

APPROVING

CONSENT





## LETTER TO THE LIVONIA CITY COUNCIL

5.

**DPW**  
**October 22, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Jill Russell, Secretary III

### AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE ONE ASPHALT ZIPPER RECLAIMER;  
Department of Public Works, re: from budgeted funds.

### BACKGROUND

Asphalt repair is a long, tedious process which requires many manhours and repairs rarely last long because of Michigan weather, the rain and snow degrades the patches requiring continued maintenance. Livonia has 144.5 miles of asphalt streets that we maintain. In the past three years, we've spent over \$3.8M per year repaving these roads. In order to protect our investment, we have been actively researching a way to provide regular maintenance to these roads as they begin to break down. The Zipper is a machine that will grind down the asphalt into a much stronger base material as opposed to the old way of cutting out the asphalt and paying to haul it away, then paying to have new fill delivered.

This is a sole-source provider machine; manufactured by Asphalt Zipper of American Fork, Utah. Even though they incurred a price increase since our initial quote, the company has given us two credits for \$19,010 and have held their price for this unit, which is good through 12/31/21.

### RECOMMENDATION

It is the recommendation of the DPW that Council approve the purchase of one 201 420X-173H Zipper Asphalt Reclaimer from Asphalt Zipper, 831 E. 340 South, American Fork UT 84003 at a cost of \$180,200.00 from budgeted funds, and to waive the bid process according to section 3.04.140 (D)(3) of the Livonia Code of Ordinances as there would be no advantage to the City from competitive bidding.

### FISCAL CONSIDERATION

401-000-987-000  
\$180,200.00  
2021-22 budget

### ATTACHMENTS

1. 420X Wheel Assist Spec Sheet
2. Asphalt Zipper Quote 2021
3. Zipper Info Sheet



4. Zipper Patch's Cost and Time Savings Estimate

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works

Date: October 22, 2021



Donald Rohraff, Director of Public Works

Date: October 22, 2021



Michael Slater, Finance Director

Date: October 27, 2021



Maureen Miller Brosnan, Mayor

Date: October 29, 2021

# Asphalt Zipper

# 420X

WITH ACCU-TRAK™ WHEEL ASSIST



Shown with optional 150-gallon  
Wheel Assist Mount water supply system

## 3½' Cutting Width Reclaimer/Stabilizer and Utility Trencher with PATENTED ZipTec™ Enhanced Pulverizing System and Accu-Trak™ Wheel Assist

BACKHOE MOUNT

SMALLER LOADER MOUNT

Packed with technology, yet surprisingly simple to operate, the 420X WA harnesses the power and productivity of much larger, self-propelled reclaimers into a very powerful, versatile, and affordable loader attachment. Powered by either a Cummins intercooled turbo-diesel **Tier 4 Final** engine or the latest Cummins intercooled turbo-diesel **Tier 4 (Gen 2) Performance** engine, the 420X WA will pulverize up to 10-inch-thick asphalt in a single pass. The innovative upgrades and improvements throughout this new-generation Asphalt Zipper dramatically improve production in thicker asphalt, reliability and longevity of the machine, and ease of use. Full road repairs, street patches, base stabilization, and opening utility trenches in asphalt are just a few of its many uses.



**Custom tandem-axle trailer** (optional) with quick-load guiding system, low center of gravity, convenient working deck and built-in custom toolbox, enables the 420X WA to be hauled behind a 1-ton pickup truck.

## Specifications

**NEW FOR  
2021**

| Model         | 420X-120E WA                                                                                                                                      | 420X-173H WA                                                                                                                                                                      |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Engine        |  Cummins<br><b>120 hp</b><br>Turbo-Diesel<br><b>Tier 4 Final</b> |  Cummins<br><b>173 hp</b><br><b>HOT-ROD</b><br>Turbo-Diesel<br><b>Tier 4 (Gen 2) Performance</b> |
| Torque        | 360 ft·lb<br>488 N·m                                                                                                                              | 457 ft·lb<br>620 N·m                                                                                                                                                              |
| Weight        | 7050 lbs<br>3198 kg                                                                                                                               | 7100 lbs<br>3221 kg                                                                                                                                                               |
| Cutting Width | 42 in (30" available)<br>1067 mm (762 mm available)                                                                                               |                                                                                                                                                                                   |
| Cutting Depth | 0 to 10 in<br>0 to 254 mm                                                                                                                         |                                                                                                                                                                                   |

Asphalt Zipper reserves the right to change specifications at any time. U.S. Patent nos. 7036252, 7066555, 7144087, 8177456, 10086867. Other U.S. and international patents pending.

# Asphalt Zipper

World Leader in Portable Reclaimers/Stabilizers and Utility Trenchers



**Toll-free: 888-ZIPPER-8 (947-7378)**

310 West 700 South, Pleasant Grove, UT 84062  
 Main: 801-847-3200 • Fax: 801-847-3250

[www.asphaltzipper.com](http://www.asphaltzipper.com)

## Standard Features

|                                |                                                                                                                                                                                   |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Cutter Head</b>             | <b>420X/300X</b>                                                                                                                                                                  |
| <b>Cutting Bits</b>            | Double-carbide, bullet-head                                                                                                                                                       |
| <b>Containment System</b>      | <b>ZipTec™</b><br>Enhanced Pulverizing System                                                                                                                                     |
| <b>Planetary</b>               | Fairfield Magnum-duty                                                                                                                                                             |
| <b>Depth Control</b>           | Hydraulic (infinitely adjustable)                                                                                                                                                 |
| <b>Rear Baffle</b>             | 5-position, adjustable                                                                                                                                                            |
| <b>Bit Hatch</b>               | <b>EZ-Lift™</b> manually opening                                                                                                                                                  |
| <b>Mounting System</b>         | <b>Versa-Mount™</b><br>hydraulic, bottom-clamping<br>Universal Coupler                                                                                                            |
| <b>Controls and Monitoring</b> | <ul style="list-style-type: none"> <li>Control Panel (on machine)</li> <li>Control Box (for host vehicle)</li> <li>Wireless Remote (for groundsman)</li> </ul>                    |
| <b>Transport</b>               | Tows behind 1-ton pickup on tandem-axle trailer.                                                                                                                                  |
| <b>Additional Features</b>     | <ul style="list-style-type: none"> <li>Built-in spray system</li> <li>Hydraulic belt tensioning</li> <li>Planetary cooling jacket</li> <li>Push fan under-hood cooling</li> </ul> |

## Available Options

### Side Shift and Tilt

### Optional Mounting Systems:

- Quick Coupler
- Versa-Mount™ Quick Coupler

### Water Supply Systems:

- Wheel Assist Mount (150-gallon)

### Custom Trailer



## The Most Economical Way to Repair Roads Long Term

Today's Date: **9/21/2021**

Proposal good to end of 2021

Field Rep: Dave Stiller

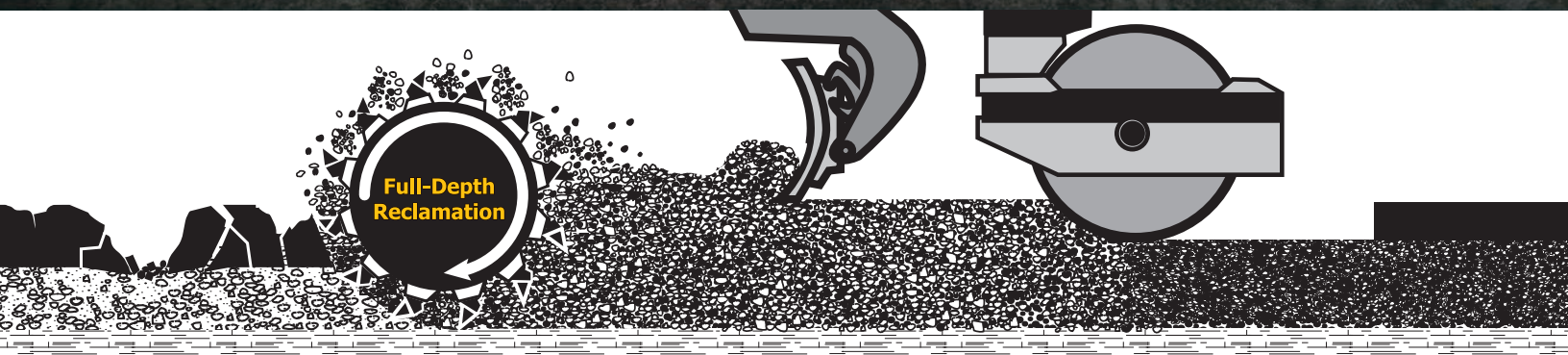
|                 |  |
|-----------------|--|
| *Order Deposit: |  |
|-----------------|--|

Signature indicates acceptance of this Proposal/Invoice based on satisfactory performance of the Asphalt Zipper Machine

Terms and Conditions: This proposal is a preliminary estimate; all prices are in US Dollars. Final sales price subject to approval by Asphalt Zipper accounting. Price does NOT include sales tax or GST (Canada); applicable sales tax or GST will be added to final invoice. Machine availability and specifications are subject to change at anytime by Asphalt Zipper. \*A Deposit is required for all Orders. All returns and cancelled custom orders are subject to a 20% restocking fee plus any freight charges.



# NO MORE POTHOLES CRACKS & RUTS



**The Most Economical Way  
to Repair Roads Long Term**



# Why Most Road Repairs Don't Last

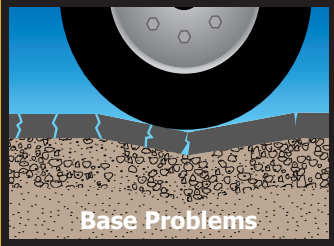
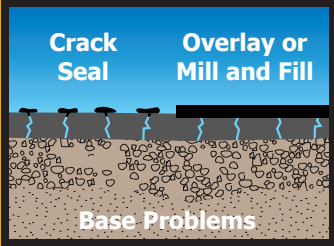
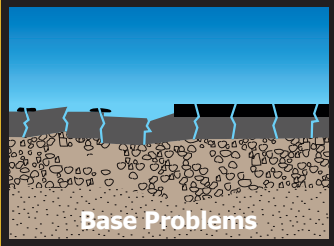
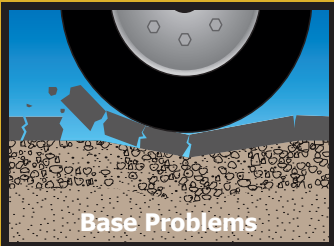
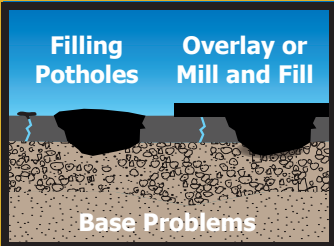
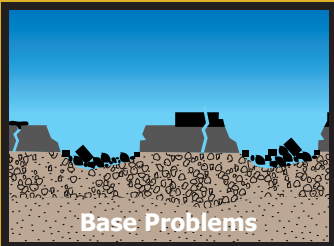
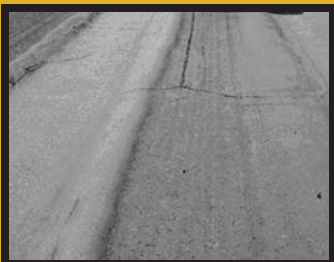
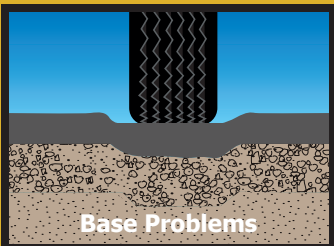
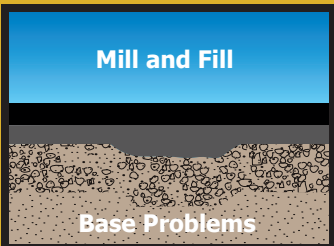
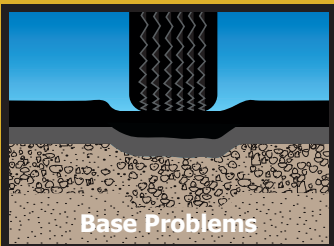
## It's All About the Base

Common methods only treat the surface. As a result, many of these repairs have to be redone again and again.



"Surface treatment is like putting lipstick on a pig. You can doll it up all you want to, but you still have a pig."

Terry Garrett  
Road Superintendent  
Brownwood, TX

| SYMPTOMS                                                                                                            | UNDERLYING PROBLEMS                                                                                                                                                                              | COMMON TREATMENTS                                                                                                                                                                                                                   | NET RESULTS                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <br><b>Alligator Cracking</b>      | <br><b>Base Problems</b><br>Insufficient or deteriorated base flexes under heavy loads, causing cracks.        | <br><b>Crack Seal    Overlay or Mill and Fill</b><br><b>Base Problems</b><br>Surface is sealed or covered, but underlying base problem persists. | <br><b>Base Problems</b><br>Cracks soon reappear and get worse.                                         |
| <br><b>Potholes</b>               | <br><b>Base Problems</b><br>Cracks encircle areas that eventually are flipped out.                            | <br><b>Filling Potholes    Overlay or Mill and Fill</b><br><b>Base Problems</b><br>Pothole is filled or covered, but base is still compromised. | <br><b>Base Problems</b><br>Cracks continue to surface; potholes reappear and widen.                   |
| <br><b>Rutting &amp; Shoving</b> | <br><b>Base Problems</b><br>Unstable, insufficient or deteriorated base buckles and warps under heavy loads. | <br><b>Mill and Fill</b><br><b>Base Problems</b><br>Raised areas are milled down and an overlay is applied.                                    | <br><b>Base Problems</b><br>Because underlying problem was not addressed, ruts return in new surface. |

The solution ...

### EXPENSIVE RECONSTRUCTION



Generally, the old asphalt has to be ripped up and hauled off and the subsurface replaced with new fill.

OR

### FULL-DEPTH RECLAMATION

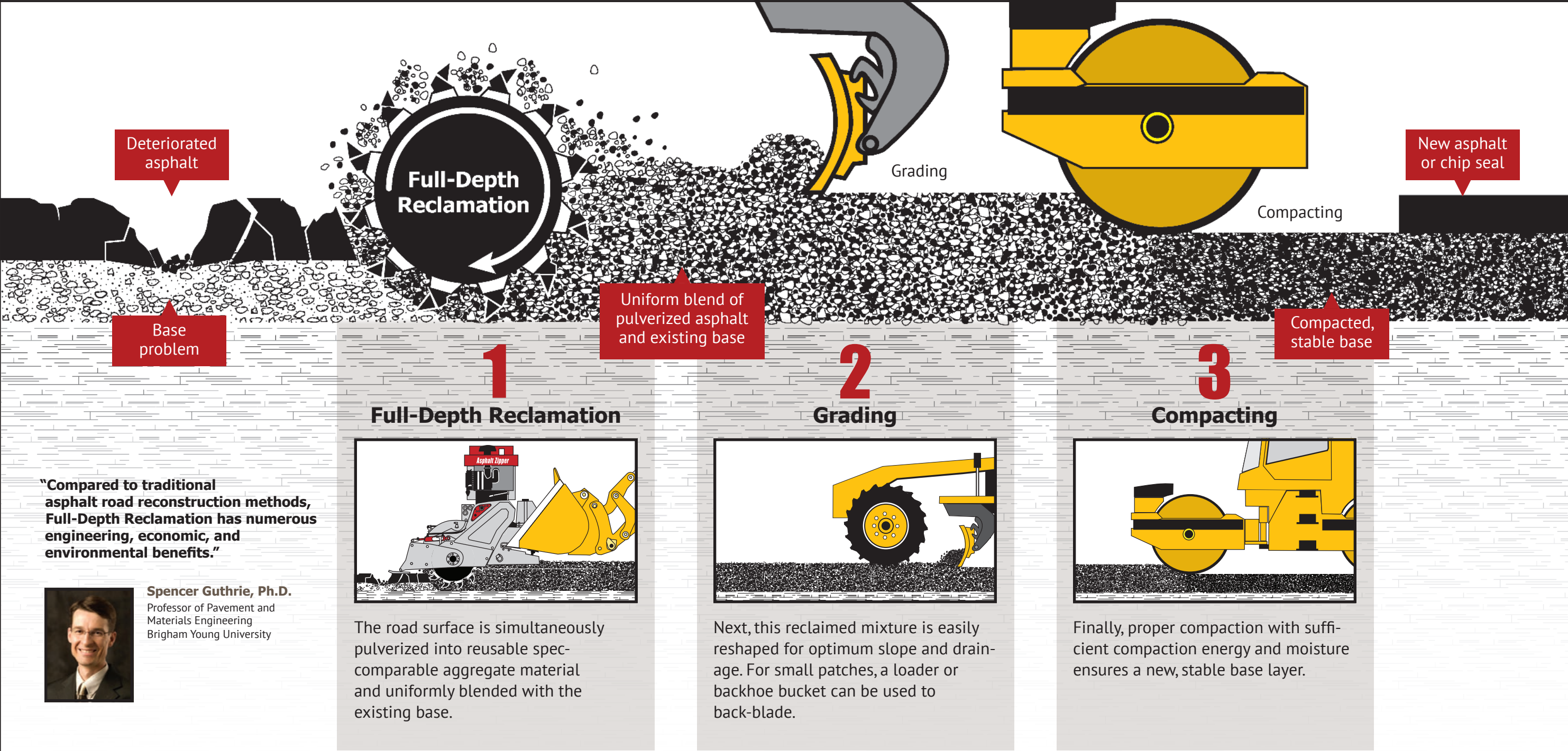


The most economical way to repair roads long term.



# Full-Depth Reclamation

A quiet revolution is taking place all across the United States as communities discover the most economical way to repair roads and eliminate potholes long term.

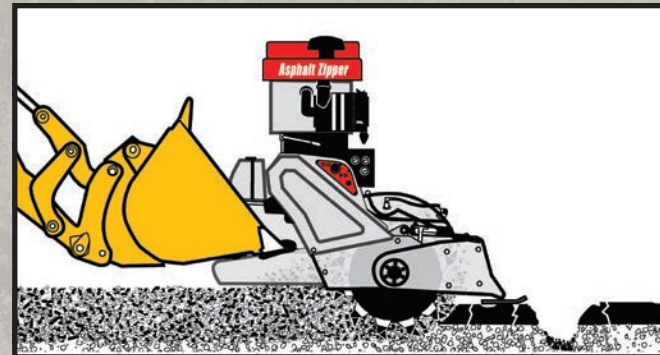




# 3 Proven Approaches to Full-Depth Reclamation (FDR)

## Basic Stabilization FDR WITH EXISTING MATERIAL

Full-Depth Reclamation is performed to simultaneously pulverize the entire thickness of the existing road surface and uniformly blend it with the existing road base. The result is reusable, well-graded aggregate material that, once re-compacted, creates a new base that can be significantly more stable.



*Pulverize old road surface and blend with base.*



**"For us FDR means more than Full-Depth Reclamation. It also means Finally Done Right."**

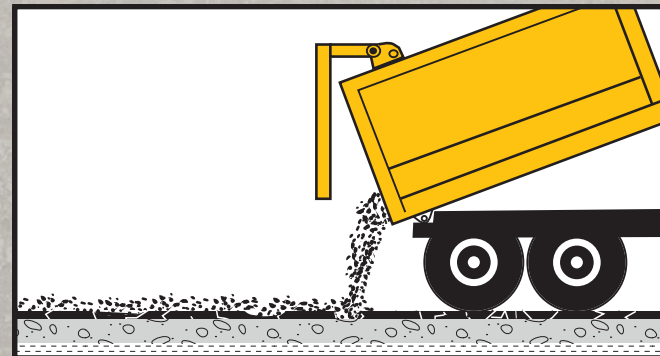
**Fred Nardini**  
Commissioner  
San Patricio County, TX

## When Basic Stabilization Is Not Enough . . .

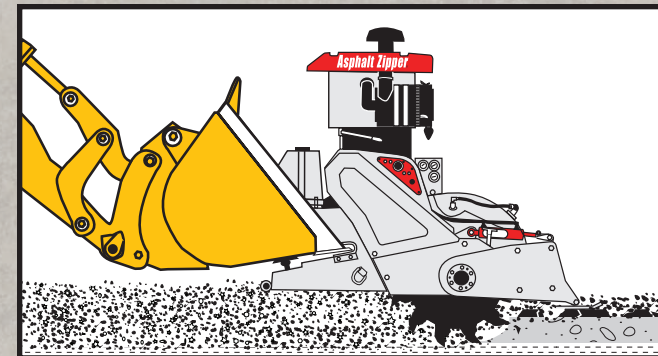
If the sum total of the existing road surface and base material above the native soil is insufficient to produce desired base composition and depth, then **Mechanical Stabilization** and/or **Chemical Stabilization** is recommended, depending on conditions.

## Mechanical Stabilization FDR WITH ADDITIONAL MATERIAL

Additional aggregate or road base is spread over the road surface prior to performing Full-Depth Reclamation. This is an easy way to supplement the existing road surface and the existing base to achieve desired base depth with greater stability.



*Spread gravel or additional base material on old road surface.*



*Pulverize old road surface and blend with base.*

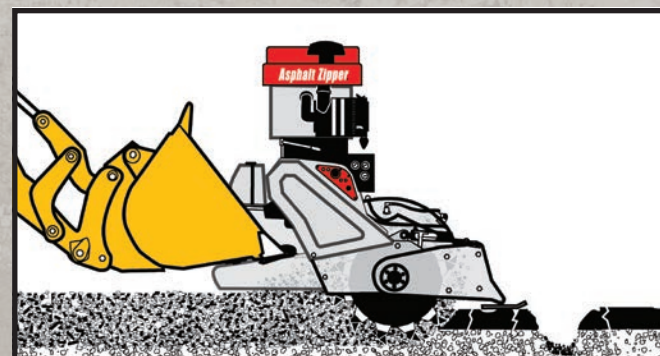


**"The most cost-effective way we have found to repair our worst roads is to spread a layer of base material and blend that into the base with our Asphalt Zipper. This makes an incredibly solid base. It's like building a house: get the foundation right and you save yourself a lot of future problems."**

**Jerry Haynie**  
Road Manager (retired), Lafayette County, MS;  
Former Chairman (8 years), Mississippi Road Managers Association

## Chemical Stabilization FDR WITH CHEMICAL ADDITIVES

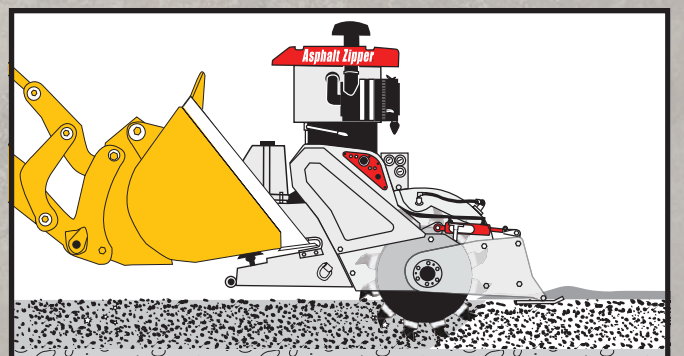
Full-Depth Reclamation to the desired depth is performed, and then a chemical additive, such as portland cement or a suitable alternative, is applied and blended to the same depth in a second pass.



*Pulverize old road surface and blend with base.*



*Spread additive over blended base.*



*Blend additive into blended base.*

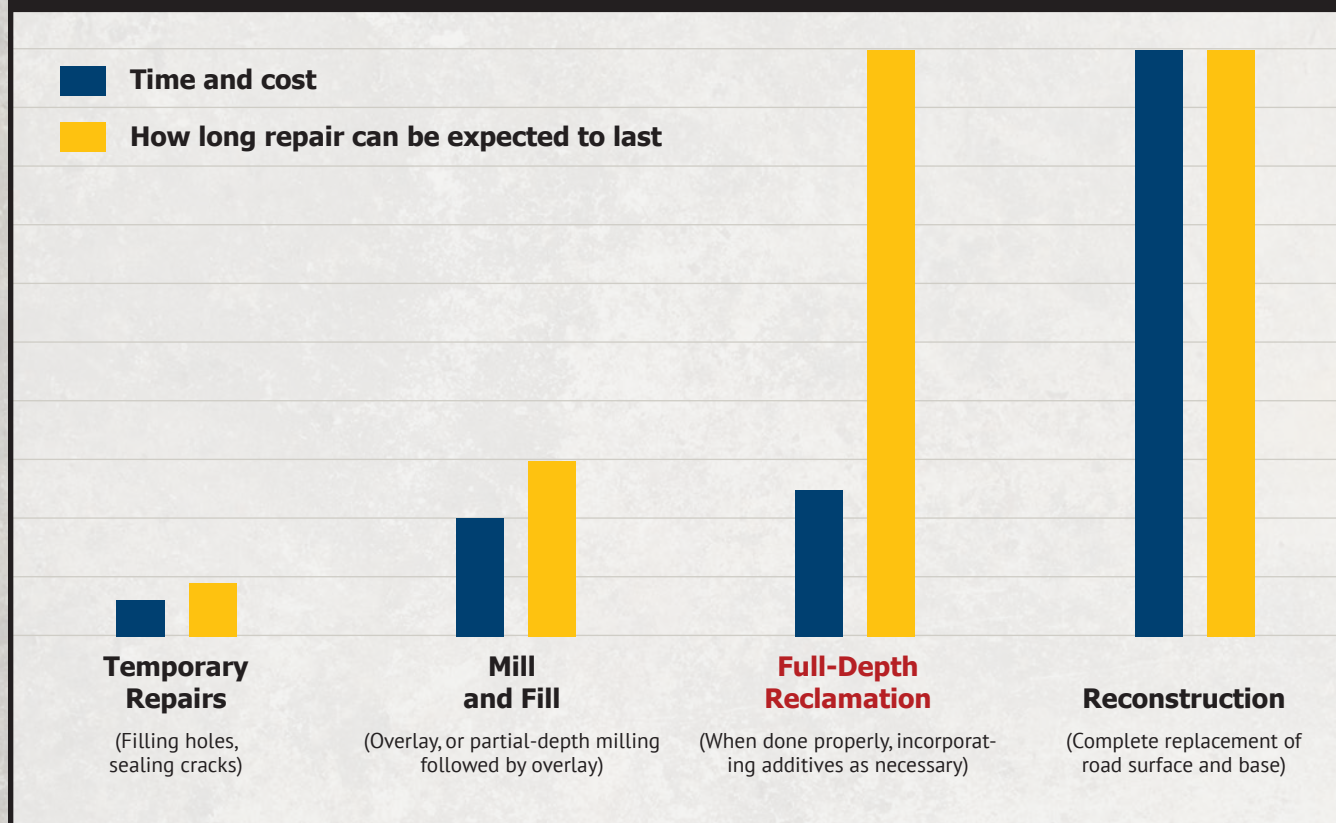


**"Our Asphalt Zippers have enabled us to cement-stabilize 503 miles of our roads over the past 12 years, because we can now do in a day what used to take 2 weeks."**

**Richie Beyer, P.E.**  
County Engineer and past president of NACE (National Association of County Engineers)  
Elmore County, AL



# How Does Full-Depth Reclamation Compare?



**Full-Depth Reclamation gives you virtually all the benefits of complete reconstruction for little more than you now spend on temporary repairs.**



**"I have seen the bigger machines work and I was skeptical of this smaller machine. Once you see the finished product, there is no difference."**

**Charlie Tewalt**  
Supervisor  
Mt. Vernon, WA

## Asphalt Zipper®

*World Leader in Portable Reclaimers/Stabilizers and Utility Trenchers*

***The most economical way to eliminate potholes long term.***

Toll-free: **1-888-ZIPPER-8**  
(1-888-947-7378)

Direct: +1 (801) 785-0706

310 West 700 South  
Pleasant Grove, Utah 84062, USA

**[www.asphaltzipper.com](http://www.asphaltzipper.com)**

**IMPROVING  
AMERICA**  
ONE ROAD AT A TIME®

# Asphalt Zipper<sup>™</sup> World Leader in Portable Reclaimers / Stabilizers / Utility Trenchers

SAVINGS COMPARISON using an Asphalt Zipper 420X (42" / 1066 mm)

Prepared For: **40' x 15' Patch Repairs**



US Dollar

|              |              |      |                            |                            |     |                                    |
|--------------|--------------|------|----------------------------|----------------------------|-----|------------------------------------|
| Project Size | Length       | 40   | feet                       | 0.50 Mile(s) = 2640 ft.    | 600 | Square Feet                        |
|              | Width        | 15   | feet                       | Mile(s) to Feet Calculator | 67  | Square Yards                       |
|              | Depth        | 3-4" | inches (Asphalt Thickness) |                            | 15  | Tons of Asphalt / Chipseal Removed |
|              | Cutter Head  | 42   | inches wide                |                            | 2   | Truck Loads                        |
|              | Will Require | 5    | Passes                     | Fuel per gallon \$ 3.00    | 110 | Foot Perimeter                     |
|              |              |      |                            |                            | 8   | Ton Load                           |

## Road Rehabilitation

Saw-Cut / Dig-Out, Haul Away & Backfill

### Saw-Cutting

Saw-Cutting (per foot) 110 \$ 2.00 \$ 220

**Total Saw-Cutting \$ 220**

### Dig-Out & Load

Time **6.00**  
Hours

|                        | # Units               | \$ / Hour | Total  |
|------------------------|-----------------------|-----------|--------|
| Excavator w/ Operator  | 1                     | \$ 75.00  | \$ 450 |
| Fuel 3.6 GPH =         | 21.6                  | Gallons   |        |
| Loader w/ Operator     | 1                     | \$ 75.00  | \$ 450 |
| Fuel 2.8 GPH =         | 16.8                  | Gallons   |        |
| Dump Truck w/ Driver   | 2                     | \$ 75.00  | \$ 900 |
| Fuel 3.2 GPH =         | 38.4                  | Gallons   |        |
| <b>Total Fuel</b> 53.8 | <b>Gallons at</b> 70% |           | \$ 161 |
| Additional Laborer     | 2                     | \$ 25.00  | \$ 300 |
| Traffic Control        | 2                     | \$ 15.00  | \$ 180 |

**Total w/ Fuel \$ 2,441**

**Total Labor Hours 48.0**

### Trucking & Disposal

|                                      | # Units | \$ / Hour | Total         |
|--------------------------------------|---------|-----------|---------------|
| Trucking (per load)                  | 2       | \$ 65.00  | \$ 130        |
| Disposal Fees (per ton)              | 15      | \$ 10.00  | \$ 145        |
| <b>Total Trucking &amp; Disposal</b> |         |           | <b>\$ 275</b> |

### Base Material / Other Costs

|                         | # Units | \$ / Rate | Total     |
|-------------------------|---------|-----------|-----------|
| Base Material (per ton) | 15      | \$ 30.00  | \$ 435.00 |
| Other                   |         |           |           |

**Total Other Costs \$ 435**

**Traditional TOTAL \$ 3,371**

## ZIP<sup>™</sup> ( Reclamation / Stabilization )

Simultaneously Cut, Pulverize & Uniformly Blend

ZIP<sup>™</sup> Time to Zip **0 9 = 0.14**  
Hours Minutes Hours

|                        | # Units | \$ / Hour | Total |
|------------------------|---------|-----------|-------|
| Backhoe w/ Operator    | 1       | \$ 75     | \$ 11 |
| Fuel 3.6 GPH =         | 1       | Gallons   |       |
| * Asphalt Zipper 420X  | 1       | \$ 52     | \$ 7  |
| 4.2 GPH Fuel (Gallons) | 0.6     | \$ 3.00   | \$ 2  |
| Bits                   | 3       | \$ 8.50   | \$ 4  |

**Total Fuel 1.1 Gallons at 100%** \$ 3

Additional Laborer 1 \$ 25.00 \$ 4

Traffic Control 2 \$ 15.00 \$ 4

**Total Zipping \$ 35**

**Total Labor Hours 0.6 Freeing 47.4 Labor hours**

By Zipping<sup>™</sup> you've also created

**15 Tons**  
of Reusable Material

**Zipped TOTAL \$ 35**

**Cost Per Square Yard \$ 50.57**

**Cost Per Square Yard \$ 0.52**

**TOTAL SAVINGS \$ 3,336**

**# of Jobs per Year 12 = ANNUAL SAVINGS \$ 40,037.93**

Estimated Annual Payment \$ (40,762.51)

**Pays for itself PLUS an Extra \$ (724.58)**

For more information or a demonstration call 1-888-ZIPPER-8 (947-7378)

www.asphaltzipper.com

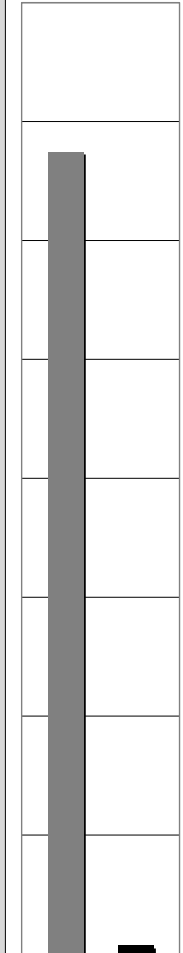
\* Asphalt Zipper cost based on amortization of 2500 hours

\*\* Hours to Zip Job based on running time of 50 minutes per hour.

This is only an Estimate based on User input and average speeds. Depending on temperature and asphalt hardness actual results may vary. Zipper fuel based on 75% average operating load.

**99%**

**SAVINGS**



**Traditional \$3,371**  
**Zipped \$35**

### \*\*Hours to Zip Job

**0 9**  
Hours Minutes

**= 0.14 Hours**

**(42" / 1066 mm)**

| DEPTH    | Linear feet / min | SPEED |
|----------|-------------------|-------|
| Chipseal | 88.0              |       |
| 1-2"     | 40.0              |       |
| 3-4"     | 28.0              |       |
| 5-6"     | 20.0              |       |
| 7-8"     | 7.0               |       |
| 9-10"    | 4.0               |       |
| -        | -                 |       |

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**6**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

6. REQUEST FOR ADDITIONS TO THE LOCAL STREET SYSTEM FOR ACT 51 COMPUTATIONS: Engineering Division, re: for streets or portions thereof, newly opened during 2021.

Todd Zilincik, City Engineer, presented this request to Council. He stated this is an easy one, this is Livonia Manor III, Bridge Street, we're just adding 123.5 lineal feet of road to the network that's required by the end of the year so we can get funding for the State for Act 51 Funds. I'd be happy to answer any questions if you need further information or have concerns.

Councilmember McCullough offered an approving resolution for the Consent Agenda.

DIRECTION:

APPROVING

CONSENT





## LETTER TO THE LIVONIA CITY COUNCIL

6.

**Engineering**  
**October 20, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Karen Worley, Secretary IV

### AGENDA ITEM

REQUEST FOR ADDITIONS TO THE LOCAL STREET SYSTEM FOR ACT 51 COMPUTATIONS:  
Engineering Division, re: for streets or portions thereof, newly opened during 2021.

### BACKGROUND

In accordance with the Michigan Department of Transportation's (MDOT) procedure for adding streets to the City's local street system, the Department of Public Works has requested that the Law Department prepare a resolution with regard to streets (or portion of streets) newly opened during 2021.

### RECOMMENDATION

To that end, the following resolution is offered for your consideration and possible adoption:

RESOLVED, that having considered a communication from the Department of Public Works, dated October 20, 2021, approved for submission by the Mayor, and which bears the signature of the Director of Finance and the City Attorney, concerning the inclusion in the local street system, for Act 51 revenue computation purposes, of the following street:

#### **Bridge Street (Addition)**

Length: 123.50 l.f.  
Termini: Bridge Street to Bridge Street

#### Legal Description:

Part of the Southeast  $\frac{1}{4}$  of Section 3, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan described as follows:

Commencing at a point on the south line of said Section, distant due West, 673.50 feet and North  $00^{\circ}17'00''$  West, 730.49 feet from the Southeast corner of Section 3 and proceeding thence due West, 123.50 feet to the Point of Ending.

Location: S.E.  $\frac{1}{4}$  of Section 3

The Council does hereby authorize the City Engineer acting as the Street Administrator to apply to the Michigan Department of Transportation for the inclusion of said streets in the City's local street system for the purpose of computing the City's share of Act 51 revenues.

AND BE IT FURTHER RESOLVED THAT the street is an approved public street and is open for public purposes; and FURTHER, that said streets are accepted into the City's local street system and are located within a right-of-way under the control of the City of Livonia and that said streets were open to the public as of December 31, 2021.

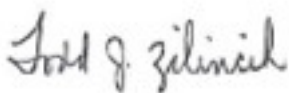
## FISCAL CONSIDERATION

None

## ATTACHMENTS

1. Map of Bridge Street Location
2. Site Plan for Livonia Manor 3

## APPROVED BY



Date: October 20, 2021

Todd Zilincik, P.E., City Engineer



Date: October 20, 2021

Donald Rohraff, Director of Public Works



Date: October 21, 2021

Michael Slater, Finance Director



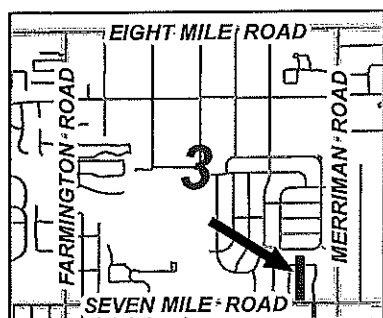
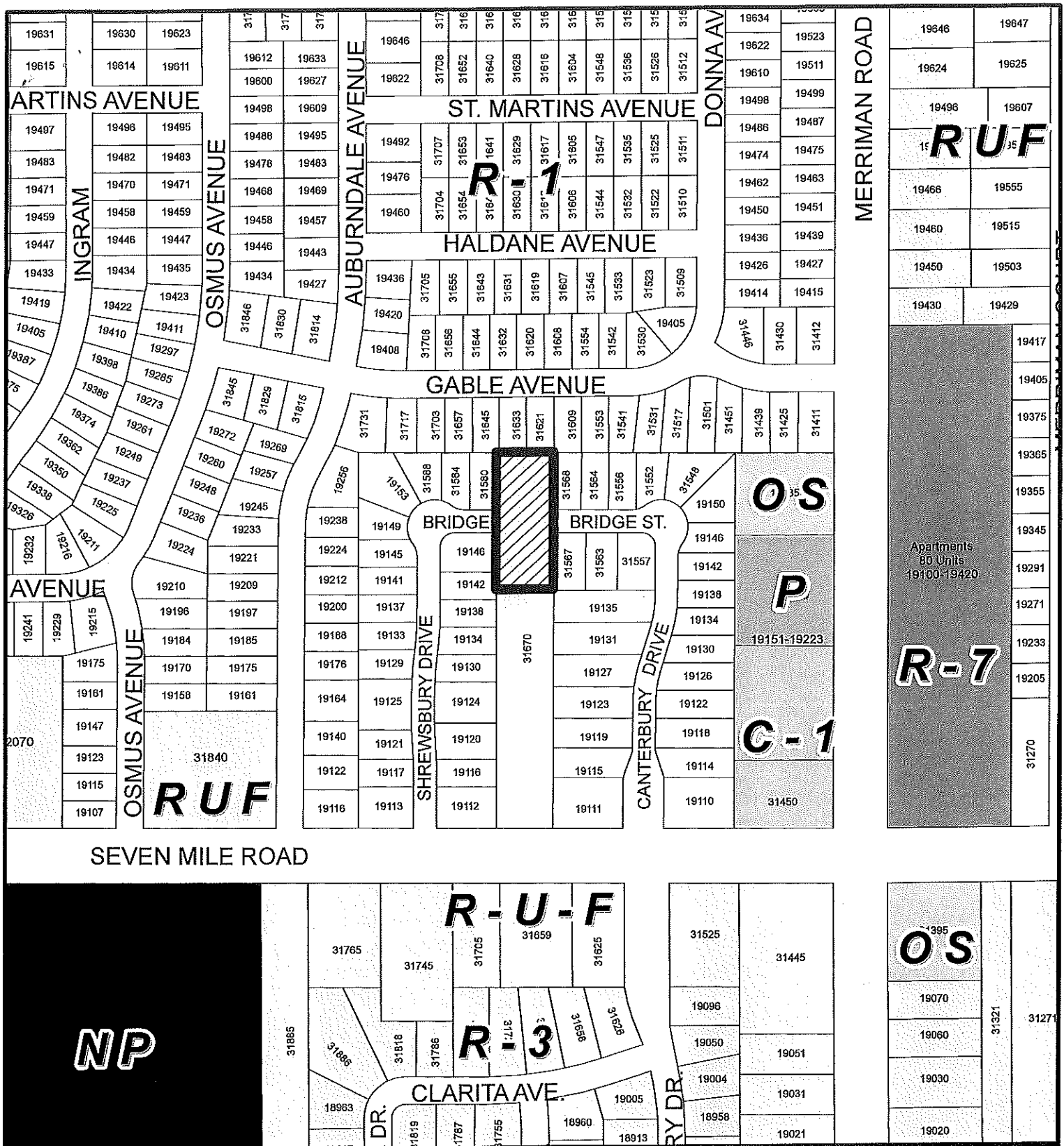
Paul Bernier, City Attorney

Date: October 26, 2021



Date: October 29, 2021

Maureen Miller Brosnan, Mayor



## Address & Zoning Map

Petition 2020-02-01-02  
 Belaggio Homes Inc.  
 31670 Seven Mile Road  
 R-U-F to R-1

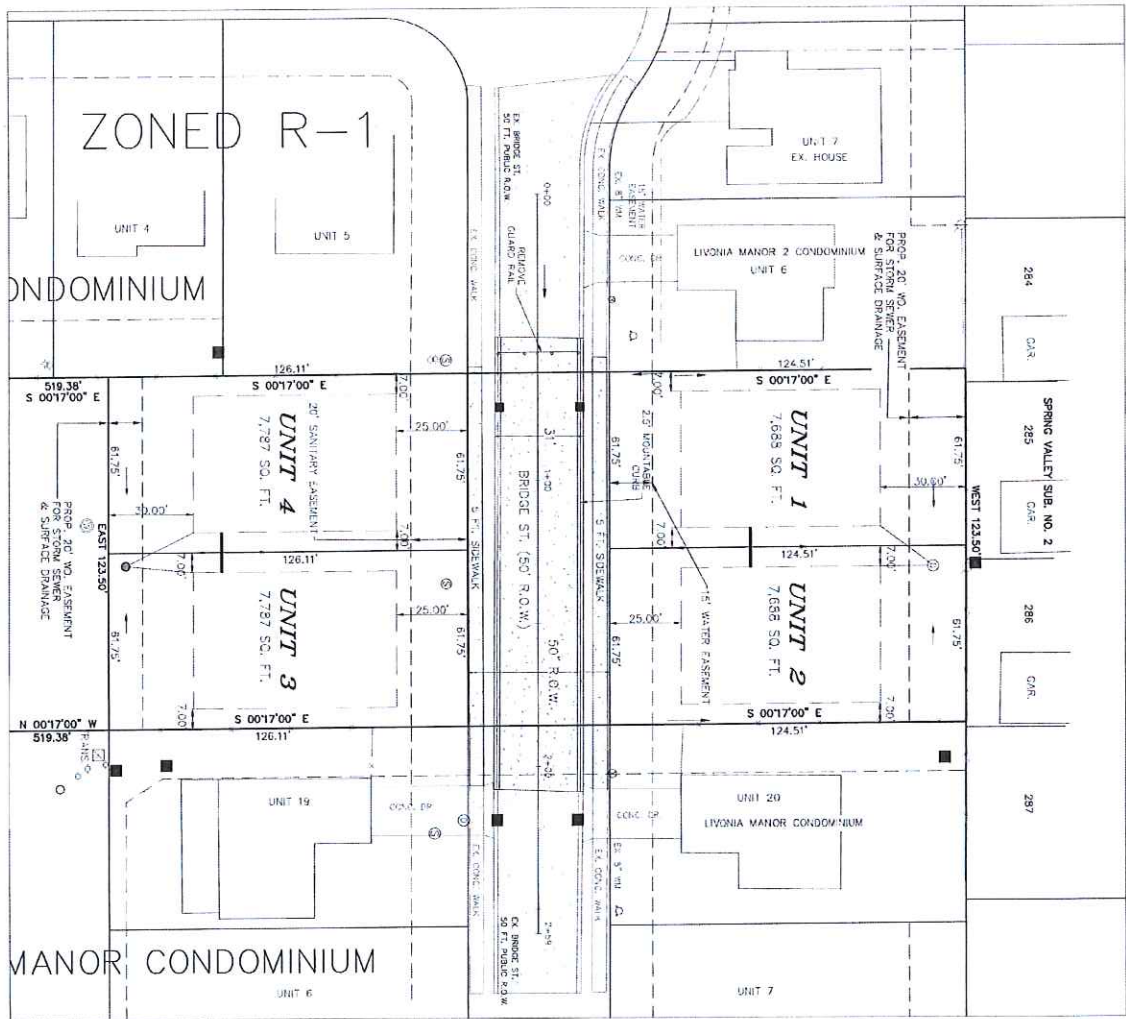


Not to Scale



City of Livonia  
 Planning Department

NOTES:  
1. ALL DISTANCE ON THE ADJACENT PARCELS SHALL BE RESTORED WITHIN 15-DAYS AFTER THE WORK ON THE PROJECT FINISH THE SITE CONSTRUCTION.



| REVISIONS |                                       |
|-----------|---------------------------------------|
| SYM       | DESCRIPTION                           |
| 01        | 10-14-20 PRELIMINARY LAYOUT           |
| 02        | 10-30-20 REVISED AS PER CITY COMMENTS |
| 03        | 11-11-20 REVISED AS PER CITY COMMENTS |

## SITE PLAN

|           |             |                                                     |        |
|-----------|-------------|-----------------------------------------------------|--------|
| TITLE     |             | LIVONIA MANOR 3<br>7 MILE ROAD<br>LIVONIA, MICHIGAN |        |
| PROJ. NO. | 001-10-2019 | SCALE                                               | 1"=30' |
| DATE      | 10-14-2019  | DRAWING NO.                                         | CS-100 |
|           |             | DESIGNED BY                                         | FK     |

|                                              |  |                                             |  |
|----------------------------------------------|--|---------------------------------------------|--|
| NATIONAL CONSULTANTS<br>AND ENGINEERING LLC. |  | NCEI                                        |  |
| Civil Engineers - Construction Managers      |  | 22417 CRANDROOKE DRIVE NOVI, MICHIGAN 48375 |  |
| Phone: (313) 258-2036                        |  | Email: Fadi.Khalil120@gmail.com             |  |

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

7

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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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

7. REQUEST TO EXTEND THE QUALIFICATION-BASED SELECTION (QBS) CONTRACTS WITH OHM ADVISORS, HUBBELL, ROTH AND CLARK, INC., SPALDING DEDECKER ASSOCIATES, INC. AND ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR FIVE YEARS: Engineering Division, re: to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewer, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects from December 1, 2021 through November 30, 2026. (CR 365-16).

Todd Zilincik, City Engineer, presented this request to Council. He stated as you're all aware, we have four consultants that we selected previously, we did a five-year extension and now we're asking for another five-year extension. The reason for the extension is because there's not enough work really for all four but we try to spread the wealth as best we can. Most of our annual road program is done by either AEW or OHM. We bring in HRC to help us with the water main or sanitary sewer issues along with Spalding to help us out on some of our previous road projects for Federal Aid money. So, depending on the situation, and the expertise and what they've had previously as far as information or the expertise in that area, we talk to them to help us get a proposal. Obviously with the potential infrastructure bill coming forward there may be some projects that we move forward in here tonight. A million dollars was given for a study so obviously that will come into play for Bell Creek stabilization, look for our consultants to help neighbors in that area, obviously to help address their concerns. So, it's been working out well, we didn't want to go out for an RFQ because it's a very expensive endeavor, it's very time consuming. Again, if there was a lot of work to be done out there, as you know short supply, Wayne County is looking to do the permits through other consultants, inspections, and I just wanted to extend it for five years. We can cancel the agreement at any time and move forward with the Law Department, but again, it served us well the last five years but I do probably look in 2026 to go out for an opportunity at the time to see how things have progressed. But if there's an option that the City Council desires two years, three years from now, things are heating up, we'd be happy to look at an alternative with your input.

Councilmember Toy stated this was just a fabulous idea and I think it's worked well for us as you pointed out and I don't hesitate to offer that extended five years. These



companies have been excellent to work with for us and the back and forth and the communication has been outstanding so I can't see any reason not to do this, so, Madam Chair, I'm going to offer an approving and ask for it to be on Consent.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

7.

**Engineering**  
**October 26, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Karen Worley, Secretary IV

### AGENDA ITEM

REQUEST TO EXTEND THE QUALIFICATION-BASED SELECTION (QBS) CONTRACTS WITH OHM ADVISORS, HUBBELL, ROTH AND CLARK, INC., SPALDING DEDECKER ASSOCIATES, INC. AND ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR FIVE YEARS: Engineering Division, re: to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewer, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects from December 1, 2021 through November 30, 2026. (CR 365-16)

### BACKGROUND

Pursuant to Council Resolution No. 365-16, adopted September 19, 2016, the Council approved contracts with OHM Advisors, Hubbell, Roth and Clark, Inc. (HRC), Spalding DeDecker Associates, Inc. (SDA) and Anderson, Eckstein & Westrick, Inc. (AEW) to provide Professional Engineering Services on various Federal, State and Locally funded roads (hot mix asphalt, non-reinforced concrete, composite, concrete bonded overlays), bridge (including pedestrian), storm sewer (culvert design), sanitary sewer (cured-in-place pipe, pipe bursting, or directional drilling), water main (directional drilling with high density polyethylene pipe or pipe bursting), traffic signal modernization, pedestrian signal upgrades and other related projects from December 1, 2016 through November 30, 2021.

We anticipate that the City of Livonia will continue to actively pursue and be awarded Federal and State monies available for road, bridge, storm sewer, sanitary sewer, water main, traffic signal modernization, pedestrian signal upgrades and other related projects. Instead of bidding the Qualification-Based Selection (QBS) contracts to provide the Professional Engineering Services for these projects, we are requesting that a five (5) year extension of the contracts be awarded to OHM Advisors, Hubbell, Roth & Clark, Inc., Spalding DeDecker and Associates, Inc., and Anderson, Eckstein & Westrick, Inc., in order to continue to take advantage of the expertise these firms offer.

The reason for the five-year extension is that there is limited professional services work in the forthcoming years. There is a significant amount of time and cost associated with consultants providing a Request for Qualifications (RFQ) for professional services along with the fact that there will be limited QBS work in the future. We believe the needs will be met with the previously approved recommended consultants. In addition, we have seen an increase in commercial and private development, along with other municipal work, including Wayne County seeking more assistance from the consultants on their design projects and permit reviews that most likely will drive up professional service fees in the near future as other communities bid out professional services.

All four (4) of these companies have met or exceeded our expectations for the five-year duration of their contracts. The QBS contracts have allowed the City of Livonia to pursue Federal, State and other funding opportunities that were time sensitive. Also, the QBS contracts have allowed projects to be completed without requesting additional funding. We have contacted each of the consulting firms concerning an extension of their contracts. Although there may not be enough work for all or the consultants, the ability to utilize any of the four (4) consultants will allow the City of Livonia to be ready to take advantage of future grants, state funding or other opportunities which are time sensitive. Each consultant has acknowledged their willingness to continue their relationship with the City of Livonia and extend their contracts over the next five (5) years.

## RECOMMENDATION

We respectfully recommend that the City Council:

- Authorize the Engineering Division to extend and enter into a five (5) year agreement ending November 30, 2026 to provide Professional Engineering Services with the following firms in no particular order:
  1. OHM Advisors  
34000 Plymouth Road  
Livonia, Michigan 48150
  2. Hubbell, Roth and Clark, Inc.  
555 Hulet Drive  
Bloomfield Hills, Michigan 48303-0824
  3. Spalding DeDecker Associates, Inc.  
905 South Boulevard East  
Rochester Hills, Michigan 48307-5358
  4. Anderson, Eckstein & Westrick, Inc.  
51301 Schoenherr Road  
Shelby Township, Michigan 48315
- Authorize the Mayor and the City Clerk to execute the contracts on behalf of the City of Livonia.

QBS contracts based on scope and contract amount for each future individual project will be brought before the City Council for funding approval.

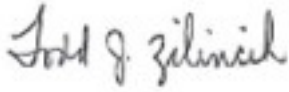
## FISCAL CONSIDERATION

None

## ATTACHMENTS

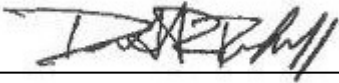
1. 10-25-21 STANDARD QBS CONTRACT FOR LIVONIA VERSION 2021-2026
2. C.R. #365-16

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: October 26, 2021



Donald Rohraff, Director of Public Works

Date: October 26, 2021



Michael Slater, Finance Director

Date: October 26, 2021



Paul Bernier, City Attorney

Date: October 26, 2021



Maureen Miller Brosnan, Mayor

Date: October 29, 2021

**PROFESSIONAL SERVICES CONTRACT  
FOR CONSULTING ENGINEERING SERVICES FOR MAJOR ROADS, BRIDGE AND  
UTILITY PROJECTS AND OTHER RELATED ACTIVITIES  
BETWEEN THE  
CITY OF LIVONIA  
AND  
QBS Consultant**

This is an agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the CITY OF LIVONIA, a Michigan Municipal Corporation, with offices at 33000 Civic Center Drive, Livonia, Michigan 48154-3097, herein referred to as "CITY," and QBS Consultant, a Michigan Corporation with offices at \_\_\_\_\_, herein referred to as "CONSULTANT."

WHEREAS, the CITY has an Engineering Division staff and City Engineer, but may still require various engineering consulting services as deemed necessary by the City including but not limited to bridge design (including pedestrian) and inspection; topographic and construction surveying; geotechnical engineering services; roadway, storm sewer and culvert design; sanitary sewer design and rehabilitation; water main design and rehabilitation; construction engineering including testing; traffic signal modernization design; pedestrian signal design; engineering studies, preliminary drawings and data required for funding and grant applications; non-motorized pathways; storm water management services; permit activities (including review, inspection, and updating of details); and other similar or related tasks associated with work performed on City of Livonia property or within the right-of-way; and intends to engage the professional services of the CONSULTANT to perform certain services, said services to be hereinafter referred to as the SERVICES, and,

WHEREAS, the CONSULTANT is willing to render the SERVICES desired by the CITY for the considerations hereinafter, expressed, and,

NOW, THEREFORE, for and in consideration of the mutual undertakings of the parties, hereto, all as hereinafter set forth, it is agreed by and between the parties as follows:

**ARTICLE I – SERVICES OF CONSULTANT**

**1.01 Scope**

The services to be provided by CONSULTANT under this agreement shall include, if applicable, but are not limited to the following:



A. Design Phase-geotechnical investigations, drainage investigations, topographical survey, obtaining utility information, coordinate utility relocations where needed, design of road alignments, including adjoining pavements as necessary for ADA compliance, specifying products to be used, determining lane line markings, signing, traffic signal and SESC work, 40% and 90% design drawing submittal to City for review, submittal of requests for permits from other agencies, preparation of bidding documents for construction, attendance at meetings, estimating probable construction costs, conducting pre-bid meeting, review of bids and recommendation for bid award.

B.1 Construction Engineering (CE) Services – coordination of pre-construction meeting, attendance at other meetings, preparation of monthly pay estimates, develop and coordinate distribution of informational letters to affected residents and businesses, resolution of claims, contract interpretations, review of schedules, change order preparation and recommendation, staking, construction inspection, including SESC measures, preparation of daily inspection reports, complaint resolution, perform Material Quality Control Program as outlined in Section B.2 below, notification to contractor of unacceptable work, preparation of final punch list, confirmation of 100% completion, preparation of final change order, final pay estimate and as-built record drawings.

B.2 Material Quality Control Program – in addition to the Construction Engineering services called for in Section B of this article, the CONSULTANT shall provide a Material Quality Control Program for each specific project associated with this contract. The CONSULTANT shall provide a testing program for materials and construction operations that shall consist of testing as a basis of acceptance. QA/QC programs by the contractor, as outlined in the current addition of the Michigan Department of Transportation Standard Specifications (MDOT) for Construction will not be accepted. The CONSULTANT shall provide a testing program, as approved by the City Engineer that will include, but not be limited to:

1. HMA Marshall Testing
2. Density Control (HMA, aggregate base, subgrade, and all backfill materials)
3. Concrete Testing (air content, slump, yields, and compressive strength)
4. Aggregates
5. Pavement Coring
6. HMA and Concrete Mix Design Verification
7. Mortar Bars to measure ASR potential

The frequency of testing will be determined on a project to project basis as approved by the City Engineer. The cost of the testing services have been determined to be between 2.0% to 3.0% of the overall construction cost (except utility projects), and is already included in the Construction Engineering (CE) costs in Attachment "A" hereto.

C. Scope of Services – Additional Detail – Additional Exhibits hereto, entitled "Project Specific Scope of Services, Project Schedule, and Payments to Consultant" further clarifies scope for each specific project associated with this agreement.

## **ARTICLE 2 – CITY’S RESPONSIBILITIES**

### **2.01 General**

A. CITY shall have the responsibilities set forth as follows: Provide a copy of "front-end" documents, utility information for City owned utilities, provide information on known drainage problems, coordination with Police and Fire, lead the public information component of the project, Advertise and Bid the project, pay any required permit fees, coordination between this project and other projects within City, host progress meetings.

B. Additional information related to City’s responsibility may be found in Exhibits hereto, entitled "Project Specific Scope of Services, Project Schedule, and Payments to Consultant."

## **ARTICLE 3 – TERMS; TIMES FOR RENDERING SREVICES; SUSPENSION**

### **3.01 Term**

This agreement will expire on November 30, 2026.

### **3.02 Times for Rendering Services**

A. The times for performing services or providing deliverables for each project performed under this contract will be as outlined in an Exhibit hereto entitled "Project Specific Scope of Services, Project Schedule, and Payments to Consultant."

B. For purposes of this Agreement, the term "day" means a calendar day of 24 hours.

C. The time for a party’s performance will be extended to the extent performance was delayed by causes beyond the control and without the fault of

the party seeking the extension. That party shall promptly notify the other party in writing when it is being delayed.

### **3.03 Suspension**

A. If CITY fails to give prompt written authorization to proceed with any phase of services after completion of the immediately preceding phase, or if CONSULTANT'S services are delayed through no fault of CONSULTANT, CONSULTANT may, after giving seven (7) days written notice to CITY, suspend services.

B. If CONSULTANT'S services are delayed or suspended in whole or in part by CITY, or if CONSULTANT'S services are extended by a Contractor's actions or inactions for more than 90 days through no fault of CONSULTANT, CONSULTANT shall be entitled to equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect incremental costs incurred by CONSULTANT in connection with, among other things, such delay or suspension and reactivation. CITY shall not be liable for any additional compensation to CONSULTANT hereunder unless CONSULTANT provides the notice described in section 3.02(C) above. In the event CONSULTANT gives CITY said notice, said notice shall be relayed to the City Council of CITY, whose prior approval is a prerequisite to additional compensation hereunder.

## **ARTICLE 4 – PAYMENTS TO CONSULTANT**

### **4.01 Payment for Services and Reimbursable Expenses of CONSULTANT**

A. CITY shall pay CONSULTANT, on an hourly billing basis, in an amount not-to-exceed the fee information contained in "Attachment A – Engineering Fees by Construction Value and Type of Project" (revised on August 18, 2016) hereto. For the purposes of determining the not-to-exceed fee, the Preliminary Construction Cost Estimate, as developed by the CONSULTANT and approved by the City Engineer, will be utilized to determine the various percentages defined in Attachment A. Project innovations and cost optimizing measures that are identified by the Consultant in the design phase or construction engineering phase that result in a lower construction cost will not be utilized as a basis to lower the percentage amounts earned by the CONSULTANT. Fees for other types of projects not listed in Attachment A will be negotiated between the CONSULTANT and the City Engineer based on the detailed scope agreed to by the parties for the services.

B. In the event a project includes more than one type of improvement (i.e. a combination of Road, Water Main, Sanitary/Storm etc.), the CONSULTANT fee will be negotiated.

C. Additional information regarding payments to CONSULTANT may be found in an Exhibit hereto entitled "Project Specific Scope of Services, Project Schedule, and Payments to Consultants."

#### **4.02 Other Payment Provisions**

A. Preparation of Invoices – Invoices will be prepared in accordance with CONSULTANT'S standard invoicing practices and will be submitted to CITY by CONSULTANT on a monthly basis unless otherwise agreed.

B. Payment of Invoices – Invoices are due and payable within 30 days of receipt.

C. Disputed Invoices – In the event of a disputed or contested invoice, only that portion so contested may be withheld from payment, and the undisputed portion will be paid.

D. Payments Upon Termination

1. In the event of any termination under paragraph 6.06, CONSULTANT will be entitled to invoice CITY and will be paid for all services performed or furnished and all reimbursable expenses incurred through the effective date of termination.

2. In the event of termination by CITY for convenience or by CONSULTANT for cause, CONSULTANT, in addition to invoicing for those items identified in subparagraph 4.02.D.1, shall be entitled to invoice CITY and shall be paid a reasonable amount for services and expenses directly attributable to termination, both before and after the effective date of termination, such as reassignment of personnel, costs of terminating contracts with CONSULTANT'S sub-consultants, and other related close-out costs.

E. Legislative Actions – In the event of legislative actions after the effective date of this Agreement by any level of government that imposes taxes, fees, or costs on CONSULTANT'S services or other costs in connection with this Agreement or invoiced to and paid by CITY as a reimbursable expense to which a Factor of 1.0 shall be applied. Should such taxes, fees or costs be imposed, they shall be in addition to CONSULTANT'S total compensation. The terms of this section shall specifically exclude increases in personal property and property taxes and the employer's share of social security and Medicaid taxes.

## **ARTICLE 5 – OPINIONS OF COST**

### **5.01 Opinions of Probable Construction Cost**

A. CONSULTANT’S opinions of probable Construction Cost (if any) are to be made on the basis of CONSULTANT’S experience and qualifications and represent CONSULTANT’S best judgment as an experienced and qualified professional generally familiar with the industry. However, since the CONSULTANT has no control over the cost of labor, materials, equipment, or services furnished by others, or over a Contractor’s methods of determining prices, or over competitive bidding or market conditions, CONSULTANT cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by CONSULTANT. If CITY wishes greater assurance as to probable Construction Cost, CITY shall employ an independent cost estimator.

### **5.02 Opinions of Total Project Costs**

A. CONSULTANT assumes no responsibility for the accuracy of opinions of total project costs.

## **ARTICLE 6 – GENERAL CONSIDERATIONS**

### **6.01 Standards and Parameters of Performance**

A. The standard of care for all professional consulting and related services performed or furnished by CONSULTANT in this Agreement will be the care and skill ordinarily used by members of CONSULTANT’S profession practicing under similar circumstances at the same time and in the same locality. CONSULTANT makes no warranties, express or implied, under this Agreement or otherwise, in connection with CONSULTANT’S services.

B. CONSULTANT shall be responsible for the technical accuracy of its services and documents resulting there from, and CITY shall not be responsible for discovering deficiencies therein. CONSULTANT shall correct such deficiencies without additional compensation except to the extent such action is directly attributable to deficiencies in CITY furnished information.

C. CONSULTANT shall serve as CITY’s prime professional for projects awarded under this contract. CONSULTANT may employ such sub-consultants as CONSULTANT deems necessary to assist in the performance or furnishing of the services. CONSULTANT shall not be required to employ any sub-consultant unacceptable to CONSULTANT.



D. CONSULTANT and CITY shall comply with applicable laws, regulations and CITY-mandated standards. This Agreement is based on these requirements as of the effective date of this Agreement. Changes to these requirements after the effective date of this Agreement may be the basis for modifications to CITY's responsibilities or to CONSULTANT'S scope of services, times of performance, or compensation.

E. CITY shall be responsible for, and CONSULTANT may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by CITY to CONSULTANT pursuant to this Agreement. CONSULTANT may use such requirements, reports, data, and information in performing or furnishing services under this Agreement.

F. CITY shall make decisions and carry out its other responsibilities in a timely manner and shall bear all costs incident thereto so as not to delay the services of the CONSULTANT.

G. CONSULTANT shall not be required to sign any documents, no matter by whom requested, that would result in CONSULTANT having to certify, guarantee or warrant the existence of conditions, if those conditions cannot be ascertained within the CONSULTANT'S Services. CITY agrees not to make resolution of any dispute with CONSULTANT or payment of any amount due to the CONSULTANT in any way contingent upon CONSULTANT signing any such certification.

H. If CONSULTANT provides services during the construction phase, CONSULTANT shall not supervise, direct, or have control over a Contractor's work, nor shall CONSULTANT have authority over a responsibility for the means, methods, techniques, sequences, or procedures of construction selected by a Contractor, for safety precautions and programs incident to a Contractor's work in progress, nor for any failure of a Contractor to comply with laws and regulations applicable to a Contractor's furnishing and performing the work.

I. CONSULTANT neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with the contract documents.

J. CONSULTANT shall not be responsible for the acts or omissions of any Contractor(s), subcontractor or supplier, or of any of a Contractor's agents or employees or any other persons (except CONSULTANT'S own employees) at a site or otherwise furnishing or performing any of a Contractor's work; or for any decision made on interpretations or clarifications of the contract documents given by CITY without consultation and advice of CONSULTANT.

K. If the CONSULTANT will inspect the Contractor's operations and progress as outlined in an attached Exhibit entitled "Project Specific Scope of Services, Project Schedule, and Payments to Consultant," the CONSULTANT shall notify the CITY promptly when contractor is not adhering to specifications, defects, or unacceptable work are detected or observed that cannot be resolved onsite with the Contractor.

## **6.02 Authorized Project Representatives**

A. Contemporaneous with the execution of this Agreement, CONSULTANT and CITY shall designate specific individuals to act as CONSULTANT'S and CITY's representatives with respect to the services to be performed or furnished by CONSULTANT and responsibilities of CITY under this Agreement. Such individuals shall have authority to transmit instructions, receive information, and render decisions on behalf of each respective party.

## **6.03 Design without Construction Phase Services**

A. It is understood and agreed that if CONSULTANT'S Scope of Services do not include project inspection, or a review of a Contractor's performance, or any other Construction Phase services, and that such services will be provided by CITY or others, then CITY assumes all responsibility for interpretation of the contract documents and for construction inspection or review. In such a case, CONSULTANT'S Scope of Services will be considered completed upon completion of the Pre-Construction phase services as identified in Article 1.01A.

## **6.04 Use of Documents**

A. CONSULTANT shall retain an ownership and property interest in the project contract documents prepared by the CONSULTANT (including the right to reuse). The original Contract Documents are instruments of service and may be reused only at the discretion of the CONSULTANT.

B. Copies of CITY furnished data that may be relied upon by CONSULTANT are limited to the printed copies (also known as hard copies) that are delivered to CONSULTANT pursuant to Article 2.01A and 6.01E. Files in electronic media format of text, data, graphics, or of other types that are furnished by CITY to CONSULTANT are only for convenience of CONSULTANT. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.

C. Copies of Documents that may be relied upon by CITY are limited to the printed copies (also known as hard copies) that are signed or sealed by

CONSULTANT. Files in electronic media format of text, data, graphics, or of other types that are furnished by CONSULTANT to CITY are only for convenience of CITY. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.

D. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within 30 days, after which the receiving party shall be deemed to have accepted the data thus transferred. Any errors detected within the 30-day acceptance period will be corrected by the party delivering the electronic files. CONSULTANT shall not be responsible to maintain documents stored in electronic media format after acceptance by CITY.

E. When transferring documents in electronic media format, CONSULTANT makes no representations as to compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by CONSULTANT at the beginning of this project.

F. CITY may make and retain copies of Documents for information and reference in connection with use on each specific project associated with this agreement. Such Documents are not intended or represented to be suitable for reuse by CITY or others on extensions of a Project or on any other project. Any such reuse or modification without written verification or adaptation by CONSULTANT, as appropriate for the specific purpose intended, will be at CITY's sole risk and without liability or legal exposure to CONSULTANT or to CONSULTANT'S sub-consultants.

G. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

H. Any verification of adaptation of the Documents for extensions of a specific Project or for any other project will entitle the CONSULTANT to further compensation at rates to be agreed upon by CITY and CONSULTANT. The prior approval of the City Council of the CITY, for projects over \$15,000, shall be a prerequisite to any compensation hereunder.

## **6.05 Insurance**

A. CONSULTANT shall procure and maintain insurance as follows:

1. Workers' Compensation Insurance: CONSULTANT shall procure and maintain during the life of this Contract, Worker's Compensation Insurance, including employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
2. Commercial General and Umbrella Liability Insurance: CONSULTANT shall maintain commercial general liability (CGL) and, if necessary, commercial umbrella insurance with a total limit of not less than \$2,000,000 each occurrence.
  - a. If such CGL insurance contains a general aggregate limit, it shall be at least twice the each occurrence limit.
  - b. CGL insurance shall be evidenced by a completed "Proof of Insurance for the City of Livonia" form dated (03/15) or subsequent revised form that shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract.) See attached Proof of Insurance Form for City of Livonia Projects (03/15)
3. Motor Vehicle Liability: CONSULTANT shall procure and maintain during the life of this Contract, Motor Vehicle Liability Insurance, including Michigan No-Fault Coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
4. Professional Liability:
  - a. CONSULTANT shall maintain in force for the duration of this Contract errors and omissions liability insurance appropriate to the CONSULTANT'S profession.
  - b. Coverage as required in this paragraph shall apply to liability for a professional error, act, or omission arising out of the scope of the CONSULTANT'S services as defined in this contract. Coverage shall be written subject to limits of not less than \$1,000,000 per claim.
  - c. Professional liability insurance may not exclude:
    - (1) bodily injury;
    - (2) property damage;
    - (3) testing, monitoring, measuring operations, or laboratory analyses;

d. Professional liability insurance shall be written by an insurer acceptable to the CITY.

e. If professional liability insurance is written on a claims-made basis, the CONSULTANT warrants that any retroactive date applicable to coverage under the policy precedes the effective date of this contract; and that continuous coverage will be maintained or an extended discovery period will be exercised for a period of 3 years beginning from the time that work under the contract is completed.

5. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be additional insured: The City of Livonia, all elected and appointed officials, all employees and volunteers, all boards, commissions and/authorities and board members, including employees and volunteers thereof. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to CITY.

6. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following: It is understood and agreed that thirty (30) days Advance Written Notice of Cancellation shall be sent to the City of Livonia.

B. Evidence of Insurance:

1. Prior to the commencement of any work under this Agreement, CONSULTANT shall furnish to CITY certificates of insurance executed by a duly authorized representative of each insurer, showing that CONSULTANT has obtained the insurance policies required under 6.05A with insurance companies licensed and admitted to do business in the State of Michigan. A new certificate of insurance shall be provided to the CITY each year at the time of policy renewal.

2. The words "endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives" shall be deleted if it appears in the certificate form's cancellation provision.



3. Failure of CITY to demand such certificate or other evidence of full compliance with these insurance requirements or failure of CITY to identify a deficiency from evidence that is provided shall not be construed as a waiver of CONSULTANT'S obligation to maintain such insurance.

4. CITY shall have the right, but not the obligation, of prohibiting CONSULTANT or any sub consultant from entering any project site until such certificates or other evidence that insurance has been placed in complete compliance with these requirements is received and approved by CITY.

5. With respect to insurance maintained after final payment in compliance with a requirement in 6.05A.4.e, an additional certificate(s) evidencing such coverage shall be provided to CITY with final request for payment and thereafter upon renewal or replacement of such insurance until the expiration of the time period for which such insurance must be maintained.

C. Failure to Maintain Insurance

1. Failure to maintain the required insurance may result in termination of this contract at CITY's option.

2. If CONSULTANT fails to maintain the insurance as set forth herein, CITY shall have the right, but not the obligation, to purchase said insurance at CONSULTANT'S expense.

D. No Representation of Coverage Adequacy. By requiring insurance herein, CITY does not represent that coverage and limits will necessarily be adequate to protect CONSULTANT, and such coverage and limits shall not be deemed as a limitation on CONSULTANT'S liability under the indemnities granted to CITY in this contract.

E. Sub-consultant's Insurance. CONSULTANT shall cause each sub-consultant employed or engaged by CONSULTANT to purchase and maintain insurance of the type specified above. When requested by CITY, CONSULTANT shall furnish copies of certificates of insurance evidencing coverage for each sub-consultant.

F. All policies of property insurance shall contain provisions to the effect that CONSULTANT'S and CONSULTANT'S sub-consultants interests are covered

and that in the event of payment of any loss or damage the insurers will have no rights of recovery against any of the insureds or additional insureds there under.

G. CITY shall require Contractors to purchase and maintain general liability and other insurance as specified in the Contract Documents and to cause CONSULTANT and CONSULTANT'S sub-consultants to be listed as additional insureds with respect to such liability and other insurance purchased and maintained by Contractor for a Specific Project.

H. At any time, CITY may request that CONSULTANT, at CITY's sole expense, provide additional insurance coverage, increased limits, or revised deductibles that are more protective than those specified in this Article, if so requested by CITY, with the concurrence of CONSULTANT, and if commercially available, CONSULTANT shall obtain and shall require CONSULTANT'S sub-consultants to obtain such additional insurance coverage, different limits, or revised deductibles for such periods of time as requested by CITY, and this Article will be amended to incorporate these requirements.

## **6.06 Termination**

A. The obligation to provide further services under this Agreement may be terminated:

1. *For cause,*

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the terms of this agreement through no fault of the terminating party.

b. By CONSULTANT;

1) Upon seven (7) days written notice if CONSULTANT believes that CONSULTANT is being requested by CITY to furnish or perform services contrary to CONSULTANT'S responsibilities as a licensed professional; or

2) Upon seven (7) days written notice if CONSULTANT'S services are delayed or suspended for more than 90 days for reasons beyond CONSULTANT'S control.

3) CONSULTANT shall have no liability to CITY on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of such substantial failure if the party receiving such notice begins, within seven (7) days of receipt to perform and proceed diligently to cure such failure within no more than 30 days of receipt thereof; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after date of receipt of the notice.

2. *For convenience,*

a. By CITY effective upon the receipt of notice by CONSULTANT.

B. The terminating party under paragraphs 6.06.A.1 or 6.06.A.2 may set the effective date of termination of this Agreement at a time up to 30 days later than otherwise provided to allow CONSULTANT to demobilize personnel and equipment from the Site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble materials in orderly files.

## **6.07 Controlling Law**

A. This Agreement is to be governed by the law of the State of Michigan.

## **6.08 Successors, Assigns, and Beneficiaries**

A. CITY and CONSULTANT each is hereby bound and the partners, successors, executors, administrators and legal representatives of CITY and CONSULTANT (and to the extent permitted by paragraph 6.08.B the assigns of CITY and CONSULTANT) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of this Agreement.

B. Neither CITY nor CONSULTANT may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may

become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

C. Unless expressly provided otherwise in this Agreement:

1. Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by CITY or CONSULTANT to any Contractor, Contractor's sub-contractor, supplier, other individual entity, or to any surety for or employee of any of them.

2. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of CITY and CONSULTANT and not for the benefit of any other party. The CITY agrees that the substance of the provisions of this paragraph and 6.08.C shall appear in any Contract Documents prepared for any Specific Project under this Agreement.

## **6.09 Dispute Resolution**

A. CITY and CONSULTANT agree to negotiate all disputes between them in good faith for a period not to exceed 30 days from the date of notice prior to exercising their rights under other provisions of this Agreement or under law.

## **6.10 Hazardous Environmental Condition**

A. CITY represents to CONSULTANT that to the best of its knowledge a Hazardous Environmental Condition does not exist on a Site for a task under this Agreement.

B. CITY shall disclose to the best of its knowledge to CONSULTANT the existence of all Asbestos, PCB's, Petroleum, Hazardous Waste, or Radioactive Material located at or near the site of any specific task including type, quantity and location.

C. If a Hazardous Environmental Condition is encountered or alleged, CONSULTANT shall have the obligation to notify CITY and, to the extent of applicable Laws and Regulations, appropriate governmental officials.

D. It is acknowledged by both parties that CONSULTANT'S services shall not include any services related to Hazardous Environmental Condition unless specifically agreed to in an Exhibit entitled "Project Specific Scope of Services, Project Schedule, Payments to Consultant." In the event CONSULTANT or any other party encounters a Hazardous Environmental Condition not specifically identified, CONSULTANT may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the project affected thereby until CITY: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the site is in full compliance with applicable laws and regulations.

E. CITY acknowledges that CONSULTANT is performing professional services for CITY and that CONSULTANT is not and shall not be required to become a "coordinator," "operator," "generator," or "transporter" of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the site of a task in connection with CONSULTANT'S activities under this Agreement.

F. If CONSULTANT'S services cannot be performed on a specific project outlined in an Exhibit hereto, because of a Hazardous Environmental Condition, the existence of the condition shall justify CONSULTANT'S terminating for cause on 30 days notice for the specific project outlined in an Exhibit hereto which is affected by the Hazardous Environmental Condition.

#### **6.11 Allocations of Risk**

A. CONSULTANT shall indemnify, defend, save and hold the CITY harmless from and against all loss, cost, liability and expense (including, but not limited to, reasonable attorney's fees and other costs and expenses) arising out of negligence or willful acts or omissions of the CONSULTANT or anyone directly or indirectly employed by the CONSULTANT, or anyone for whose acts or omissions the CONSULTANT may be liable (i) resulting from, related to or arising by reason of the liability imposed by law upon the CITY, for damages because of bodily injury, occupational sickness or disease, including death resulting therefrom, sustained by any employees of CONSULTANT while at any site where Work is being conducted or elsewhere, while engaged in the performance under this agreement, and (ii) resulting from, related to or arising from any bodily injury, sickness, or disease sustained by any person or persons in connection



with, resulting from or arising out of the performance under this agreement and (iii) resulting from, related to or arising from property damage because of injury to or destruction of tangible property directly arising out of the performance of or the failure to perform under this Agreement.

B. To the fullest extent permitted by law, CONSULTANT'S total liability to CITY and anyone claiming by, through, or under CITY for any cost, loss or damages caused in part by the negligence of CONSULTANT and in part by the negligence of CITY or any other negligent entity or individual, shall not exceed the percentage share that CONSULTANT'S negligence bears to the total negligence of CITY, CONSULTANT, and all other negligent entities and individuals.

#### **6.12 Notices**

Any notice required under this Agreement will be in writing, addressed to the appropriate party at its address and given personally, or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

#### **6.13 Survival**

All express representations, indemnifications, or limitations of liability included in this Agreement will survive its completion or termination for any reason.

#### **6.14 Severability**

A. Any provision or part of this Agreement held to be void or unenforceable under any Laws or Regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon CITY and CONSULTANT, who agree that this Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

#### **6.15 Waiver**

A. Non-enforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

## **6.16 Headings**

A. The headings used in this Agreement are for general reference only and do not have special significance.

## **6.17 Non-Exclusive and Non-Limiting Agreement:**

A. Nothing herein shall establish an exclusive relationship between CITY and CONSULTANT. CITY may enter into similar agreements with other professionals for the same or different types of services contemplated hereunder, and CONSULTANT may enter into similar or different agreements with other parties for the same or different services as contemplated hereunder.

## **6.18 Non-Discrimination**

A. The CONSULTANT agrees that it will not discriminate against any person, employee, consultant or applicant for employment with respect to his or her hire, tenure, terms, conditions or privileges of employment because of his or her religion, race, color, national origin, age, sex, height, weight, marital status, or a handicap that is unrelated to the individual's ability to perform tasks particular to a job or position.

B. The CONSULTANT further agrees that it will require each sub-consultant performing services under this Agreement to agree to the provisions of this Article.

## **6.19 Patents, Copyrights, and Rights in Data**

A. If this Agreement involves research, developmental, experimental, or demonstration work and any discovery or invention arises or is developed in the course, of, or under this Agreement, the CONSULTANT and CITY shall retain joint authority to patent or license.

B. The parties agree that any plans, drawings, specifications, technical reports, operating manuals, and other work submitted, or which are specified to be delivered under this Agreement, or which are developed or produced and paid for under this Agreement are subject to the rights of both parties and both parties shall retain an irrevocable license to reproduce, publish and use in whole or in part and to authorize others to do so.

C. This clause shall be included in all sub-consultant agreements.

## **ARTICLE 7 – DEFINITIONS**

### **7.01 Defined Terms**

A. Wherever used in this Agreement (including the Exhibits hereto) and printed with initials or all capital letters, the terms listed below have the meanings indicated, which are applicable to both the singular and plural thereof:

1. *ADA* – Americans with Disabilities Act.
2. *Addenda* – Written or graphic instruments issued prior to the opening of Bids, which clarify, correct, or change the Bidding Documents.
3. *Additional Services* – Services to be performed for or furnished to CITY by CONSULTANT which are not included in Article 1-Scope, or in an Exhibit hereto entitled “Project Specific Scope of Services, Project Schedule, and Payments to Consultant.”
4. *Agreement* – This Agreement between CITY and CONSULTANT for Professional Services including Attachment A and any Exhibits in accordance with Article 8 hereof.
5. *Application for Payment* – The form acceptable to CONSULTANT and CITY which is to be used by a contractor in requesting progress or final payments for the completion of its Work and which is to be accompanied by such supporting documentation as is required by the Contract Documents.
6. *Asbestos* – Any material that contains more than one (1) percent asbestos and is friable or is releasing asbestos fibers into the air above current action levels established by the United States Occupational Safety and Health Administration (OSHA).
7. *Bid* – The offer or proposal of a bidder submitted on the prescribed form setting forth the prices for the Work to be performed.
8. *Bidding Documents* – The advertisement or invitation to Bid, instructions to bidders, the Bid form and attachments, the Bid bond, if any, and all Addenda, if any.

9. *Change Order* – Document recommended by CONSULTANT, which is signed by a Contractor and CITY to authorize an addition, deletion or revision in the Work, or an adjustment in the Contract Price or the Contract Times.
10. *Construction Agreement* – The written instrument, which is evidence of the agreement, contained in the Contract Documents, between CITY and a Contractor covering the Work.
11. *Construction Contract* – The entire and integrated written agreement between CITY and a Contractor concerning the Work.
12. *Construction Cost* – The cost to CITY for portions of an entire Project designed or specified by CONSULTANT. Construction Cost does not include cost of services of CONSULTANT or other design professionals and consultants, cost of land, rights-of-way, or compensation for damages to properties, or CITY's costs for legal, accounting, insurance counseling or auditing services, or interest and financing charges incurred in connection with a Project, or the cost of other services to be provided by others to CITY. Construction Cost is one of the items comprising Total Project Costs.
13. *Contract Documents* – Documents that establish the rights and obligations of the parties engaged in construction and include the Construction Agreement between CITY and a Contractor, Addenda (which pertain to the Contract Documents), a contractor's Bid (including documentation accompanying the Bid and any post-Bid documentation submitted prior to the notice of award) when attached as an exhibit to the Construction Agreement, the notice to proceed, the bonds, appropriate certifications, the General Conditions, the Supplementary Conditions, the Specifications and the Drawings as the same are more specifically identified in the Construction Agreement, together with all Written Amendments, Change Orders, Work Change Directives, Field Orders, and CONSULTANT'S written interpretations and clarifications issued on or after the Effective Date of the Construction Agreement. Approved Shop Drawings and the reports and drawings of subsurface and physical conditions are not Contract Documents.
14. *Contract Price* – The moneys payable by CITY to a Contractor for completion of the Work in accordance with the Contract Documents and as stated in the Construction Agreement.

15. *Contract Times* – The numbers of days or the dates stated in a Construction Agreement to: (i) achieve Substantial Completion, and (ii) complete the Work so that it is ready for final payment as evidenced by CONSULTANT'S written recommendation of final payment.
16. *Contractor* – An individual or entity with whom CITY enters into a Construction Agreement for a Specific Project.
17. *Correction Period* – The time after Substantial Completion during which a Contractor must correct, at no cost to CITY, any Defective Work, normally one year after the date of Substantial Completion or such longer period of time as may be prescribed by Laws or Regulations or by the terms of any applicable special guarantee or specific provision of the Contract Documents.
18. *Defective* – An adjective which, when modifying the word Work, refers to Work that is unsatisfactory, faulty, or deficient, in that it does not conform to the Contract Documents, or does not meet the requirements of any inspection, reference standard, test, or approval referred to in the Contract Documents, or has been damaged prior to CONSULTANT'S recommendation of final payment.
19. *Documents* – Data, Reports, Drawings, Specifications, Record Drawings, and other deliverables, whether in printed or electronic media format, provided or furnished in appropriate phases by CONSULTANT to CITY pursuant to this Agreement.
20. *Drawings* – That part of the Contract Documents prepared or approved by CONSULTANT, which graphically shows the scope, extent, and character of the Work to be performed by a Contractor. Shop Drawings are not Drawings as so defined.
21. *Effective Date of the Construction Agreement* – The date indicated in a Construction Agreement on which it becomes effective, but if no such date is indicated, it means the date on which the Construction Agreement is signed and delivered by the last of the two (2) parties to sign and deliver.
22. *Effective Date of the Agreement* – The date indicated in this Agreement on which it becomes effective, but if no such date is indicated, it means the date on which the Agreement is signed and delivered by the last of the two (2) parties to sign and deliver.



23. *CONSULTANT'S Sub-consultants* – Individuals or entities having a contract with CONSULTANT to furnish services with respect to the services as CONSULTANT'S independent professional associates, consultants, subcontractors, or vendors. The term CONSULTANT includes CONSULTANT'S sub-consultants.
24. *Field Order* – A written order issued by CONSULTANT which directs minor changes in the Work, but does not involve a change in the Contract Price or the Contract Times.
25. *General Conditions* – That part of the Contract Documents, which sets forth terms, conditions, and procedures that govern the Work to be performed or furnished by a Contractor with respect to a Specific Project.
26. *Hazardous Environmental Conditions* – The presence at the Site of Asbestos, PCB's, Petroleum, Hazardous Waste, or Radioactive Materials in such quantities or circumstances that may present a substantial danger to persons or property exposed thereto in connection with a Specific Project.
27. *Hazardous Waste* – The term Hazardous Waste shall have the meaning provided in Section 1004 of the Solid Waste Disposal Act (42 USC Section 6903) as amended from time to time.
28. *Laws and Regulations; Laws or Regulations* – Any and all applicable laws, rules, regulations, ordinances, codes, standards, and orders of any and all governmental bodies, agencies, authorities, and courts having jurisdiction.
29. *PCB's* – Polychlorinated biphenyls.
30. *Petroleum* – Petroleum, including crude oil or a fraction thereof which is liquid at 32 degrees Fahrenheit and 14.7 pounds per square inch absolute, such as fuel oil, oil sludge, oil refuse, gasoline, kerosene, and oil mixed with other non-Hazardous Waste and crude oils.
31. *Radioactive Materials* – Source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954 (42 USC Section 2001 et seq.) as amended from time to time.
32. *Record Drawings* – The Drawings as issued for construction or which CONSULTANT, upon completion of the Work, has shown changes due to

Addenda or Change Orders and other information which CONSULTANT considers significant based on record documents furnished by Contractor to CONSULTANT and which were annotated by Contractor to show changes made during construction.

33. *Reimbursable Expenses* – The expenses incurred directly by CONSULTANT in connection with the performing or furnishing of services for which CITY shall pay CONSULTANT as indicated in Exhibit C.

34. *Resident Project Representative* – The authorized representative, if any, of CONSULTANT assigned to assist CONSULTANT at the Site of a Project during the Construction Phase. The Resident Project Representative will be CONSULTANT'S agent or employee and under CONSULTANT'S supervision. As used herein, the term Resident Project Representative includes any assistant of Resident Project Representative agreed to by CITY. The duties and responsibilities of the Resident Project Representative will be set forth in an addenda.

35. *Samples* – Physical examples of materials, equipment, or workmanship that are representative of some portion of the Work and which establish the standards by which such portion of the Work will be judged.

36. *SESC* – Soil Erosion and Sedimentation Control.

37. *Shop Drawings* – All drawings, diagrams, illustrations, schedules, and other data or information, which are specifically prepared or assembled by or for a Contractor and submitted by a Contractor to CONSULTANT to illustrate some portion of the Work.

38. *Site* – Lands or areas indicated in the Contract Documents for a Project as being furnished by CITY upon which the Work is to be performed, rights-of-way and easements for access thereto, and such other lands furnished by CITY, which are designated for use of a Contractor.

39. *Specifications* – That part of the Contract Documents prepared by CONSULTANT consisting of written technical descriptions of materials, equipment, systems, standards, and workmanship as applied to the Work to be performed by a Contractor and certain administrative details applicable thereto.

40. *Substantial Completion* – The time at which the Work (or a specified part thereof) has progressed to the point where, in the opinion of CONSULTANT, the Work (or a specified part thereof) is sufficiently complete, in accordance with the Contract Documents, so that the Work (or a specified part thereof) can be utilized for the purposes for which it is intended. The terms “substantially complete” and “substantially completed” as applied to all or part of the Work refer to Substantial Completion thereof.

41. *Supplementary Conditions* – That part of the Contract documents which amends or supplements the General Conditions.

42. *Total Project Costs* – The sum of the Construction Cost, allowances for contingencies, the total costs of services of CONSULTANT or other design professionals and consultants, cost of the land, rights-of-way, or compensation for damages to properties, or CITY’s costs for legal, accounting, insurance counseling or auditing services, or interest and financing charges incurred in connection with a Project, or the cost of other services to be provided by others to CITY pursuant to the completion of the Project.

43. *Work* – The entire completed construction or the various separately identifiable parts thereof required to be provided by a Contractor under Contract Documents for a Project. Work includes and is the result of a Contractor performing or furnishing labor, services, and documentation necessary to produce such construction and furnishing, installing, and incorporating all materials and all equipment into such construction, all as required by the applicable Contract Documents.

44. *Work Change Directive* – A written directive to a Contractor signed by CITY upon recommendation of the CONSULTANT, ordering an addition, deletion, or revision in the Work, or responding to differing or unforeseen subsurface or physical conditions under which the Work is to be performed or to emergencies. A Work Change Directive will not change the Contract Price or the Contract Times but is evidence that the parties expect that the change directed or documented by a Work Change Directive will be incorporated in a subsequently issued Change Order following negotiations by the parties as to its effect, if any, on the Contract Price or Contract Times.

45. *Written Amendment* – A written amendment of the Contract Documents signed by CITY and a Contractor on or after the Effective Date of a Construction Agreement and normally dealing with the non-consulting or non-technical rather than strictly construction-related aspects of the Contract Documents.

**ARTICLE 8 – ATTACHMENT A, EXHIBITS AND SPECIAL PROVISIONS**

**8.01 Total Agreement**

A. This agreement (consisting of pages 1 to 26 inclusive, including “Attachment A – Engineering Fees by Construction Value and Type of Project,” together with Exhibit(s) entitled “Project-Specific Project Scope, Project Schedule, and Payments to Consultant” constitutes the entire agreement between CITY and CONSULTANT and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

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IN WITNESS, WHEREOF, this document constitutes the entire Agreement between the City of Livonia and QBS Consultant and shall not be amended, altered or changed, except by written authorization executed by both parties.

In the Presence of:

\_\_\_\_\_

\_\_\_\_\_

In the Presence of:

\_\_\_\_\_

CITY OF LIVONIA, a Michigan  
Municipal Corporation

By: \_\_\_\_\_  
Maureen Miller Brosnan  
Mayor

By: \_\_\_\_\_  
Susan M. Nash  
City Clerk

QBS Consultant

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved:

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Todd J. Zilincik, P.E.  
City Engineer

Approved:

---

Donald R. Rohraff  
Director of Public Works

Approved:

---

Michael Slater  
Director of Finance

Approved as to form:

---

Paul A. Bernier~~Donald L. Knapp, Jr.~~  
Department of Law

Pursuant to Resolution # \_\_\_\_\_

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Adopted by City Council on: \_\_\_\_\_

A communication from the Department of Engineering, dated August 23, 2016, together with revised approved Attachment A, dated August 18, 2016, was received and placed on file for the information of the Council.

Vice President Kritzman stepped down from the podium to avoid any perceived conflict of interest at 7:12 p.m.

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

**#365-16** RESOLVED, that having considered the report and recommendation of the Infrastructure and Community Transit Committee, dated August 29, 2016, submitted pursuant to Council Resolution No. 49-10, regarding the subject of Quality-Based Selection (QBS) Process for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the Qualification Based-Selection Contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, MI 48315, for a five year period ending November 30, 2021, to perform professional engineering services on various Federal, State and locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Council does hereby determine to substitute the revised approved Attachment A, dated August 18, 2016, for the previous Attachment A with respect to QBS Consultants, OHM Advisors and Anderson, Eckstein and Westrick, Inc. (AEW) for the design of the 2017 Road Program should they be selected prior to November 30, 2016; and FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution.

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

AYES: Jolly, White, Bahr, Brosnan and McIntyre

NAYS: None

The President declared the resolution adopted.



**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

8

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

8. REQUEST TO APPROVE 2022 ROAD REPAIR PROGRAM: Engineering Division, re: as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year paving millage approved by Livonia residents.

Todd Zilincik, City Engineer, presented this request to Council.

President McIntyre commended Zilincik on the Citizens Advisory Committee meeting that was held last month.

Zilincik stated as you know it's the last year of the renewal millage in 2022 so we look forward trying to capture all of the information that we've done over the last ten years and we had a meeting as you stated back on October 27<sup>th</sup> in which we invite all of the public business owners to come out and address their concerns. We had three residents come out but again we do get calls throughout the year and DPW does get calls in which they log on a spreadsheet certain locations where we have selective slab repairs. But in general basically it involves street segments. This year we're requesting sixty-one street segments, of which thirty-two are concrete, twenty-nine are asphalt, it encompasses just over thirteen miles of rehabilitation of which we have 373 miles that we maintain in the City of Livonia. So I'm very proud of the fact that we can go out and help these residents, business owners along these streets to help bring the street back up to a good or fair condition and I appreciate your patience during the construction. As I said before, we're looking for a renewal millage in 2022, I'm sure we'll be working with the Law Department to put on the ballot for next year in August. But a couple highlights I want to show on next year's program for 2022 is Pere was one of the ones down on Joy Road that was talked about for a long time for a concrete reconstruct. In addition we're doing a lot of work west of Farmington south of Seven Mile, in addition Bainbridge south of Seven Mile was one that's been talked about for a while so looking forward to getting that taken care of. And some other highlights, the County is actually going to do Merriman Road between Schoolcraft and Five Mile next year. The biggie that we're really blessed to see this one is Farmington Road between Plymouth and Orangelawn, to actually widen the road out so that we don't have to jockey for position at the signal to go north, to either do I go north, make a right, so hopefully with the widening of seven feet on the east side, look forward to making that area a lot better

especially for the residents that traverse south along that corridor, the Sheldon Center that was recently developed with that area. So, that was a couple highlights that I wanted to bring to your attention. Next year we'll be going out for the PACER ratings, we go out and do it in-house, 373 miles typically, in August/September, and we bring it back to the Citizens Advisory Meetings to see what happens. And we have also one of the members in the audience, Tom Carey, here. But just wanted to, however, the other issue is the resolution that we're looking to take for City Council's approval. As we all know we traverse the area of Five and Newburgh, Farmington Road from Six to Seven Mile, that's really bad on the southbound side, and looking at getting Five and Farmington, obviously our Police and Fire go at these locations that are very bumpy. I know Councilmember Donovan had mentioned can we go out and help fix these areas. So, we're looking to participate with Wayne County, hopefully, they recently did Five and Haggerty, to resurface that before 275 shut down. So, hopefully we'll partner up with them next year to do these locations or work together to get these areas addressed on a more expedited manner to help us in that area. So, one of the other things that came from the meeting was a resolution that we'd like to have City Council have the Clerk draft and take to Warren Evans and the County Commissioner Terry Marecki. In addition, the Citizens Advisory agreed with the recommendation of a budget of 3.8 million for asphalt, 5 million for concrete on a reconstruct, and 800,000 for selective slab; so a total of 9.6 million dollars' worth of improvements for next year in 2022, the last year of the renewal millage and I'd be happy to answer any questions but hopefully I'll give you a couple of highlights that were discussed at that meeting and I look forward to working with the City Council, as you know, and the residents and business owners next year to again get the roads fixed starting in the spring and working until late in the year during the annual construction season from April to November 15<sup>th</sup>.

Councilmember McCullough said the million dollar question that I do have is the trees, so we're kind of back to that and I know that we do have an item in Community of the Whole, and while I'm saying it right now we're in more of a preventative mode now, we know what's going to happen potentially with some of these road projects. So, I don't have the answers and I don't want to slow this project down but I'm just wondering if you have any more proactive measures to --- because obviously we have the tree ordinance for everybody that's out there that we're still working that, I'm the Council rep for the Tree Committee, so that is in development but I'm not there yet. Like I said, I wish I had a perfect resolution to ask but I don't know, you seem like might have something.

Zilincik replied we discussed it at the Citizens Advisory Meeting, we had two meetings, one in September, then one in October, but their thought is since it's the last year renewal millage if there's mature trees that are hindering a road segment, that we skip that road segment and go on the next one just for the importance of getting the Road Repair Program completed. However, again, we know on the sidetrack that there's an ordinance that could be coming through that conduit itself, I was hoping to have this earlier in October but with everything going on, we'll probably have a list for City Council on the number of trees that could be impacted in January as we work to get that and tell it to you guys itself, but again, I would say that their direction was if there's

a street segment that has to be moved because of mature trees, they talked about an alternative Oakley, over here in Section 22, or just skipping that segment for this time and working through it until we're hoping that if we do our job right the renewal millage for another ten years, and in the meantime the Tree Ordinance issue will hopefully come to life by the time we go out for bids or look at what's in the contract itself. But again, any time we can save a tree, we do that as best we can, two or three looks at it, but anything else like an old car, you know, after ten years it can only run so much, and some have to be destroyed, some have to be limped along, and we try and do the best we can as far as maintaining a fine balance in the City.

McCullough said and if I can, I do want to commend that. You know, after sitting in many meetings with Mr. Moore and the rest of the Tree Committee, there is a lot of thought and a lot of time and a lot of reinspection that goes into it, so that is very valued. That was the one thing that I think was surprising to a lot of the residents in how much thought goes into it, so kudos for that. I think that this plan is good. When will you generally get the demolition plan for these roads?

Zilincik replied obviously we've got to go to City Council on December 1<sup>st</sup> for your approval, we do a nonveto, and then we can get the consultants to start the design on that. But again, I would say sometime in January that we could get a list of trees we think that could be impacted on the concrete streets. A lot of the asphalt streets obviously, there's very minimal impact to one or two trees, but it will be most on the concrete streets, I would say Brentwood, if I had to pick us one in Section 1.

McCullough asked and that does come before Council again and Zilincik replied for Council's approval on the contract itself. But Brentwood would probably be the biggest one you're going to deal with, Sussex would probably be another one itself, but just to give you a heads-up, and then Jacquelyn west off of Middlebelt is probably the three critical areas where the trees could be impacted based on the reconstruction at those locations.

McCullough stated if we're going to be revisiting this in a few months, I have no issues and I would offer this for approving on Consent if there are no objections.

Councilmember Toy said I would like to say thank you for Hubbard Road, it's a great improvement and the bike paths are awesome and people are using them, so thank you very much. I was also concerned about the trees because – and I'm sure you don't – we don't want to go through what we went through before obviously and I still have people calling me on the whole subject. So, if we could, and I know that Councilman McCullough is conscientious of that and he'll try and get that Tree Committee going because it is intense and there is a lot to consider and all that. So, I want to be a cheerleader on that, whatever we can do. Also, I wanted to ask, when is Five Mile going to be done at that bridge, I keep having to turn around.

Zilincik replied I have heard early December, but again, Mother Nature could dictate something else but I do see cranes out there, I do see activity, they're like ants working up and down 275 trying to get the crossovers completed and very fortunate to have

good weather to get the joint sealing on further south on the patches itself. So, I think, knock on wood, we can hopefully get it done by early December is what we heard from MDOT and that way we can all go across the street to go to Kroger, get your car washed.

Toy said I appreciate that, and lastly, I just wanted to ask, too, did you need a resolution for the County did I hear you say?

Zilincik stated we provided an attachment there, so we wanted your approval on the attachment, the resolution, but also ask for City Council to certify that resolution and to be sent from the Clerk's Office to Warren Evans and to Terry Marecki for the record.

Toy asked if there was another Commissioner as well that takes in a little part of Livonia and Zilincik said until the redistricting.

Toy asked if that was a separate resolution and Zilincik replied if we could have a separate one that would be great, also, and to include Commissioner Knezek as well in that resolution and McCullough agreed to include both in his offer.

Vice President Bahr stated he wanted to take the opportunity, Councilman McCullough, you mentioned the Tree Committee, can you just give us a quick update on – I don't know how often that group meets, when they last met, and when they anticipate, so I'm looking forward to that.

McCullough replied right now the Tree Committee has been meeting monthly, we actually have a meeting tomorrow at 10:30, we've also had study sessions, so kind of the directive that has been the approach to get the Tree Ordinance, is the Tree Committee is to give our wish list. So, we're going to provide staff and administration a wish list of our wants and needs. From there it's going to go for Administrative review, and then I did ask that it would go through consultant review before it would potentially go back to the Tree Committee for that blessing and from there it would be coming before us. Timeline-wise, I know that the wish list, which was very, very long from the Tree Committee, has moved on from Administration. I would suggest that probably the first quarter of next fiscal year, we might be seeing something at least being packaged depending on how far along consultant review, could be longer. But I know it's not a very slow process, but we're taking our time. A lot of people have read in the news, I know Canton, there have been a lot of unconstitutional rulings to the Tree Committee. So, we want to make sure we stay away from one of the key issues was the private property, and staying away from that mechanism. But we're analyzing tree credits, landmark trees, stuff that we probably should have had in place, but using the other ordinances that have been newsworthy, to use them as our gauge. Hopefully, first quarter, if I could guess I would say March, April of next year.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

8.

**Engineering**  
**October 29, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Karen Worley, Secretary IV,

### AGENDA ITEM

REQUEST TO APPROVE 2022 ROAD REPAIR PROGRAM: Engineering Division, re: as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year paving millage approved by Livonia residents.

### BACKGROUND

Included in this report is the suggested 2022 Road Repair Program as prepared by the Department of Public Works and reviewed by the Citizens Advisory Committee on Roads. For 2022, this will be the tenth year of the ten-year road paving renewal millage approved by Livonia residents for pavement repairs on the entire road system in 2012.

#### **2022 Road Repair Program Development**

The Department of Public Works, using the PASER system, established a rating for each road segment throughout the City to use in the evaluation of the current road condition. The PASER Ratings were performed by City staff using ROADSOFT Software by driving 372.38 miles of roads and were completed in late-September 2020. There are 60.52 miles classified as Major and 312.97 miles classified as local. The breakdown by streets by type is as follows: 58.7% or 219.15 miles of concrete; 39.2% or 146.56 miles of asphalt; 1.7% or 6.31 miles of composite; 0.4% or 1.47 miles of unpaved (gravel). The PASER Rating information is on the City Website for the public to review and reference. The PASER Ratings are to be completed every 2 years and will be scheduled again in Summer/Fall 2022. By performing this task in-house, City staff gain first-hand knowledge on the condition of our streets. The average PASER Rating based on the 2020 data for our network was 6.15 or in "Good Condition". This rating increased from 6.05 in 2018. Below is the breakdown showing the miles of streets by PASER Rating:

#### **RATING**

|         |                                             |
|---------|---------------------------------------------|
| 8 to 10 | Very Good to Excellent (74.96 Miles) - Blue |
| 6 to 7  | Good (147.17 Miles) - Yellow                |
| 4 to 5  | Fair (143.87 Miles) - Green                 |
| 1 to 3  | Poor (4.91 Miles) – Red                     |

Note: There are 1.47 Miles of Unpaved Road (Gravel)

The Department assigns the funding available for the year in each of the road repair categories; reconstruction, rehabilitation, and planned preventative maintenance. Our staff has analyzed the data and generated a list of streets and scheduled the type of repair along with a cost estimate of

those repairs. The list has been reviewed by the Engineering and Road Maintenance staffs to verify the road conditions, recommend the repair treatments, and better arrange the work to efficient contract groupings. The list was then reviewed by the Citizens Advisory Committee on Roads at two (2) separate meetings. The first meeting held September 22, 2021, had discussions on the proposed locations for concrete, asphalt, and selective slabs and at the second meeting held on October 27, 2021, the Committee heard public commentary on the roads. There were five residents that attended this public meeting to discuss concerns at 3 different street segments for future road repairs. The Department staff is recommending the list that is contained herein for the Council's approval on the 2022 Road Repair Program.

## **RECOMMENDATION**

The list of repair locations including the repair method is shown on Attachment 1. There are a total of 61 street segments. The estimated cost of street repairs are approximately \$9.6 million shown on the proposed list for 2022. We anticipate the cost breakdown to be \$5.0 million for concrete, \$3.8 million for asphalt repairs and \$800,000 for selective slab repairs. The final contract amounts will be determined after reviewing the street segments with our consultants and approval by City Council based on the 2022 Budget to perform the street repairs. The anticipated mix of fixes for our road network will consist of the following: 53% Reconstruction, 38% Rehabilitation and 9% Maintenance.

The Citizens Advisory Committee on Roads has concurred with this list based on available funding. In addition, they are advising if there are concerns with residents wanting to save mature trees instead of performing road repairs to move on to the next street segment on the road repair list since this is the last year before the renewal millage is considered before anticipating placing on the ballot in August of 2022.

In addition to these programmed locations, the following Wayne County and MDOT major road construction projects are scheduled to begin in 2022.

### **Wayne County**

Rehabilitation of Merriman Road from Schoolcraft Road to Five Mile Road

Rehabilitation of Farmington Road from Plymouth Road to Orangelawn Avenue

### **MDOT**

Reconstruction of I-275 from Six Mile Road to Ford Road, Rehabilitation from Ford Road to Northline Road along with the rehabilitation of the bridges (MDOT anticipates that this will be a 4-year project, 2022 will be the 2<sup>nd</sup> year)

All of these road projects represent our proposed list for construction in 2022. It is subject to change based on the consulting engineer's evaluation and final design, the bid prices received, and the project programming by the Wayne County Department of Public Services and the Michigan Department of Transportation (MDOT).

In order to proceed with the 2022 Road Repair Program, it is recommended that the Council approve the 2022 Road Repair Program as proposed by the Department of Public Works and shown on the attached Proposed 2022 Road Repair Program list and recommended by the Citizens Advisory Committee on the Roads in the attached resolution.



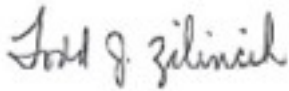
## FISCAL CONSIDERATION

None

## ATTACHMENTS

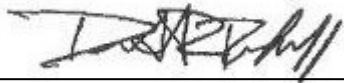
1. Scanned Copy of the Projected Segments for the 2022 Road Program
2. Scanned Copy of the 2022 Road Repair Program 10-2-21
3. 2022 Livonia Paving Program Map 9-2-21
4. AGENDA September 22, 2021
5. AGENDA October 27, 2021
6. Sign in Sheet from the 10-27-21 CRAC Public Meeting
7. Advisory Committee Resolution - Approval of 2022 Road Program, 10.27.21
8. Resolution from Citizen Road Advisory Committee rev101619

## APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: October 29, 2021



Donald Rohraff, Director of Public Works

Date: October 29, 2021



Michael Slater, Finance Director

Date: October 29, 2021



Maureen Miller Brosnan, Mayor

Date: October 29, 2021

**Projected Road Segments for 2022 Road Repair Program  
(Proposed List)**

10/28/2021

| **SUBJECT TO CHANGE BASED ON FUNDING**                                      |                                |                               |         |               |              |                   |
|-----------------------------------------------------------------------------|--------------------------------|-------------------------------|---------|---------------|--------------|-------------------|
| Street Name                                                                 | From                           | To                            | Section | Pavement Type | PASER Rating | Type of Treatment |
| Brentwood Avenue                                                            | Pembroke Avenue                | Eight Mile Road               | 1       | Concrete      | 4,5          | Reconstruction    |
| St. Francis                                                                 | Bridge Avenue                  | End                           | 1       | Asphalt       | 4,5          | Rehabilitation    |
| Hardy                                                                       | Ingram                         | Bretton Road                  | 3       | Concrete      | 6            | Maintenance       |
| Hubbard Road                                                                | Norfolk Avenue                 | Eight Mile Road               | 3       | Asphalt       | 4            | Rehabilitation    |
| Mayfield Road                                                               | Pembroke Avenue                | Eight Mile Road               | 3       | Asphalt       | 4            | Rehabilitation    |
| Shadyside Road                                                              | 700' South of Norfolk Ave.     | Eight Mile Road               | 3       | Asphalt       | 4            | Rehabilitation    |
| Ellen Drive                                                                 | Morlock Avenue                 | Eight Mile Road               | 4       | Concrete      | 4            | Reconstruction    |
| Bennett Avenue                                                              | Westbrooke Drive               | Parklane Drive                | 8       | Concrete      | 3            | Reconstruction    |
| Wayne Road                                                                  | Curtis Avenue                  | Seven Mile Road               | 8       | Asphalt       | 4,5,6        | Rehabilitation    |
| Clarita Avenue                                                              | Stamford Avenue                | Farmington Road               | 9       | Asphalt       | 3,4          | Rehabilitation    |
| Curtis Avenue                                                               | Wayne Road                     | End                           | 9       | Asphalt       | 4,5          | Rehabilitation    |
| Filmore Avenue                                                              | Curtis Avenue                  | Pickford Avenue               | 9       | Asphalt       | 4,5,6        | Rehabilitation    |
| Filmore Avenue                                                              | Pickford Avenue                | Seven Mile Road               | 9       | Asphalt       | 4            | Rehabilitation    |
| Irving Boulevard                                                            | Filmore Avenue                 | Pickford Avenue               | 9       | Asphalt       | 5            | Rehabilitation    |
| Irving Boulevard                                                            | Pickford Avenue                | Seven Mile Road               | 9       | Asphalt       | 4,5          | Rehabilitation    |
| Myron Avenue                                                                | Curtis Road                    | Pickford Avenue               | 9       | Asphalt       | 5            | Rehabilitation    |
| Myron Avenue                                                                | Pickford Avenue                | Seven Mile Road               | 9       | Asphalt       | 5            | Rehabilitation    |
| Norwich Road                                                                | Curtis Avenue                  | Whitby Road                   | 9       | Asphalt       | 4,5          | Rehabilitation    |
| Pickford Avenue                                                             | Myron Avenue                   | Farmington Road               | 9       | Asphalt       | 6            | Rehabilitation    |
| Stamford Avenue                                                             | Curtis Avenue                  | Pickford Avenue               | 9       | Asphalt       | 5            | Rehabilitation    |
| Stamford Avenue                                                             | Clarita Avenue                 | End                           | 9       | Asphalt       | 4            | Rehabilitation    |
| Whitby Road                                                                 | Curtis Avenue                  | Norwich Road                  | 9       | Asphalt       | 4,5          | Rehabilitation    |
| Bainbridge Avenue                                                           | 150' South of Hillbrook Avenue | Seven Mile Road               | 11      | Asphalt       | 4,5,6        | Rehabilitation    |
| Hillbrook Avenue                                                            | 1,000' West of Bainbridge Ave. | Bainbridge Avenue             | 11      | Asphalt       | 5            | Rehabilitation    |
| Grimm Avenue                                                                | South End                      | Pickford Avenue               | 12      | Asphalt       | 4            | Rehabilitation    |
| Maplewood Avenue                                                            | Clarita Avenue                 | Seven Mile Road               | 12      | Asphalt       | 4            | Rehabilitation    |
| Pickford Avenue                                                             | Grimm Avenue                   | East End                      | 12      | Asphalt       | 4,5          | Rehabilitation    |
| Hidden Lane                                                                 | Five Mile Road                 | North End                     | 14      | Asphalt       | 4            | Rehabilitation    |
| Henry Ruff                                                                  | Rayburn Avenue                 | Puritan Avenue                | 14      | Asphalt       | 4,5          | Rehabilitation    |
| Wood Drive                                                                  | 265' West of Fairlane Drive    | Fairlane Drive                | 16      | Concrete      | 4            | Reconstruction    |
| Sussex Street                                                               | Fitzgerald Street              | Ladywood Road                 | 17      | Concrete      | 4,5          | Reconstruction    |
| Wood Drive                                                                  | Park Drive                     | Ronnie Lane                   | 17      | Concrete      | 4            | Reconstruction    |
| Jamison/Richfield Int.                                                      | West of Newburgh Road          |                               | 19      | Concrete      | 4,5,6        | Reconstruction    |
| Jamison Avenue                                                              | West End                       | Country Club Drive            | 20      | Concrete      | 4,5          | Reconstruction    |
| Lyndon Avenue                                                               | 325' East of Stark Road        | Farmington Road               | 21      | Concrete      | 4,5          | Reconstruction    |
| Jamison/Berwick Int.                                                        | South of Five Mile Road        |                               | 22      | Concrete      | 5            | Reconstruction    |
| Beatrice Avenue                                                             | Lyndon Avenue                  | Lori Avenue                   | 23      | Concrete      | 4            | Reconstruction    |
| Beatrice Avenue                                                             | Oakview Avenue                 | Lyndon Avenue                 | 23      | Concrete      | 5            | Reconstruction    |
| Bredin Court                                                                | Lyndon Avenue                  | North End                     | 23      | Asphalt       | 4            | Rehabilitation    |
| Oakview Avenue                                                              | Jacquelyn Drive                | 175' North of Jacquelyn Drive | 23      | Concrete      | 4            | Reconstruction    |
| Oakview Avenue                                                              | 175' North of Jacquelyn Avenue | Middlebelt Road               | 23      | Concrete      | 5,6          | Maintenance       |
| Jacquelyn Drive                                                             | Oakview Avenue                 | 925' East of Oakview Avenue   | 23      | Concrete      | 4            | Reconstruction    |
| Jacquelyn Drive                                                             | 925' East of Oakview Avenue    | Oakview Avenue                | 23      | Concrete      | 5            | Maintenance       |
| Brentwood Drive                                                             | Meadowlark Street              | 260' North of Meadowlark      | 24      | Concrete      | 5            | Reconstruction    |
| Jacquelyn Drive                                                             | Alexander Street               | Brentwood Drive               | 24      | Concrete      | 4,5          | Reconstruction    |
| Eastbound Schoolcraft                                                       | 450' West of Merriman Road     | Merriman Road                 | 27      | Concrete      | 4            | Reconstruction    |
| Graytona Avenue                                                             | Surrey Avenue                  | Farmington Road               | 28      | Concrete      | 4            | Reconstruction    |
| Surrey Avenue                                                               | 200' South of Graytona Ave.    | 200' North of Graytona Ave.   | 28      | Concrete      | 4            | Reconstruction    |
| Wayne Road East Side                                                        | Glendale Avenue                | Industrial Road               | 28      | Concrete      | 3            | Reconstruction    |
| Industrial Road                                                             | Wayne Road                     | Fairlane Avenue               | 28      | Concrete      | 3            | Reconstruction    |
| Industrial Road                                                             | 400' East of Newburgh Road     | 800' East of Newburgh Road    | 29      | Concrete      | 4            | Reconstruction    |
| Grantland Avenue                                                            | West End                       | Newburgh Road                 | 30      | Asphalt       | 4            | Rehabilitation    |
| Jarvis Avenue                                                               | South End                      | Plymouth Road                 | 30      | Asphalt       | 4            | Rehabilitation    |
| Hathaway Avenue                                                             | Stark Road                     | Farmington Road               | 33      | Asphalt       | 4            | Rehabilitation    |
| Perrin Drive                                                                | Joy Road                       | Olson Avenue                  | 35      | Concrete      | 4            | Reconstruction    |
| <b>Selective Slab Program, 22-J</b>                                         |                                |                               |         |               |              |                   |
| Calburn Drive                                                               | Glastonbury Drive              | Newburgh Road                 | 7       | Concrete      | 5,6          | Maintenance       |
| Seven Mile Service Dr.                                                      | 625' West Glen Eagles Dr.      | 475 East of Levan Road        | 8       | Concrete      | 5            | Maintenance       |
| Seven Mile Service Dr.                                                      | 120' West of Parklane Dr.      | 140' East of Parklane Dr.     | 8       | Concrete      | 5,6          | Maintenance       |
| Pickford Court                                                              | West End                       | Wayne Road                    | 8       | Concrete      | 6            | Maintenance       |
| Rayburn Avenue                                                              | Middlebelt Road                | Garden Avenue                 | 13      | Concrete      | 5            | Maintenance       |
| Riverside Drive                                                             | Perth Avenue                   | Riverside Drive               | 21      | Concrete      | 5            | Maintenance       |
| 25 Miscellaneous Locations Throughout City As Determined By DPW/Engineering |                                |                               |         |               |              |                   |

TOTAL = 61 Segments [32 Concrete and 29 Asphalt]

23 Reconstruction Segments  
29 Rehabilitation Segments  
9 Maintenance Segments

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2022 Road Repair Program  
Revised 10/02/2020

| Road Reconstruction          | Section | Street                                                              | From                      | To                        | Pavement | Pavt. Thickness | Length | Width | Area  | Estimated Cost |           |
|------------------------------|---------|---------------------------------------------------------------------|---------------------------|---------------------------|----------|-----------------|--------|-------|-------|----------------|-----------|
|                              | 1       | Brentwood Avenue                                                    | Pembroke Avenue           | Eight Mile Road           | Concrete | 7"              | 2700   | 34    | 91800 | \$867,000      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 11      | Cross Winds Road                                                    | Six Mile Road             | North End                 | Concrete | 7"              | 1100   | 31    | 34100 | \$322,056      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 11      | Cross Wind Court                                                    | West End                  | Cross Winds Road          | Concrete | 7"              | 160    | 31    | 4960  | \$46,844       |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 16      | Wood Drive                                                          | Fairlane Drive            | 265' West of Whitby Drive | Concrete | 7"              | 1100   | 27    | 29700 | \$280,500      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 17      | Sussex Avenue                                                       | Fitzgerald Avenue         | Sherwood Drive            | Concrete | 7"              | 1150   | 31    | 35650 | \$336,694      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 17      | Wood Drive                                                          | Country Club Drive        | Ronnie Lane               | Concrete | 7"              | 550    | 27    | 14850 | \$140,250      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 20      | Jamison Avenue                                                      | West End                  | Country Club Drive        | Concrete | 7"              | 480    | 31    | 14880 | \$140,533      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 21      | Lyndon Avenue                                                       | 325' east of Stark Rd.    | Farmington Road           | Concrete | 8"              | 950    | 31    | 29450 | \$320,678      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 22      | Jamison/Berwick Intersection                                        |                           | South of Five Mile Road   | Concrete | 7"              | 300    | 31    | 9300  | \$87,833       |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 22      | Grennada Avenue                                                     | Melrose Avenue            | Merriman Road             | Concrete | 7"              | 750    | 31    | 23250 | \$219,583      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 23      | Beatrice Avenue                                                     | Lyndon Avenue             | Lori Avenue               | Concrete | 7"              | 300    | 31    | 9300  | \$87,833       |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 23      | Beatrice Avenue                                                     | Oakview Avenue            | Lundon Avenue             | Concrete | 7"              | 270    | 31    | 8370  | \$79,050       |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 23      | Jacquelyn Avenue                                                    | Oakview Avenue            | Oakview Avenue            | Concrete | 7"              | 1210   | 31    | 37510 | \$354,261      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 24      | Barkley Avenue                                                      | Middlebelt Road           | Garden Avenue             | Concrete | 7"              | 1150   | 31    | 35650 | \$336,694      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              | 35      | Perrin Drive                                                        | Joy Road                  | Olson Avenue              | Concrete | 7"              | 1160   | 27    | 31320 | \$295,800      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              |         | Tree Removals, Station Grading, Mobilization and Traffic Control 5% |                           |                           |          |                 |        |       |       |                | \$195,780 |
|                              |         |                                                                     | Total Reconstruction:     |                           |          |                 | 13330  |       |       | \$4,111,389    |           |
| Reconstruct Industrial Roads | Section | Street                                                              | From                      | To                        | Pavement | Pavt. Thickness | Length | Width | Area  | Estimated Cost |           |
|                              | 29      | Industrial Road                                                     | 400' East of Newburgh Rd. | 800' East of Newburgh Rd. | Concrete | 9"              | 400    | 34    | 13600 | \$166,222      |           |
|                              |         |                                                                     | Concrete Reconstruct      |                           |          |                 |        |       |       |                |           |
|                              |         | Tree Removals, Station Grading, Mobilization and Traffic Control 5% |                           |                           |          |                 |        |       |       |                | \$8,311   |
|                              |         |                                                                     |                           | Total Industrial Roads :  |          |                 |        | 400   |       | \$174,533      |           |

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2022 Road Repair Program  
Revised 10/02/2020

| Section | Street                  | From                          | To                     | Pavement | Pavt. Thickness | Length | Width | Area   | Estimated Cost |
|---------|-------------------------|-------------------------------|------------------------|----------|-----------------|--------|-------|--------|----------------|
|         |                         |                               |                        |          |                 |        |       |        |                |
| 1       | St. Francis Avenue      | Seven Mile Road               | Grand River Avenue     | Asphalt  | 7-1/2"          | 4850   | 31    | 150350 | \$434,344      |
| 3       | Hubbard Road            | Norfolk Avenue                | Eight Mile Road        | Asphalt  | 4"              | 1300   | 22    | 28600  | \$98,511       |
| 3       | Mayfield Avenue         | Pembroke Avenue               | Eight Mile Road        | Asphalt  | 4"              | 2600   | 22    | 57200  | \$197,022      |
| 3       | Shadyside Road          | 700' South of Norfolk         | Eight Mile Road        | Asphalt  | 4"              | 2000   | 22    | 44000  | \$151,556      |
| 7       | Blue Skies Court        | 235' South of Pickford Ave.   | Margareta Drive        | Asphalt  | 7-1/2"          | 500    | 31    | 15500  | \$44,778       |
| 7       | Laurel Park Drive North | Munger Avenue                 | End                    | Asphalt  | 7-1/2"          | 1400   | 36    | 50400  | \$145,600      |
| 7       | Pickford Drive          | 200' West of Susanna Drive    | Blue Skies Court       | Asphalt  | 7-1/2"          | 900    | 31    | 27900  | \$80,600       |
| 7       | Susana Drive            | Pickford Drive                | Margareta Drive        | Asphalt  | 7-1/2"          | 450    | 31    | 13950  | \$40,300       |
| 9       | Clarita Avenue          | Stamford Avenue               | Farmington Road        | Asphalt  | 4"              | 1300   | 22    | 28600  | \$98,511       |
| 9       | Filmore Avenue          | Curtis Road                   | Seven Mile Road        | Asphalt  | 4"              | 2900   | 22    | 63800  | \$219,756      |
| 9       | Irving Boulevard        | Filmore Avenue                | Pickford Avenue        | Asphalt  | 4"              | 550    | 22    | 12100  | \$41,678       |
| 9       | Irving Boulevard        | Filmore Avenue                | Seven Mile Road        | Asphalt  | 4"              | 1750   | 22    | 38500  | \$132,611      |
| 9       | Myron Avenue            | Curtis Road                   | Seven Mile Road        | Asphalt  | 4"              | 2650   | 22    | 58300  | \$200,811      |
| 9       | Pickford Avenue         | Stamford Avenue               | Farmington Road        | Asphalt  | 4"              | 1300   | 22    | 28600  | \$98,511       |
| 11      | Bainbridge Avenue-      | 150' South of Hillbrook Ave.  | Seven Mile Road        | Asphalt  | 7-1/2"          | 3250   | 31    | 100750 | \$291,056      |
| 11      | Hillbrook Avenue        | 1000' West of Bainbridge Ave. | Bainbridge Avenue      | Asphalt  | 7-1/2"          | 1000   | 31    | 31000  | \$89,556       |
| 12      | Grimm Avenue            | South End                     | Pickford Avenue        | Asphalt  | 7-1/2"          | 675    | 28    | 18900  | \$54,600       |
| 12      | Maplewood Avenue        | Clarita Avenue                | Seven Mile Road        | Asphalt  | 7-1/2"          | 1000   | 28    | 28000  | \$80,889       |
| 12      | Pickford Avenue         | Grimm Avenue                  | East End               | Asphalt  | 7-1/2"          | 1900   | 28    | 53200  | \$153,689      |
| 14      | Hidden Lane             | Five Mile Road                | North end              | Asphalt  | 4"              | 1280   | 22    | 28160  | \$96,996       |
| 14      | Henry Ruff              | Rayburn Avenue                | Puritan Avenue         | Asphalt  | 4"              | 1300   | 22    | 28600  | \$98,511       |
| 23      | Bredin Court            | Lyndon Avenue                 | North End              | Asphalt  | 4"              | 680    | 24    | 16320  | \$56,213       |
| 30      | Grantland Avenue        | West End                      | Newburgh Road          | Asphalt  | 4"              | 2050   | 22    | 45100  | \$155,344      |
| 30      | Jarvis Avenue           | South Drive                   | Plymouth Road          | Asphalt  | 4"              | 940    | 22    | 20680  | \$71,231       |
| 31      | Butwell Street          | Joy Road                      | West Chicago Boulevard | Asphalt  | 4"              | 2600   | 22    | 57200  | \$197,022      |
| 31      | Houghton Avenue         | Joy Road                      | West Chicago Boulevard | Asphalt  | 4"              | 2600   | 22    | 57200  | \$197,022      |
| 31      | West Chicago Boulevard  | Houghton Avenue               | Butwell Street         | Asphalt  | 4"              | 370    | 22    | 8140   | \$28,038       |
| 32      | Angeline Circle         | Ann Arbor Trail               | Ann Arbor Trail        | Concrete | 7"              | 3000   | 31    | 93000  | \$361,667      |
| 32      | Pinetree Avenue         | Angeline Circle               | East End               | Concrete | 7"              | 1030   | 27    | 27810  | \$108,150      |
| 32      | Richland Avenue         | Angeline Circle               | Angeline Circle        | Concrete | 7"              | 780    | 27    | 21060  | \$81,900       |
| 33      | Pinetree Avenue         | Laurel Avenue                 | Stark Road             | Asphalt  | 7-1/2"          | 650    | 28    | 18200  | \$52,578       |
| 33      | Hathaway Avenue         | Stark Road                    | Farmington Road        | Asphalt  | 7-1/2"          | 2600   | 28    | 72800  | \$210,311      |

Road Rehabilitation

"DRAFT"  
 2022 Road Repair Program  
 Revised 10/02/2020

|    |                                                                     |                 |              |         |    |       |    |       |             |
|----|---------------------------------------------------------------------|-----------------|--------------|---------|----|-------|----|-------|-------------|
| 36 | Elmira Avenue                                                       | Cardwell Avenue | Inkster Road | Asphalt | 4" | 980   | 22 | 21560 | \$74,262    |
|    | Pulverize and Shape                                                 |                 |              |         |    |       |    |       |             |
|    | Tree Removals, Station Grading, Mobilization and Traffic Control 5% |                 |              |         |    |       |    |       | \$222,181   |
|    | Total Road Rehabilitation:                                          |                 |              |         |    | 53135 |    |       | \$4,665,805 |



"DRAFT"  
2022 Road Repair Program  
Revised 10/02/2020

Road Maintenance

| Section                                                             | Street                     | From                         | To                        | Pavement | Pavt. Thickness | Length | Width | Area  | Estimated Cost |
|---------------------------------------------------------------------|----------------------------|------------------------------|---------------------------|----------|-----------------|--------|-------|-------|----------------|
| 3                                                                   | Hardy Avenue               | Ingram                       | Bretton Road              | Concrete | 7"              | 2150   | 31    | 66650 | \$122,192      |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 7                                                                   | Caliburn Drive             | Glastonbury Drive            | Newburgh Road             | Concrete | 7"              | 1600   | 31    | 49600 | \$90,933       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 8                                                                   | Seven Mile Service Drive   | 625' West of Glen Eagles Dr. | 475' East of Levan Road   | Concrete | 7"              | 2700   | 21    | 56700 | \$103,950      |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 8                                                                   | Seven Mile Service Drive   | 120' West of Parklane Dr.    | 140' East of Parklane Dr. | Concrete | 7"              | 260    | 21    | 5460  | \$10,010       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 8                                                                   | Pickford Court             | West End                     | Wayne Road                | Concrete | 7"              | 400    | 27    | 10800 | \$19,800       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 9                                                                   | Aspen Drive                | South End                    | Seven Mile Road           | Concrete | 7"              | 1180   | 31    | 36580 | \$67,063       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 13                                                                  | Rayburn Avenue             | Middlebelt Road              | Garden Avenue             | Concrete | 7"              | 1300   | 28    | 36400 | \$66,733       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 21                                                                  | Riverside Drive            | Perth Avenue                 | Riverside Drive           | Concrete | 7"              | 590    | 31    | 18290 | \$33,532       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 19                                                                  | Marie Avenue               | Summers Avenue               | Mason Avenue              | Concrete | 7"              | 800    | 31    | 24800 | \$45,467       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 19                                                                  | Norman Avenue              | Elsie Avenue                 | Gay Avenue                | Concrete | 7"              | 250    | 31    | 7750  | \$14,208       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 20                                                                  | Allen Avenue               | West End                     | Westbrook drive           | Concrete | 7"              | 450    | 31    | 13950 | \$25,575       |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| Multiple                                                            | 25 Miscellaneous Locations | DPW Roads                    | Selected Locations        | Concrete | 7"              |        |       |       | \$150,000      |
|                                                                     |                            | Selective Slab               | "Maintenance Program"     |          |                 |        |       |       |                |
| 21                                                                  | Lyndon Avenue              | Stark Road                   | 325' East of Stark Road   | Concrete | 8"              | 320    | 24    | 7680  | \$28,160       |
|                                                                     |                            | Selective Slab               |                           |          |                 |        |       |       |                |
| 23                                                                  | Oakview Avenue             | Jacquelyn Avenue             | Middlebelt Road           | Concrete | 7"              | 1370   | 31    | 42470 | \$155,723      |
|                                                                     |                            | Selective Slab               |                           |          |                 |        |       |       |                |
| Tree Removals, Station Grading, Mobilization and Traffic Control 5% |                            |                              |                           |          |                 |        |       |       | \$1,055,538    |
| S.S. Concrete Program                                               |                            |                              |                           |          |                 | 1690   |       |       | \$183,883      |
| S.S. Maintenance Program                                            |                            |                              |                           |          |                 | 13370  |       |       | \$871,655      |
| Total Conc. Maintenance:                                            |                            |                              |                           |          |                 | 15060  |       |       | \$2,111,076    |

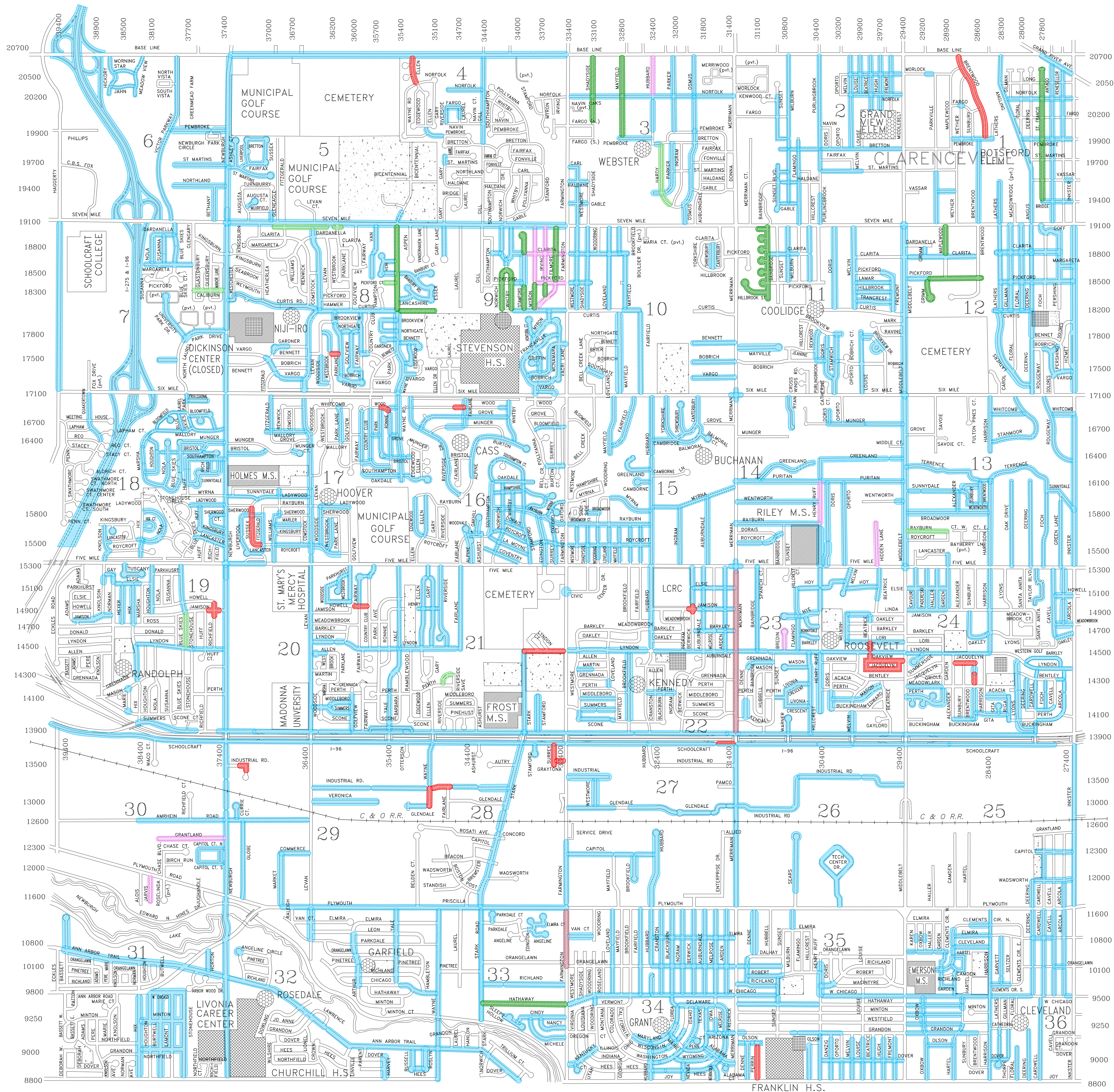
| Proposed Treatment     | % of Budgeted Funds |
|------------------------|---------------------|
| Reconstruct            | 37.16%              |
| Industrial Reconstruct | 1.58%               |
| Rehabilitation         | 42.18%              |
| Maintenance            | 19.08%              |

81925  
15.52 Miles

 DENOTES INDUSTRIAL PAVEMENT  
 DENOTES ASPHALT PAVEMENT

|                   |              |
|-------------------|--------------|
| Concrete Total:   | \$6,222,465  |
| Industrial Total: | \$174,533    |
| Asphalt Total:    | \$4,665,805  |
| Project Total:    | \$11,062,803 |





0 0.25 0.5 1 MILES

# CITY OF LIVONIA PROPOSED 2022 ROAD REPAIR PROGRAM

SUBJECT TO CHANGE BASED ON FUNDING

- WAYNE COUNTY PROJECT
- 2022 ROADS-ASPHALT PULPURATION
- 2022 ROADS-ASPHALT REHABILITATION
- 2022 ROADS-CONCRETE SELECTIVE SLAB MAINTENANCE
- 2022 ROADS-CONCRETE RECONSTRUCTION
- COMPLETED ROADS



3400 Plymouth Road | Livonia, MI 48150  
p (734) 522-6711 | f (734) 522-6427

9/2/2021





## AGENDA

### **Citizen Roads Advisory Committee Meeting**

Date: Wednesday, September 22, 2021

Time: 6:30 pm

Location: 12973 Farmington Road, Livonia, MI 48150-4202

#### **6:30 pm to 8:00 – Working Meeting for Discussion on 2022 Road Program**

1. Karl Kevra, Chairperson of the Citizen Roads Advisory Committee
2. Update Committee Members on 2021 Road Repair Program (\$4.9 Million for Concrete, \$3.84 Million for Asphalt), and Contract 21-J, Selective Slab Replacement in amount of \$845k for approximately 24 locations, including Blue Skies (5 Mile to Jamison), Marie (Summers to Mason), Gay, Norman and Elsie in Section 19
3. Summarize 2022 Road Repair Program, Budget of \$9.6 Million Dollars
  - Concrete repairs to be broken into 2 contracts (\$5.0 million budgeted in reconstruction; \$800k in maintenance)  
Note: Recommend to extend Concrete Reconstruction Contract 22-C to Hard Rock Concrete
  - Asphalt Road Program - \$3.8 million budgeted.  
Note: Recommend to extend Asphalt Road Repair Contract 22-A to Nagle Paving
  - Concrete Selective Slab Maintenance Project, \$800k budgeted  
Concrete Maintenance repairs were bid out in 2021 and lowest bidder was Great Lake Solutions at \$845k, Contract 21-J to complete.  
Note: Recommend to extend Concrete Reconstruction Contract 22-J to Great Lakes Solutions, LLC
  - Need to confirm actual costs and potential road segment cuts from list after design information is provided by Consultants
  - City Council to approve budget 2022 Budget by November 1, 2021

4. Discuss 2021 Concerns from the Residential Complaints (Including any Letters Received by Engineering Department) for 2022 potential repairs by Road Program or DPW.
5. Upcoming Projects in 2022 (Wayne County): Merriman Road (Schoolcraft Road to 5 Mile Road), Farmington Road (Plymouth Road to Orangelawn).
6. Discuss draft resolution for problematic areas to be addressed to Warren Evans.
  1. Farmington Road (6 Mile to 7 Mile Road)
  2. Intersections at EB & WB Schoolcraft at Farmington Road
  3. Intersection at 5 Mile and Newburgh
  4. Intersection at NB 5 Mile at Farmington
  5. Intersection at 5 Mile and Middlebelt
7. Review overall 2020 PASER Ratings for 372.94 miles (60.52 Major and 312.86 Local) based on ACT 51 from the State of Michigan thru June 30, 2020. Overall ratings: Good 20.4 % (74.774 miles) - Rating 8 thru 10; Fair 66.6% (244.741 miles) – Rating 5 thru 7; Poor 12.6% (46.142 miles) – Rating 1-4; Unrated or Gravel (0.4) (1.613 miles)  
Note that Roadsoft shows different overall miles of road for Livonia. Average overall PASER Rating 6.110 on road network. See attached pie chart and PASER Rating Mileage Summary.
8. Asset Management Requirement by Transportation Asset Management Plan (TAMC) was submitted October 31, 2020. Required every 3 years with communities that have over 100 road miles. Next submittal due in October 2023.
9. Renewal millage for Livonia is set to expire in 2022. City to take language to request another 10 year renewal millage or No Tax Increase for the road improvements that have been on going since 2002 to improve our road infrastructure. I anticipate opportunities for Committee Members to champion this cause as we look to take to vote in August of 2022.
10. Set date and time to meet with residents regarding concerns with road repairs  
Recommend the following dates:
  - Wednesday, October 20<sup>th</sup>, Thursday, October 21<sup>st</sup>
  - Wednesday, October 27<sup>th</sup>, Thursday, October 28<sup>st</sup>Note: Meeting includes the DPW Director and / or Assistant Director, Roads & Park Supervisor, Consultants involved with Program from AEW and OHM Advisors, and Assistant City Engineer along with invitation to Mayor Maureen Miller Brosnan.
11. Adjourn



## AGENDA

### Citizen Roads Advisory Committee Meeting

Date: Wednesday, October 27, 2021

Time: 6:00 pm

Location: DPW Building, 12973 Farmington Road, Livonia, MI 48150 (Main Conference Room)

Introductions – Karl Kevra: Chairperson of the Citizen Roads Advisory Committee to introduce members, Todd Zilincik to introduce City Staff and Consultants

1. City has over 373 miles of road under our jurisdiction. Road Rating System Utilized Road Repair Program (Paser Ratings – 1 through 10) completed in 2020 (done every 2 years).  
Note: Visit City of Livonia Website at [www.livonia.gov](http://www.livonia.gov), then “Departments”, then “Engineering”, click on “Street Repairs” for information.  
Note: 36.3 miles of State Trunkline (MDOT); Wayne County 68.0 Miles
2. Status of 2021 Road Repair Program (\$4.9 Million for Concrete, \$3.84 Million for Asphalt), Contract 21-J, Selective Slab Replacement in amount of \$845k
3. Upcoming Projects in 2022 (Wayne County): Merriman Road (Schoolcraft Road to 5 Mile Road); Farmington Road (Plymouth Road to Orangelawn); MDOT I-275 rebuilding from Northline Road to 6 Mile Road, patching from Will Carleton Road to Northline Road (4 Year Project) as 2021 was 1<sup>st</sup> year of project.
4. Summarize 2022 Road Repair Program, Budget of \$9.6 Million Dollars (\$5.0 Million for Concrete Roads and \$3.8 Million for Asphalt and \$800k for Selective Slab)
5. DPW Road Repairs: Selective Slab Program, Catch Basin, and Cold Patch Locations
6. Listen to Concerns Brought Forth From the Residential / Business Owner’s on Livonia Jurisdiction Roads, including any Letter Received by Engineering Department.
7. Recommended 2022 Road Program (motion), including streets discussed this evening.  
Note: Need to confirm actual costs and potential road segment cuts from list after design information is provided by Consultants, including tree removals concerns (as

previously discussed the sentiment is to move onto another street if trees are to be saved).

8. Discuss final resolution for problematic areas to be addressed to Warren Evans (discussed at the September 22, 2021 Meeting) in this prioritized order (refer to draft resolution handed out):

1. Rehabilitation on Farmington Road (Six Mile Road to Seven Mile Road), most particularly the southbound lane from Curtis to 6 Mile Road.
2. Resurface the intersections at Westbound Schoolcraft at Farmington, Westbound Schoolcraft at Middlebelt Road.
3. Resurfacing the intersection at 5 Mile Road and Farmington Road.
4. Resurface the intersection of 5 Mile and Newburgh Road.
5. Resurface the intersection of 5 Mile Road at Middlebelt Road.

9. Information for 2013-2021 Road Millage Renewal Statistics to be provided for Renewal millage for Livonia is set to expire in 2022.

- Total Road Expenditures over 9 year average = \$6,768,941 per year
- Total Millage Funds Collected over 9 year average = \$3,565,114 per year
- Total Miles Completed over 9 year average = 8.23 miles per year

Note: City to take language to request another 10 year renewal millage or No Tax Increase for the road improvements that have been on going since 2002 to improve our road infrastructure. I anticipate opportunities for Committee Members to champion this cause as we look to take to vote in August of 2022.

10. Adjourn

**Citizens Roads Advisory Committee Meeting  
2022 Road Repair Program Sign-In Sheet**

**October 27, 2021 @ 6 pm**

|     | <u>NAME</u>               | <u>ADDRESS</u>     | <u>PHONE</u> | <u>E-MAIL (Optional)</u>   |
|-----|---------------------------|--------------------|--------------|----------------------------|
| 1.  | Mark Loch                 | 39000 Plymouth Rd  | 734-466-4441 | mark.loch@chm-advisors.com |
| 2.  | JOHN & JUDY VIVAR         | 33226 CURTIS RD    | 248-476-9155 | VIVARND-248@ATT.NET        |
| 3.  | Richard / Katherine Brown | 32239 Oakley St    | 734-921-4487 | rbrown3115@yahoo           |
| 4.  | Kathleen McIntyre         |                    |              |                            |
| 5.  | JEROME CHWALEK            | 9307 Louisiana St. | 734-525-1469 | Jermil@ameritech.net       |
| 6.  |                           |                    |              |                            |
| 7.  |                           |                    |              |                            |
| 8.  |                           |                    |              |                            |
| 9.  |                           |                    |              |                            |
| 10. |                           |                    |              |                            |
| 11. |                           |                    |              |                            |



Motion by David Green, seconded by Tom Carey

RESOLVED, that the Citizens Advisory Committee on the Roads, having reviewed the proposed 2022 Road Repair Program presented by the Department of Public Works on September 22, 2021 and comments from concerned residents / business owners on October 27, 2021, does hereby recommend that the 2022 Road Repair Program Road based be available funding to the Livonia City Council for its approval with a budget of \$9,600,000 (\$5.0 Million for Concrete, \$3.8 Million for Asphalt and \$800,000 for Selective Slab Maintenance). If there are additional funds or street segments changes in the 2022 Road Repair Program; Alternate Street Segment for Concrete to be Oakley (Hubbard to Ingram) in Section 22.

Approved 10/27/21: Kevra - Chairman, Boadway, Carey, Green, and Grzebik  
Absent: Gierak, Gostias, Hoen and Kolhoff

## RESOLUTION

Motion by Connie Boadway, supported by Tom Carey, that

**Whereas**, the City of Livonia believes quality roads are a vital part of any community: and

**Whereas**, certain improvements are necessary by Wayne County Department of Public Service (WCDPS) to increase traffic safety and to encourage economic development as discussed by the Livonia Citizens Advisory Roads Committee during the meeting held on Wednesday, Oct. 27, 2021, including prioritized in order:

1. Rehabilitation on Farmington Road (Six Mile Road to Seven Mile Road), most particularly the southbound lane from Curtis to 6 Mile Road.
2. Resurface the intersections at Westbound Schoolcraft at Farmington, Eastbound Schoolcraft at Middlebelt Road.
3. Resurfacing the intersection at 5 Mile Road and Farmington Road.
4. Resurface the intersection of 5 Mile and Newburgh Road.
5. Resurface the intersection of 5 Mile Road at Middlebelt Road.

**Whereas**, the Citizens Advisory Roads Committee deems the roads identified are in critical need of repair that are not under the jurisdiction of the City of Livonia, but Wayne County Department of Public Service; furthermore to have the segment identified as a high priority and consider road repairs completed by WCPDS maintenance forces, utilizing Act 51 Funds and/or Federal Aid Committee Funds.

**Now, therefore be it resolved**, that the Citizens Advisory Roads Committee does hereby recommend approval at our annual meeting held on Wednesday, October 27, 2021, to forward this resolution onto City Council for their consideration to approve and direct the City Clerk to deliver this resolution onto Wayne County Executive Warren Evans, Wayne County Department of Public Service Engineering and Roads Division, and Wayne County Commissioner, Terry Marecki.

Approved 10/27/21. Kevra - Chairman, Boadway, Carey, Grzebik, and Green

Absent: Gierak, Gostias, Hoen, and Kohloff

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**9**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

9. REQUEST FOR ONE-YEAR EXTENSION OF SITE PLAN APPROVAL: Planning Commission, re: Petition 2019-12-08-16, submitted by Ali Hamouch, previously approved by City Council on March 11, 2020, in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16. (CR 85-20)

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated as you indicated this is a request for a one-year extension of the site plan. This is the Shell Gas Station at Six and Farmington. The addition on the building is about 500, a little under 600 square feet, added to the existing 2,000 square foot building. Council approved this back in March. The Zoning Board of Appeals approved variances in September, that extended the life of the site plan but the do need to extend it and the issue there was really the difficulties in finding a general contractor but he is moving forward and he is requesting the extension.

Councilmember Donovic offered an approving resolution for the Consent Agenda. He stated I was at the Planning Commission meeting recently and spoke to the owner and he basically elaborated that they want to move forward with the project but they've been having difficulties with contractors and when they do find contractors, they have difficulty with the contractor actually having people to carry out the job. And I've spoken to a lot of people in the construction industry and this seems to be unfortunately very common amongst this industry and a lot of industries actually with labor and work force.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

8.

Planning  
October 21, 2021

### MEETING DATE

November 8, 2021

### PREPARED BY

Stephanie Reece, Program Supervisor,

### AGENDA ITEM

REQUEST FOR ONE-YEAR EXTENSION OF SITE PLAN APPROVAL: Planning Commission, re: Petition 2019-12-08-16, submitted by Ali Hamouch, previously approved by City Council on March 11, 2020, in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16. (CR 85-20)

### BACKGROUND

### RECOMMENDATION

At the 1,177th Public Hearing and Regular Meeting held by the City Planning Commission on October 19, 2021, the following resolution was unanimously adopted:

#10-56-2021 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2019-12-08-16 submitted by Ali Hamouch, requesting a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16 be approved subject to the following conditions:

1. That the request for a one-year extension of waiver use approval by Ali Hamouch, in a letter dated September 8, 2021, is hereby approved, and
2. That all conditions imposed by Council Resolution #85-20 in connection with Petition 2019-22-08-16 shall remain in effect to the extent that they are not in conflict with the foregoing condition.

### FISCAL CONSIDERATION

### ATTACHMENTS

1. 2019-12-08-16\_Shell\_1st Extension\_E-COUNCIL Pkt

### APPROVED BY



Date: October 21, 2021

---

Mark Taormina, Planning and Economic Development  
Director



Date: October 21, 2021

---

Maureen Miller Brosnan, Mayor



**Petition 2019-12-08-16 submitted by Ali Hamouch** requesting a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16.

Realtor

597;\$ srvis\$X\$xi\$744Chieffsvr\$M8<568

<https://www.praagent.com>

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**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF**  
**March 11, 2020**

**Petition 2019-12-08-16**

**#85-20** RESOLVED, that having considered a communication from the City Planning Commission, dated January 29, 2020, which transmits its resolution #01-14-2019, adopted on January 28, 2020, with regard to Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval to construct an addition and remodel the interior and exterior of the existing gas station (Shell) located on the southwest corner of Six Mile and Farmington Roads (33411 Six Mile Road), in the Northeast  $\frac{1}{4}$  of Section 16, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2019-12-08-16 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.
4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.

8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to, except that a window shall be added to the north side of the building.
9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department, and the dumpster enclosure shall be painted to match the building.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.



PLANNING COMMISSION

IAN WILSHAW, Chairman  
GLEN W. LONG, JR., Vice Chairman  
SAM CARAMAGNO, Secretary  
DAVID BONGERO  
ELIZABETH McCUE  
CAROL A. SMILEY  
PETER H. VENTURA



MAUREEN BROSNAN-MILLER  
MAYOR

MARK TAORMINA  
PLANNING & ECONOMIC  
DEVELOPMENT DIRECTOR

SCOTT O. MILLER  
PLANNER IV

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2290 Fax (734) 466-2108

January 29, 2020

Honorable Members of the City Council  
City of Livonia, Michigan

Re: Petition 2019-12-08-16 – Shell station

Dear Council Members:

At the 1,154<sup>th</sup> Public Hearings and Regular Meeting held by the City Planning Commission on January 28, 2020, in the Livonia City Hall, the following resolution was unanimously adopted:

**#01-14-2019**     **RESOLVED**, that the City Planning Commission does hereby recommend to City Council that Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16, be approved, subject to the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.

4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to, except that a window shall be added to the north side of the building.
9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.

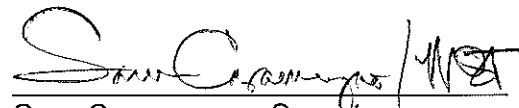
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Very truly yours,

APPROVED FOR SUBMISSION

  
Maureen Miller Brosnan, Mayor

CITY PLANNING COMMISSION

  
Sam Caramagno, Secretary

cc: Mayor, Clerk, Law  
N.C. Designers & Contracting, Inc., Nasser Choucair, 3241 S. Telegraph Road,  
Dearborn, MI 48124  
Ali Hammouch, 27008 Northmore, Dearborn Heights, MI 48127



**CITY OF LIVONIA, MICHIGAN**  
**APPLICATION FOR SITE PLAN REVIEW & APPROVAL**

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee = \$600.00 plus \$20.00 for each 1,000 square feet of gross floor area of new construction, not to exceed a total of \$1,500.00.**

Date Filed: 12-12-19 Petition 2019-12-08-16

Site Address: 33411 Six Mile Road Sidwell \_\_\_\_\_

Requesting Approval to Addition on building + Exterior remodeling

Applicant: Nasser Choucair Business/Company: NC Designers on building

Applicant's Address: 3241 S Telegraph City: Dearborn State: MI Zip Code: 48124

Applicant's Phone # (313) 986-8381 Applicant's Email ncdesigners2019@gmail.com

Contact Person: Nasser Choucair Business/Company: NC Designers

Contact's Address: 3241 S Telegraph City: Dearborn State: MI Zip Code: 48124

Contact's Phone # (313) 986-8381 cell Contact's Email ncdesigners@yahoo.com or

**Please provide the following information:**

- 1) **Site Plan** showing:
  - property dimensions, including road right-of-way & building setback lines
  - foot print of building(s), including dimensions & square footage
  - all easements, protective walls, sidewalks & existing trees
  - any significant topographic features (existing or proposed)
  - parking layout, including type of surface material, sizes of spaces & aisles
  - method used in calculating parking requirement
  - location of light standards servicing parking lot & cutout showing type & height
  - location of trash receptacle, including description of screening
  - location of signs (if proposed must submit separate sign application)
- 2) **Detailed Landscape Plan** including:
  - listing or labeling of all planted materials as to type and size
  - areas to be fully irrigated
  - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
  - architectural quality
  - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
  - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
  - floor layout
  - entrances & exits
  - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to [smiller@ci.livonia.mi.us](mailto:smiller@ci.livonia.mi.us)
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) One (1) completed application form & **sixteen (16)** sets of full-size drawings



**You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.**

**FEE COMPUTATION**

578 sq. ft. of new construction x \$20.00 per 1,000 sq. ft. **\$600.00**  
(NOTE: Round off to nearest 1,000) + 20.00  
Total Amount Due \$ 620.00

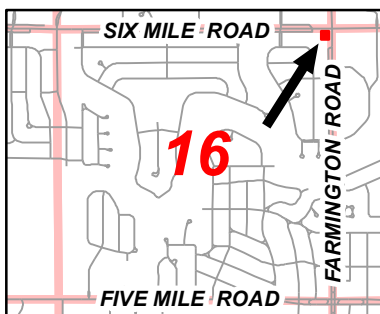
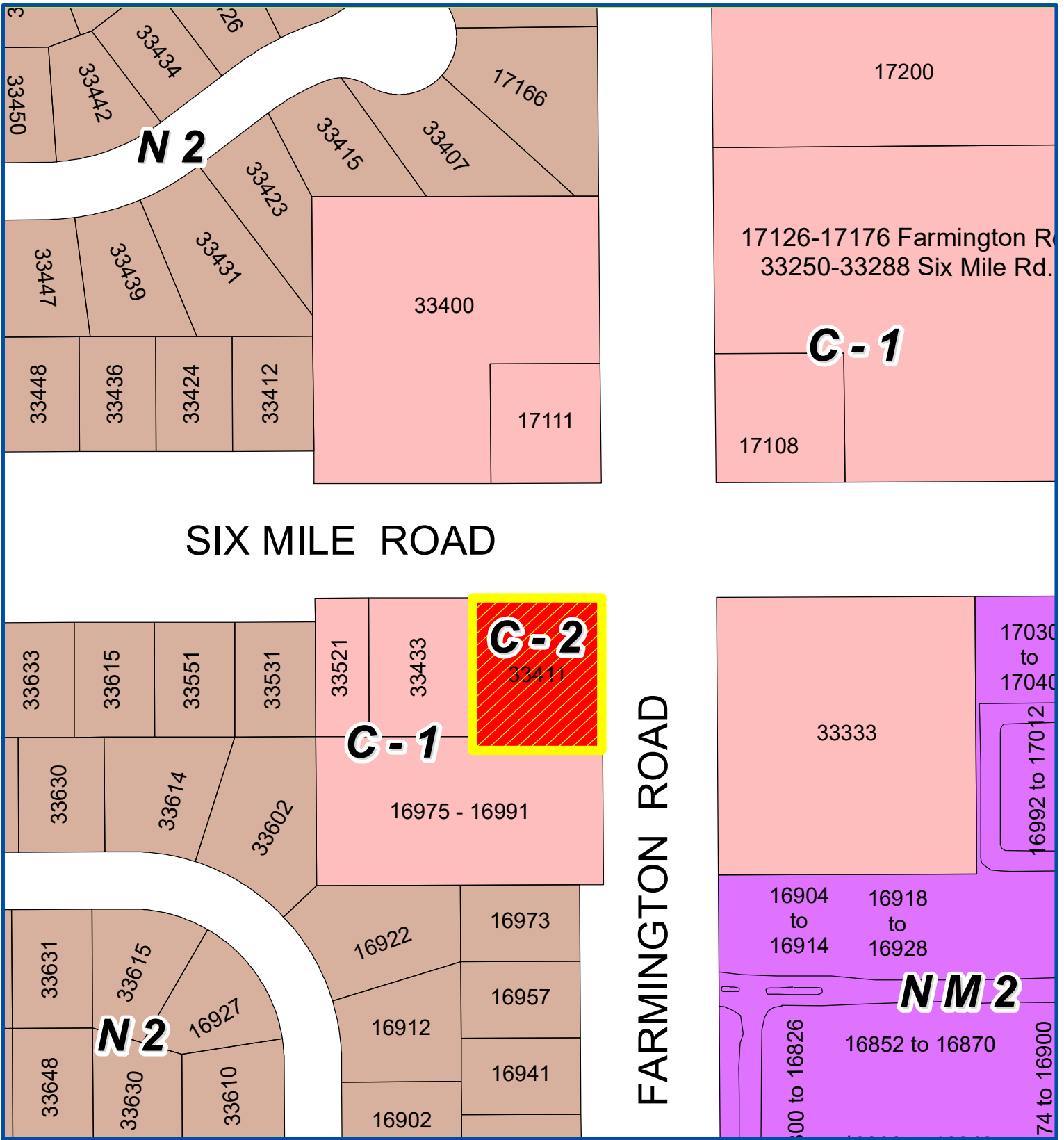
Owner of Property: Ali Hamouch

Owner's Address: 27008 Northmore City: Dearborn Heights State: MI Zip Code: 48127

Owner's Phone # (313) 304-1500 Owner's Email ahamouch@gmail.com

Signature of Owner: [Signature] Print Name: Ali Hamouch

**RECEIVED**  
DEC 12 2019  
CITY OF LIVONIA  
PLANNING COMMISSION



## Address & Zoning Map

Petition 2019-12-08-16

Shell Gas Station

33411 Six Mile Road

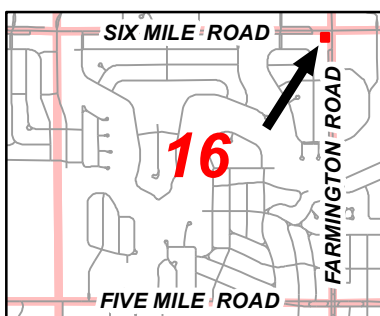
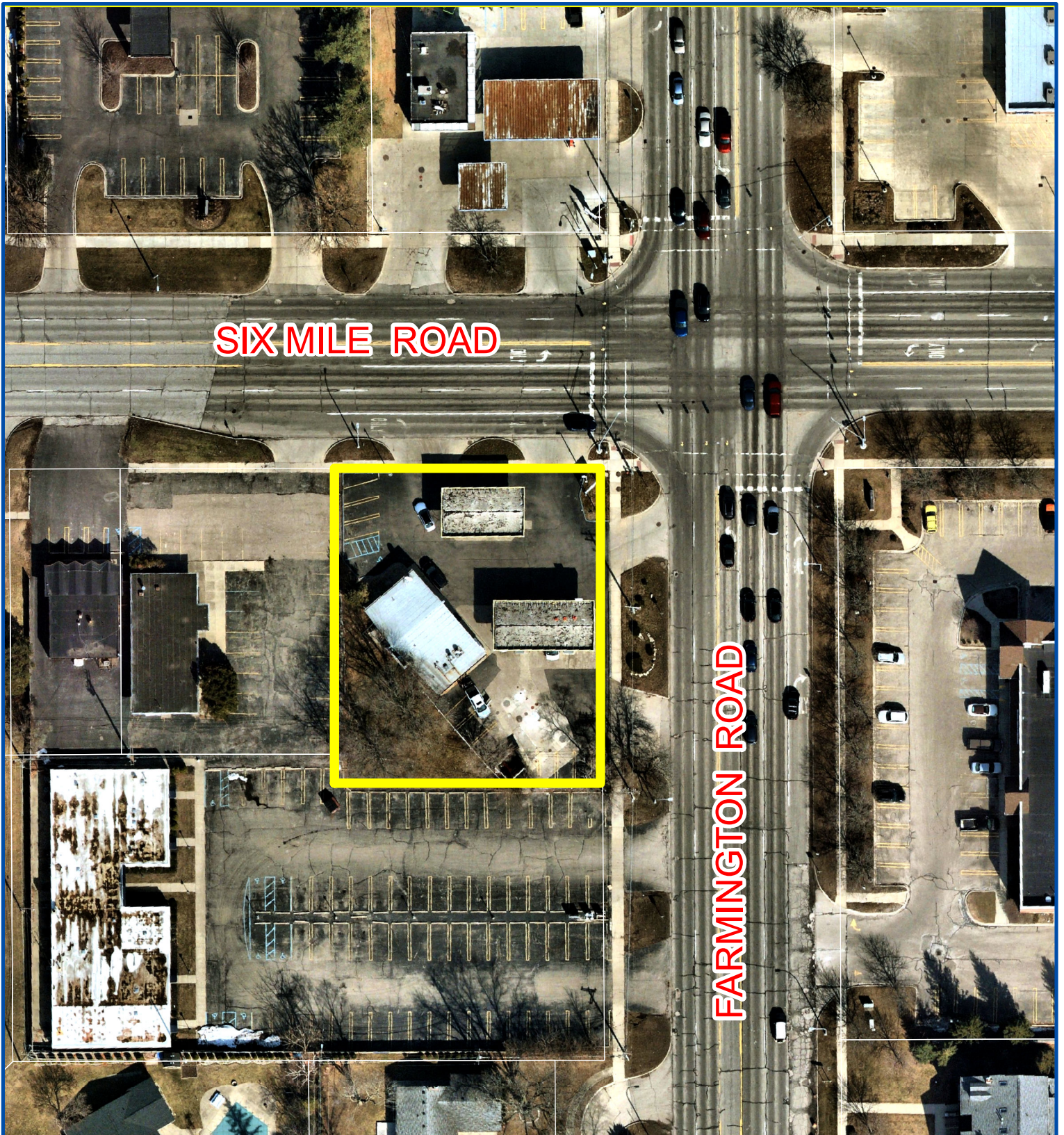
**to construct an addition and remodel the interior  
and exterior of the existing gas station**



Not to Scale

City of Livonia  
Planning Department





## Aerial Map

Petition 2019-12-08-16

Shell Gas Station

33411 Six Mile Road

to construct an addition and remodel the interior  
and exterior of the existing gas station



Not to Scale



City of Livonia  
Planning Department



# PLANNING COMMISSION STAFF NOTES

## MISCELLANEOUS

### ITEM 4

**Petition 2019-12-08-16 submitted by Ali Hamouch** requesting a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast  $\frac{1}{4}$  of Section 16.

#### **October 12, 2021: Study Meeting:**

This request is for a one-year extension of the site plan approval involving the construction of an addition and the remodeling of both the interior and exterior of the existing gas station (Shell) located on the southwest corner of Six Mile and Farmington Roads. City Council granted approval of the site plan on March 11, 2020 (CR #85-20). The Zoning Board of Appeals (ZBA) granted variances to construct a building addition on a non-conforming building and for deficient parking (Appeal Case 2020-09-20) on September 15, 2020.

The proposed addition would be constructed at the north end of the existing building. It would be one-story in height, 578 square feet in area and would provide the station with additional retail space. Upon completion, the enlarged building would total 2,085 square feet in area. Along with the addition, the entire façade of the existing building would be renovated. The exterior finish of the remodeled building would consist of vertical metal panels, a wood-look composite material and limestone panels. The existing block wall of the rear elevation would be repainted. The top edge of the building would be finished with a continuous crown molding.

In a letter dated September 8, 2021, the Petitioner offers the following explanation for the extension request: *"We have been having a hard time contracting a general contractor for the job due to the pandemic and the storage in material and labor. Most general contractors are backed up due to piled work or delay in finishing projects due (to) scarce material supply or labor storages. I'm hoping by next year we will have a better opportunity and things will ease up".*

**October 19, 2021: Regular Meeting:**

**Approving Resolution:** That the request for a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, is hereby approved, subject to City Council approval and the following conditions:

1. That the request for a one-year extension of waiver use approval by Ali Hamouch, in a letter dated September 8, 2021, is hereby approved, and
2. That all conditions imposed by Council Resolution #85-20 in connection with Petition 2019-22-08-16 shall remain in effect to the extent that they are not in conflict with the foregoing condition.

GAS STATION  
33411 SIX MILE ROAD  
LIVONIA, MI 48150  
MICHIGAN  
PROJECT 022-2019

LEGAL DESCRIPTION :

The north 160.0 feet of the East 135.0 feet of outlet "A" , Burton Hollow Estates subdivision, part of the N.E. ¼ of section 16, T.15m R.9E, City of Livonia, Wayne County, Michigan, according to the plat thereof as recorded in liber 82 of plats, pages 25 and 26 of Wayne County records. Also described as beginning at a point at the intersection of the South line of Six Mile Road and the West line of Farmington Road distant N.89 56' 50" W. 60.00 feet and S.00 09' 20" E60.00 feet From the N.E. corner of section 16,T.1S., R.9E, City of Livonia, Wayne County, Michigan; Thence along the west line of Farmington road (120 feet wide) S.,00 09' 20" E160.00 feet; Thence N.00 09' 20" W. 160.00 feet to the South line of Six Mile road (120 feet wide); thence along said South line of Six Mile road S.89 56' 50" E. 135.00 feet to the point of beginning. Containing 21,600 square feet or 0.496 acres.



STANDARD NOTES :

1. NOTIFY THE CITY OF LIVONIA A MINIMUM OF 48 HOURS PRIOR TO THE START OF CONSTRUCTION
2. ALL CONSTRUCTION MUST CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF CITY OF LIVONIA.
3. CALL MISS DIG (800-482-7171) A MINIMUM OF THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION
4. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND UNLESS NOTED
5. ALL SOIL EROSION AND SILT MUST BE CONTROLLED AND CONTAINED ON SITE
6. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES AND PAVEMENT CAUSED BY THIS OPERATION.
7. ALL EXCAVATION UNDER THE 45 DEGREE ZONE OF INFLUENCE LINE OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACKFILLED AND COMPACTED WITH SAND (CLASS II MDOT) TO AT LEAST 95 % MINIMUM UNIT WEIGHT
8. ALL EXCAVATION OUTSIDE OF THE 45 DEGREE ZONE OF INFLUENCE LINE OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACKFILLED WITH SUITABLE MATERIAL FREE OF LARGE LUMPS OF CLAY, DEBRIS, AND ROCKS. MATERIAL SHALL BE COMPACTED TO AT LEAST 90 % UNIT WEIGHT
9. MINIMUM VERTICAL CLEARANCE BETWEEN UTILITIES SHALL BE 18" INCHES
10. WHERE UTILITIES CROSS, PROVIDE SAND (CLASS II MDOT) BACKFILL TAMPED IN 12" LAYERS TO THE UNDERSIDE OF THE HIGHER UTILITY. A 6" MINIMUM SAND CUSHION SHALL BE PROVIDED BETWEEN UTILITIES
11. THE DEVELOPER IS RESPONSIBLE FOR RESOLVING ANY DRAINAGE PROBLEMS WHICH ARE A RESULT OF THE DEVELOPER'S ACTIVITIES ON THE ADJACENT PROPERTIES
12. ALL SIGN AND TRAFFIC CONTROL DURING CONSTRUCTION AND MAINTENANCE ACTIVITIES SHALL BE PER MOST CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MMUUTCD)

ARCHITECTS/ENGINEERS:

N.C. DESIGNERS & CONTRACTING INC.

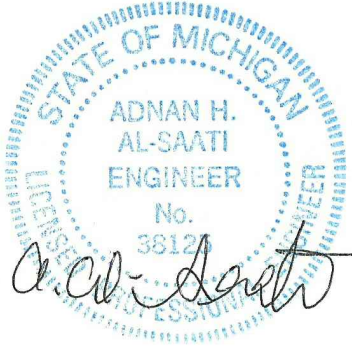
3241 S. TELEGRAPH RD.  
DEARBORN, MI 48124  
P:(313) 986-8381  
(313) 791-7184  
ncdesigners@yahoo.com

CODE INFORMATION

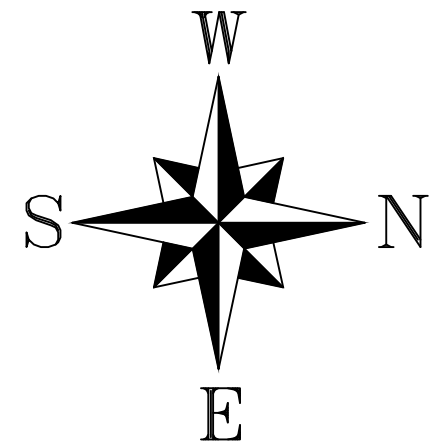
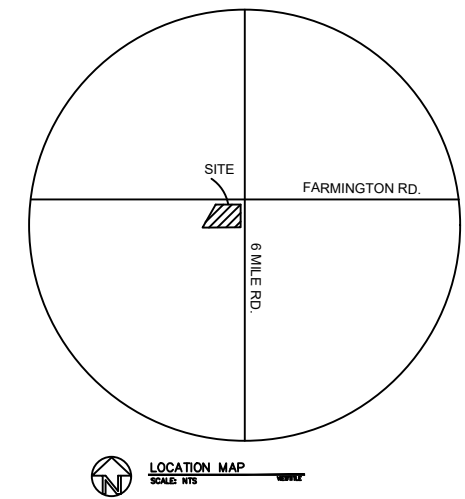
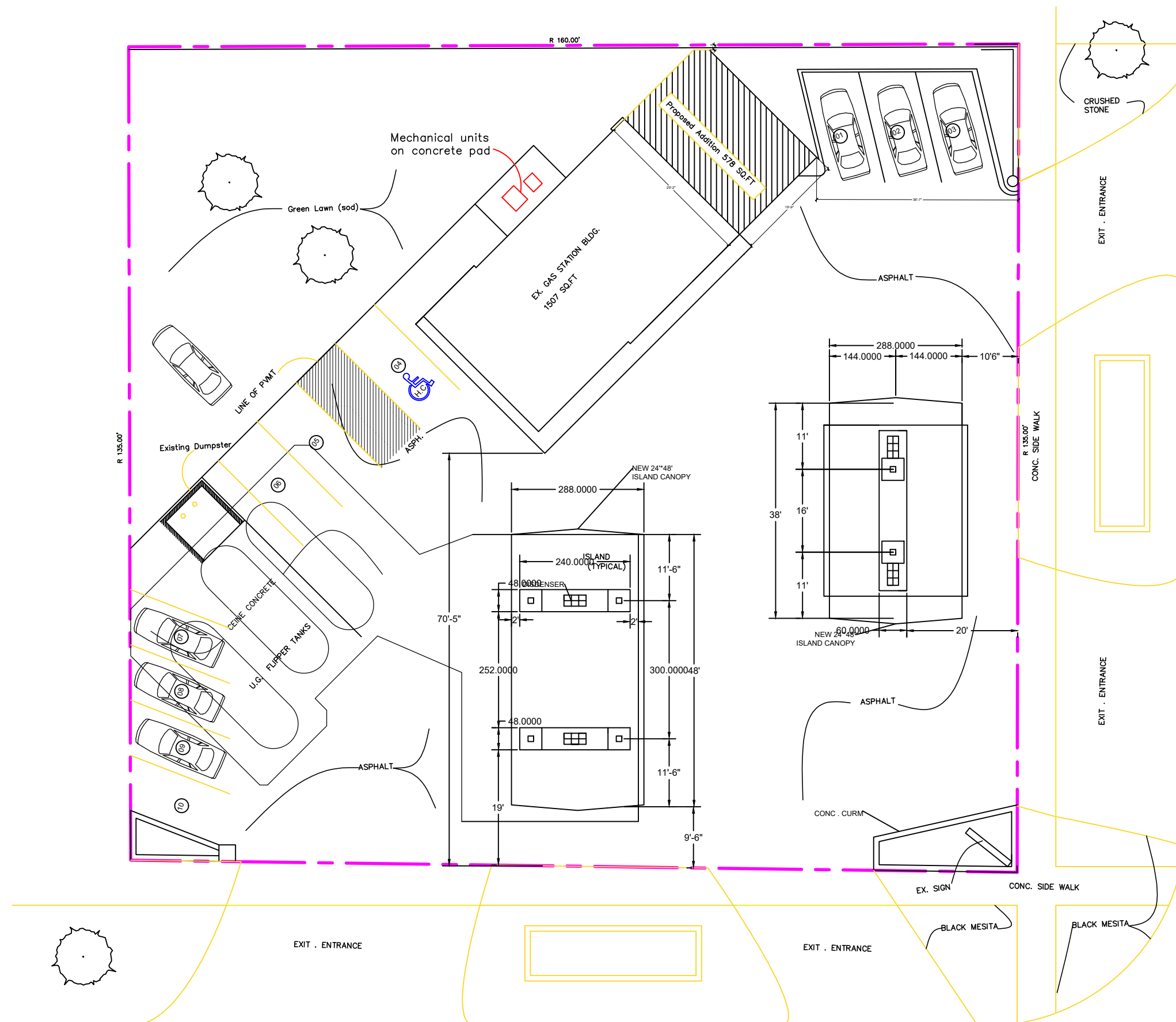
|                                   |                                               |                                            |
|-----------------------------------|-----------------------------------------------|--------------------------------------------|
| 1. BUILDING DESCRIPTION:          | SINGLE STORY – GASOLINE STATION C–STORE       |                                            |
| 2. APPLICABLE CODE:               | BUILDING:                                     | 2015 MICHIGAN BUILDING CODE.               |
|                                   | ACCESSIBILITY:                                | ANSI 117.1–2009 ACCESSIBILITY.             |
|                                   | ENERGY:                                       | 2015 MICHIGAN ENERGY CODE–ASHRAE 90.1–2007 |
|                                   | FIRE:                                         | 2015 INTERNATIONAL FIRE CODE               |
|                                   | PLUMBING:                                     | 2015 MICHIGAN PLUMBING CODE.               |
|                                   | MECHANICAL:                                   | 2015 MICHIGAN MECHANICAL CODE.             |
|                                   | ELECTRICAL:                                   | 2017 NATIONAL ELECTRIC CODES, WITH PART 8. |
| 3. OCCUPANCY/ USE CLASSIFICATION: | MERCANTILE GROUP "M"                          |                                            |
| 4. CONSTRUCTION CLASSIFICATION:   | TYPE IIB – NON SPRINKLED                      |                                            |
| 5. ALLOWABLE AREA TABLE (503):    | 12500.0 SQ.FT. FOR "M" PROPOSED 2925.0 SQ.FT. |                                            |
| 6. TOTAL ALLOWABLE HEIGHT (503):  | 35 FEET MAX. PROPOSED 1–STORY 19'–0"          |                                            |
| 7. FIRE AREA PER SECTION 903.2.7: | < 12,000.0 SQ.FT. FOR GROUP "M"               |                                            |
| 8. SEATING CAPACITY:              | NONE                                          |                                            |
| 9. GROSS AREA SUMMARY:            | AREAS                                         | OCCUPANT LOAD                              |
|                                   | MERCANTILE GROUP "M":                         | SALES 1384.0 SQ.FT. 46 (1 PER 30 SF GROSS) |
| TOTAL OCCUPANT LOAD:              |                                               | 48                                         |

SITE INFORMATION

|                                     |                                              |           |
|-------------------------------------|----------------------------------------------|-----------|
| 1. SITE AREA:                       | 23936.4 SQ.FT. = 23936.4/43560.0 =0.54 ACERS |           |
| 2. ZONED:                           | B-3                                          |           |
| 3. BUILDING AREA COVERAGE(STATION): | 2925.0 SQ.FT.                                |           |
| 4. BUILDING COVERAGE:               | 2085 / 23936.43 =0.10 =10%                   |           |
| 5. LANDSCAPE COVERAGE:              | 2085 SQ.FT. X 10% = 208.5                    |           |
| PARKING REQUIREMENTS:               |                                              |           |
| EXISTING BUILDING AREA.....         | 1507 SQ.FT                                   |           |
| BUILDING ADDITION AREA.....         | 578 SQ.FT                                    |           |
| TOTAL AREA.....                     | 2085 SQ.FT                                   |           |
|                                     |                                              |           |
| SALES AREA                          | AREAS                                        | PARKING   |
| NUMBER OF EMPLOYEES                 | 1384 S.Q.FT. / 200                           | 7 SPACES  |
|                                     | 2                                            | 2 SPACES  |
| TOTAL PARKING REQUIRED              |                                              | 9 SPACES  |
| TOTAL PARKING PROVIDED              |                                              | 9 SPACES  |
| TOTAL PARKING UNDER THE CANOPY      |                                              | 8 SPACES  |
|                                     |                                              |           |
| TOTAL PARKING                       |                                              | 17 SPACES |







# SIX MILE ROD

PROJECT:

AS STATION

LOCATION:

3411 SIX MILE RD.  
LIVONIA, MI

**N.C. DESIGNERS  
& CONTRACTING INC.**

241 S. TELEGRAPH  
EARBORN, MI 48124

P:(313) 986-8381  
designers@yahoo.com

DRAWN BY:

.C.

SIGNED BY:

.C.

APPROVED BY:

## SUBMITTALS

REVISIONS:

01-21-2020

PROJECT NO

22-2019

DATE \_\_\_\_\_

-11-2019

SCALE  
NOTED

NOTED

SHEET TITLE

PROPOSED SITE PLAN

SP-2

SEAL



LANDSCAPE PLANTING NOTES:

PLANTING

1. Installation of all plant material shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock* and with the specifications set forth by the City of Livonia, Michigan.
2. The plant materials shall conform to the type stated on the plant list. Sizes shall be the minimum stated on the plant list or larger. All measurements shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock*.
3. The plant material shall be nursery grown and inspected by the Owner's representative before planting. The Owner's representative reserves the right to reject any plant material at any time.
4. Plants designated "B&B" shall be balled and burlapped with firm balls of earth.
5. Dig shrub pits one foot (1') larger than the shrub rootball, tree pits three (3) times the width of the tree rootball and backfill with one (1) part topsoil and one (1) part soil from excavated pit. Plant trees and shrubs at the same grade level at which they were planted at the nursery. If wet, clay soils are evident, plant trees and shrubs slightly higher.
6. The Contractor is responsible for planting the materials at the correct grades and spacing. The plants shall be oriented to give the best appearance.
7. When the plant has been properly set, the pit shall be backfilled with the topsoil mixture, gradually filling, patting, and settling with water.
8. Trees in lawn areas to have a four foot (4') circle of mulch, four inches (4") deep, and three inches (3") away from the trunk. Shrub beds are to be mulched with shredded bark mulch to a minimum depth of three inches (3"). Perennial beds are to be mulched with shredded bark mulch to a minimum depth of two inches (2"). Only natural color, finely shredded hardwood bark mulch will be accepted.
9. Remove all twine, wire, and burlap from the top one third (1/3) of tree and shrub root balls and from tree trunks. Remove all non-biodegradable material such as plastic or nylon completely from branches and stems. All tree wrap, stakes, and guys are to be removed after one (1) winter season.
10. All plant materials shall be pruned and injuries repaired. The amount of pruning shall be limited to the removal of dead or injured limbs and to compensate for the loss of roots from transplanting. Cuts should be flush, leaving no stubs. Cuts over three quarters of an inch (3/4") shall be painted with tree paint. Shrubs along the site perimeter shall be allowed to grow together in a natural form.
11. Organic, friable topsoil shall be evenly distributed and fine graded over all areas to receive lawns at uniform depth of four inches (4") after settlement.
12. All lawn areas shall be sodded with a Grade A Kentucky Blue Grass blend over the topsoil.
13. All plantings shall be completed no later than November 30 in the fall season. The date of intended installation for landscape plant materials is approximately Fall, 2020.
14. Backfill directly behind all curbs and along sidewalks and compact to the top of curbs or walk to support vehicle and pedestrian weight without settling.
15. Conversion of all asphalt and gravel areas to landscape planting beds shall be done in the following manner: a. Remove all asphalt, gravel, and compacted earth to a depth of six inches to eighteen inches (6"-18") depending on the depth of the sub base and dispose of off site; b. Call the City for an inspection prior to backfilling; c. Replace excavated material with good, medium-textured planting soil (loam or light yellow clay) to a minimum of two inches (2") above the top of the curb and sidewalk, add four inches to six inches (4"-6") of topsoil and crown to a minimum of six inches (6") above the adjacent curb and walk after earth settling, unless otherwise noted on the landscape plan. If conversion from asphalt to landscape occurs in or between an existing landscape area(s), replace excavated material from four inches to six inches (4"-6") below adjacent existing grade with good, medium-textured planting soil (loam or light yellow clay) and add four inches to six inches (4"-6") of topsoil to meet existing grades after earth settling.

MATERIALS

1. Required landscape material shall satisfy the criteria of the American Association of Nurserymen Standards for Nursery Stock and be: a.) Northern nursery grown; b.) State Department of Agriculture inspected; c.) No. 1 grade material with a straight, unscarred trunk, and well-developed uniform crown (park grade trees will not be accepted); d.) Staked, wrapped, watered, and mulched according to the details provided; and e.) Guaranteed for one (1) year.
2. Topsoil shall be friable, fertile soil of clayloam character containing at least five percent (5%) but not more than twenty percent (20%) by weight of organic matter with a pH range between 6.0 and 7.0. The topsoil shall be free from clay lumps, coarse sand, plant roots, sticks, and other foreign materials.
3. The lawn seed mixture shall consist of the following types and proportions: Kentucky Blue Grass blend "Baron/Sheri/Adelphi" @ sixty percent (60%), Chewing Fescue @ twenty-five percent (25%), Creeping Red Fescue @ ten percent (10%), and Perennial Rye Grass @ five percent (5%). Weed content shall not exceed one percent (1%). The mix shall be applied at a rate of 200 pounds per acre.
4. Cobblestone mulch to consist of two inch to six inch (2" - 6") river cobbles six inches (6") deep with geotextile fabric beneath.
5. Sod shall be two (2) year old "Baron/Sheri/Adelphi" Kentucky Blue Grass blend grown in a sod nursery on loam soil.
6. Proposed perennials shall be full, well-rooted plants.

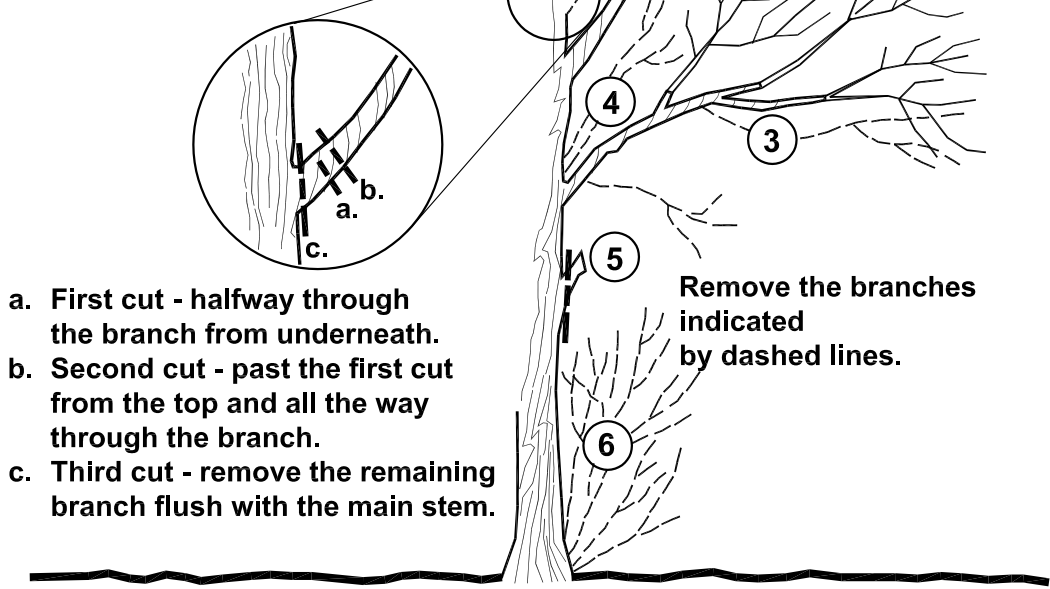
GENERAL

1. Do not plant deciduous or evergreen trees directly over utility lines or under overhead wires. Maintain a six foot (6') distance from the centerline of utilities and twenty feet (20') from the centerline of overhead wires for planting holes. Call MISS DIG forty-eight (48) hours prior to landscape construction for field location of utility lines.
2. The Contractor agrees to guarantee all plant material for a period of one (1) year. At that time, the Owner's representative reserves the right for a final inspection. Plant material with twenty-five percent (25%) die back, as determined by the Owner's representative shall be replaced. This guarantee includes the furnishing of new plants, labor, and materials. These new plants shall also be guaranteed for a period of one (1) year.
3. The work shall consist of providing all necessary materials, labor, equipment, tools, and supervision required for the completion as indicated on the drawings.
4. Landscape areas shall be irrigated by an automatic underground irrigation system. Lawns and shrub/landscape areas shall be watered by separate zones to minimize overwatering.
5. All written dimensions override scale dimensions on the plans.
6. All substitutions or deviations from the landscape plan must be approved by the City of Livonia prior to installation.
7. All bidders must inspect the site and report any discrepancies to the Owner's representative.
8. All specifications are subject to change due to existing conditions.
9. The Owner's representative reserves the right to approve all plant material.

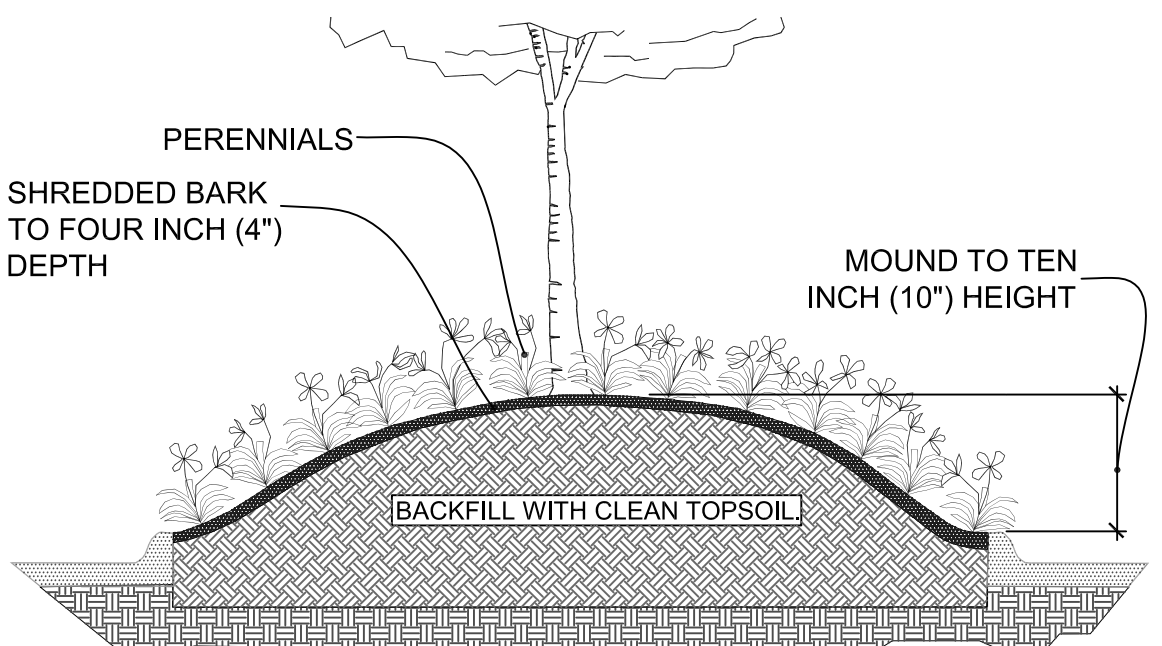
MAINTENANCE

1. The Owner of the landscaping shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris.
2. The Owner shall conduct a seasonal landscape maintenance program including regular lawn cutting (at least once per week during the growing season), pruning at appropriate times, watering, and snow removal during winter.
3. The Contractor is responsible for watering and maintenance of all seed areas until a minimum of ninety percent (90%) coverage, as determined by the Owner's representative.
4. All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.
5. Any debris such as lawn clippings, fallen leaves, fallen limbs, and litter shall be removed from the site on a weekly basis at the appropriate season.
6. All planting beds shall be maintained by removing weeds, fertilizing, and replenishing mulch as needed.

1. Remove cross branches and those developing into secondary leaders.
2. Remove injured and misshapen branches.
3. Remove a lower branch where an overlying branch occupies about the same area.
4. Remove twigs and buds on trunk.
5. Make clean cuts on old stubs.
6. Remove sucker shoots at the base of the tree.



PROPER PRUNING DETAIL not to scale



PARKING LOT ISLAND DETAIL not to scale

NOTES:

- NOTES ON PLANT MATERIALS:
- \* Existing Plant Material is italicized and described by the common name. An inventory of the existing plant material is indicated on the drawing. Example: *Arborvitae*.
  - \* NEW PLANT MATERIAL IS DENOTED WITH A KEY THAT CORRESPONDS TO THE LIST FOR NEW PLANT MATERIAL ON THE DRAWING. EXAMPLE: 2 ACS.

NOTES:

- \* REMOVE DEBRIS, WEEDS, STUMPS, STONES, AND DEAD WOOD FROM NEW PLANTING BEDS.
- \* PRUNE ALL BROKEN TREE BRANCHES AND DEAD WOOD FROM EXISTING PLANT MATERIAL.
- \* THE EXISTING IRRIGATION SYSTEM SHALL BE TESTED AND ADJUSTED TO INSURE THAT IT IS IN GOOD WORKING ORDER.
- \* ALL EXISTING GRASS AREAS MUST BE HEALTHY AND FREE OF WEEDS. RESEED ALL DISTURBED LAWN AREAS WITH THE SEED MIX SPECIFIED IN THE NOTES.

GENERAL NOTES FOR ALL PLANTINGS:

- \* DO NOT CUT CENTRAL LEADER.
- \* REMOVE ALL TAGS, STRINGS, PLASTICS, AND ANY OTHER NON-BIODEGRADABLE MATERIALS (EXCEPT LABEL FOR PLANT NAME) FROM PLANT STEMS OR CROWN WHICH ARE UNSIGHTLY OR COULD CAUSE GIRDLING.
- \* PLANTS SHALL BEAR THE SAME RELATION TO FINISH GRADE AS IT BORE TO THE PREVIOUS GRADE IN THE NURSERY. SET THE BASE OF THE PLANT SLIGHTLY HIGHER THAN EXISTING GRADE IF PLANTING IN CLAY SOILS.
- \* CENTER THE ROOTBALL IN THE PLANTING HOLE. LEAVE THE BOTTOM OF THE PLANTING HOLE FIRM. USE WATER TO SETTLE THE PLANTING MIX AND REMOVE ANY AIR POCKETS AND FIRMLY SET THE TREE OR SHRUB. GENTLY TAMP IF NEEDED.

NOTE:

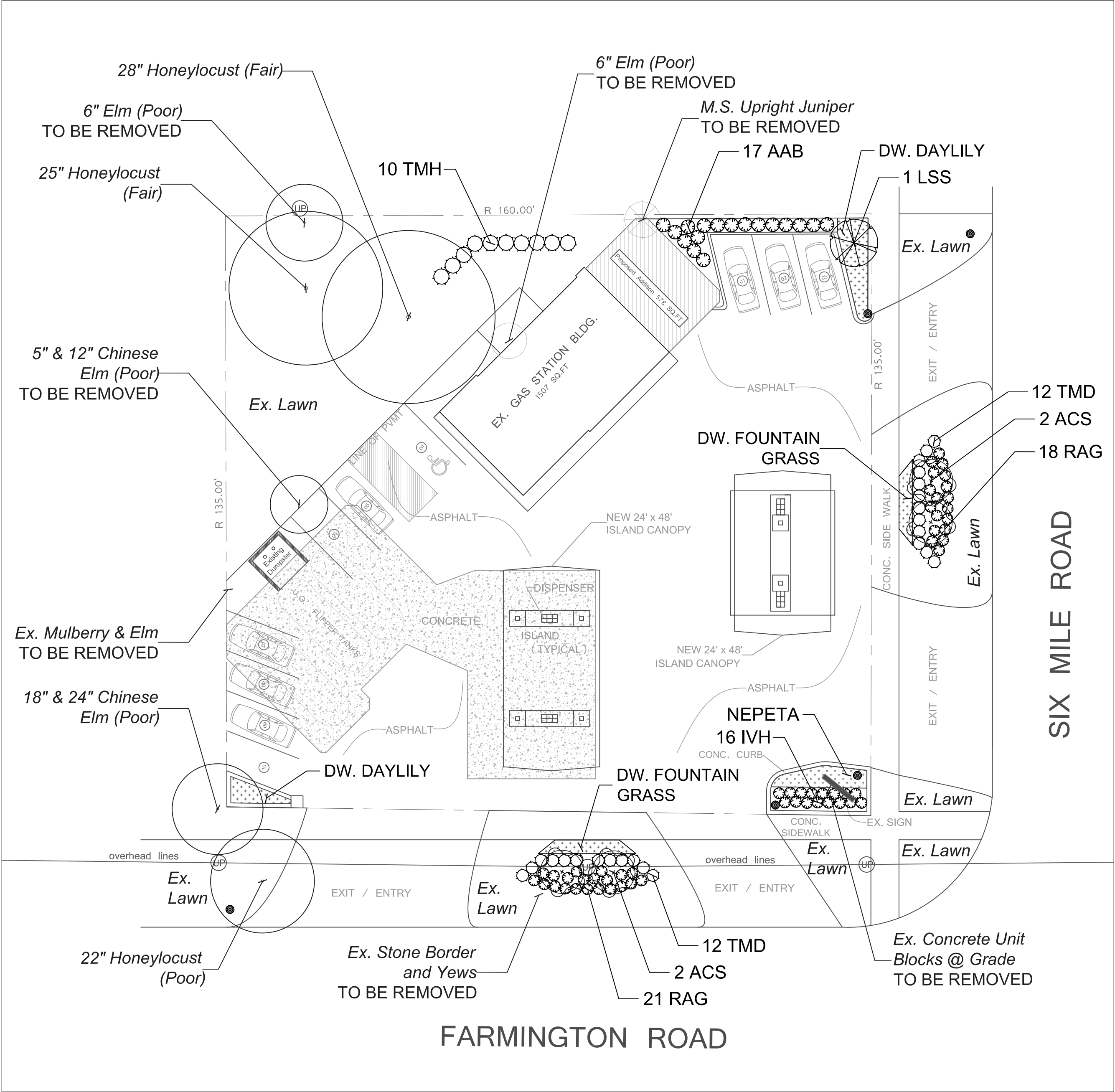
- \* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
- \* THE PLANTING MIXTURE SHALL CONSIST OF 20% TOPSOIL, 60% SAND, AND 20% COMPOST.

- 1 SHREDDED BARK MULCH AT THREE INCH (3") MINIMUM DEPTH. MULCH SHALL BE NATURAL IN COLOR.
- 2 FORM A SAUCER WITH MULCH AND SOIL AROUND SHRUB BED.
- 3 CUT AND REMOVE BURLAP AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.
- 4 3/16" x 4" ALUMINUM EDGING (OR APPROVED EQUIVALENT) OR SPADED EDGE.
- 5 EXCAVATE PLANTING BED AND BACKFILL WITH PREPARED PLANTING MIX.
- 6 UNDISTURBED SUBGRADE.
- 7 LAWN.
- 8 SCARIFY SUBGRADE.

SHRUB

PERENNIAL / GROUNDCOVER

not to scale



LANDSCAPE PLANTING PLAN

scale: 1" = 20'

PLANT LIST

| KEY QTY.   | BOTANICAL NAME                                      | COMMON NAME                         | SIZE                 |
|------------|-----------------------------------------------------|-------------------------------------|----------------------|
| AAB 17     | <i>Aronia arbutifolia</i> 'Brilliantissima'         | Brilliantissima Red Chokeberry      | 30" ht. B&B          |
| ACS 4      | <i>Amelanchier canadensis</i>                       | Single Stem Serviceberry            | 2" cal. B&B          |
| IVH 16     | <i>Itea virginica</i> 'Little Henry'                | Little Henry Sweetspire             | 24" ht. B&B          |
| LSS 1      | <i>Liquidambar styraciflua</i> 'Slender Silhouette' | Slender Silhouette Sweetgum         | 2-1/2" cal. B&B      |
| RAG 39     | <i>Rhus aromatica</i> 'Gro-Low'                     | Gro-Low Fragrant Sumac              | 24" ht., 3 gal. pot  |
| TMD 24     | <i>Taxus x media</i> 'Densiformis'                  | Densiformis Yew                     | 30" ht. B&B          |
| TMH 10     | <i>Taxus x media</i> 'Hicksii'                      | Hicks Yew                           | 42" ht. B&B          |
| PERENNIALS |                                                     |                                     |                      |
| HHR *      | <i>Hemerocallis</i> sp. 'Happy Returns'             | Happy Returns Daylily               | 1 gal. pot, 24" o.c. |
| NBW *      | <i>Nepeta x faassenii</i> 'Blue Wonder'             | Blue Wonder Nepeta                  | 1 gal. pot, 24" o.c. |
| PAB *      | <i>Pennisetum alopecuroides</i> 'Burgandy Bunny'    | Burgandy Bunny Dwarf Fountain Grass | 1 gal. pot, 24" o.c. |

\* Landscape Contractor to determine quantity in the field.

LANDSCAPE PLAN FOR:  
N. C. Designers & Contracting, Inc.  
3241 South Telegraph Road  
Dearborn, Michigan 48124  
(313) 986-8381

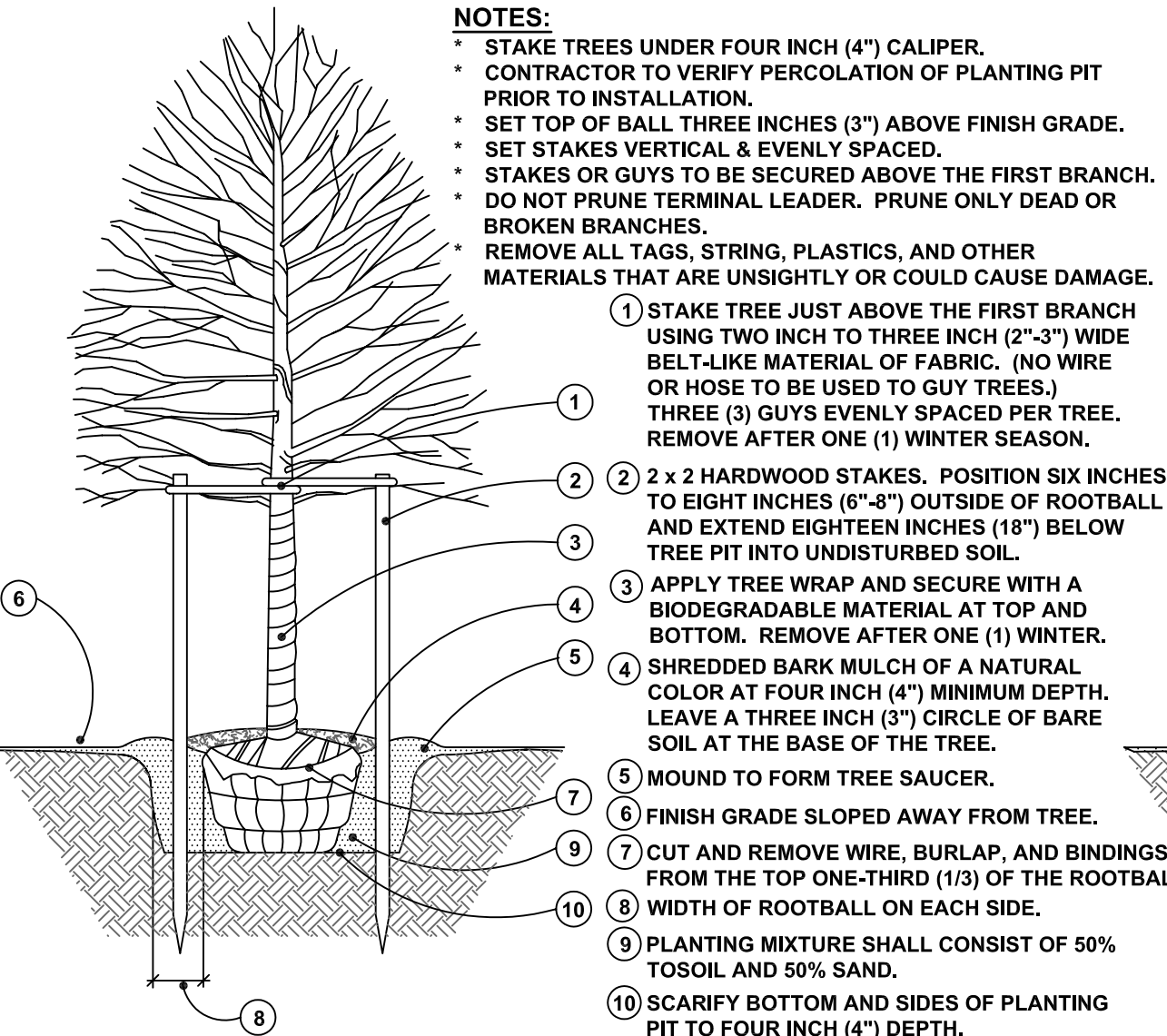
PROJECT LOCATION:  
Shell Service Station  
Farmington Road &  
Six Mile Road  
Livonia, Michigan

LANDSCAPE PLAN BY:  
Nagy Devlin Land Design, L.L.C.  
31736 West Chicago Ave.  
Livonia, Michigan 48150  
(734) 634-9208



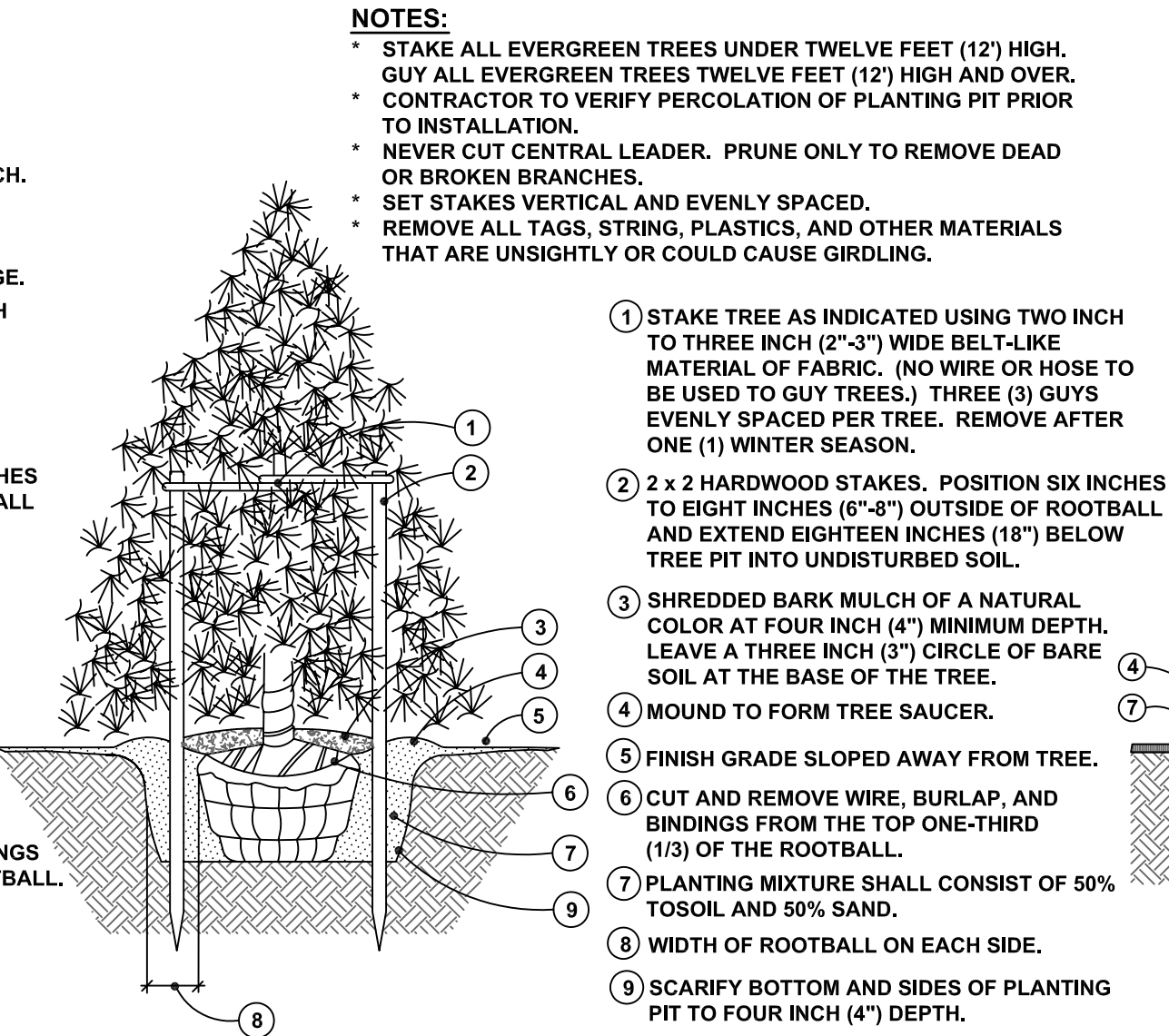
LP - 1: LANDSCAPE PLANTING PLAN

\* Base data provided by N. C. Designers & Contracting, Inc.

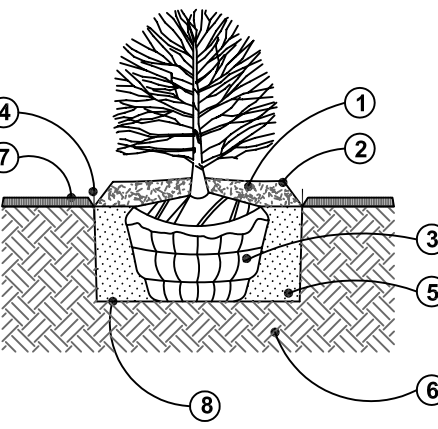


DECIDUOUS TREE

PLANTING DETAILS

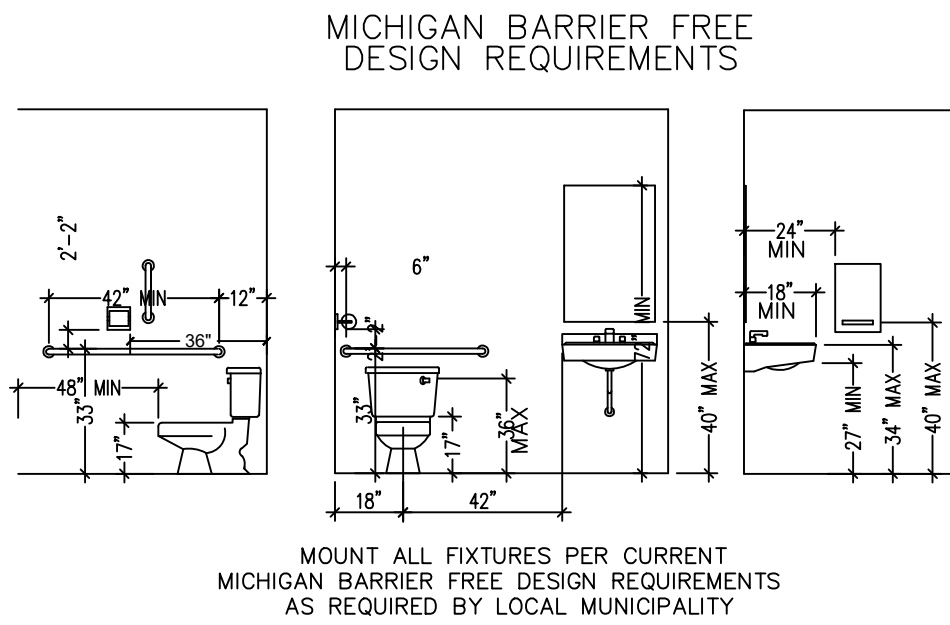
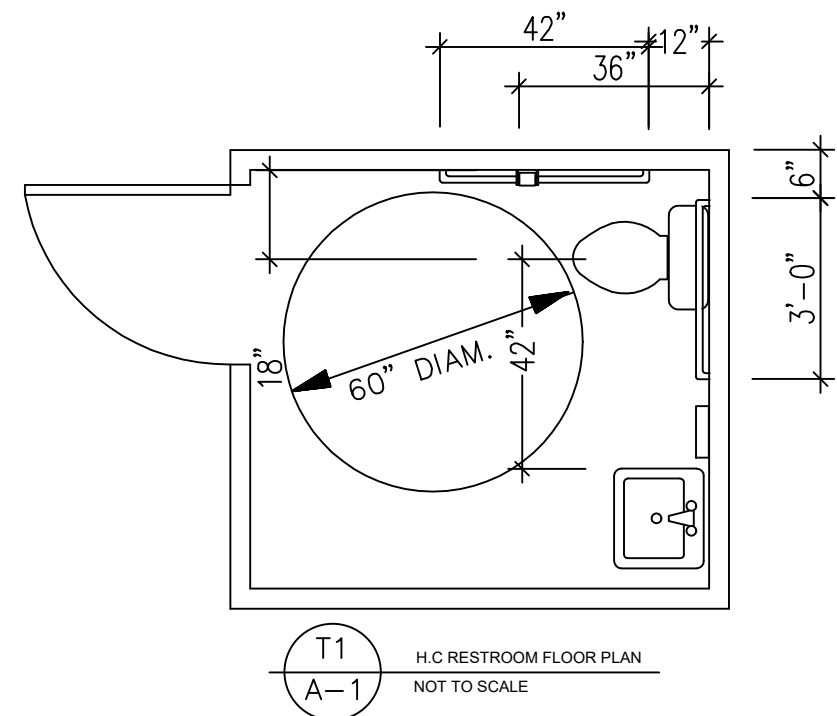
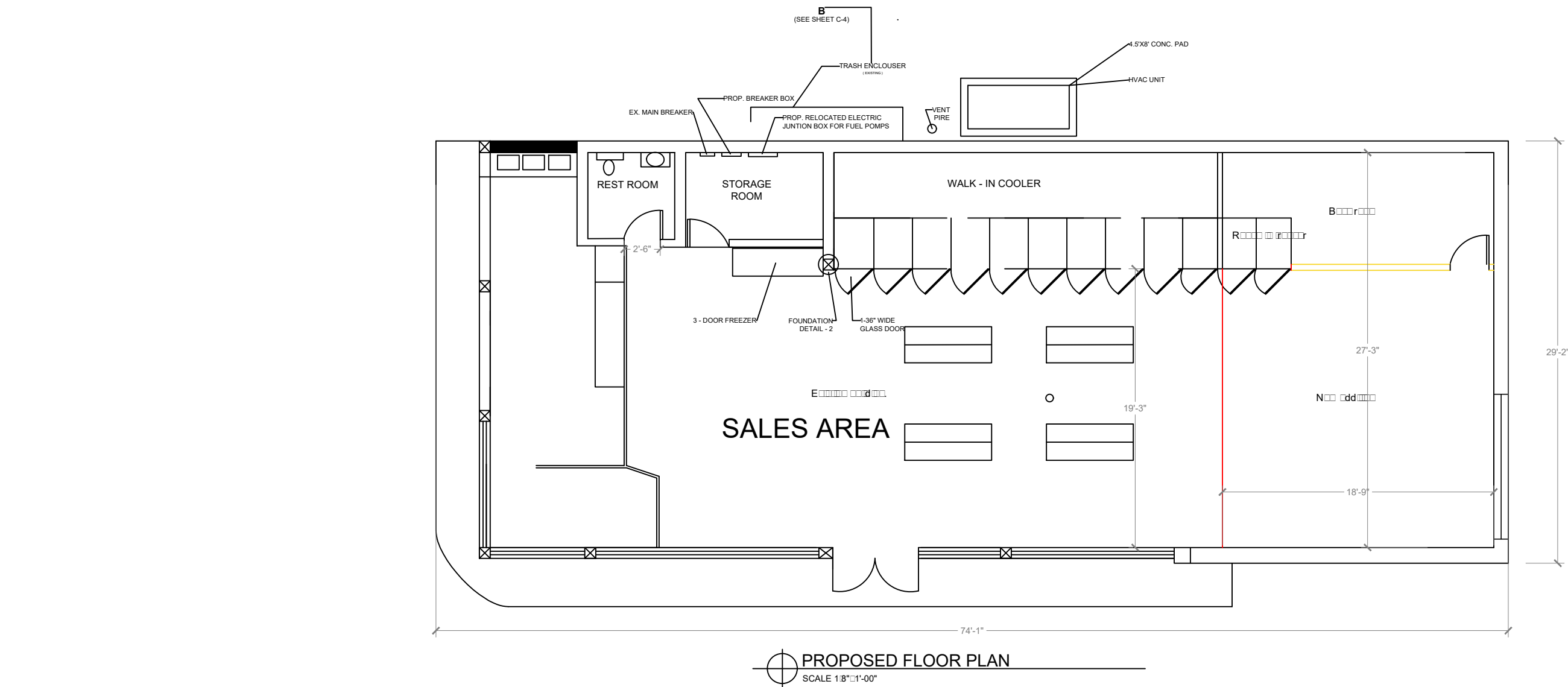


EVERGREEN TREE



SHRUB





- GENERAL NOTES:
1. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES AND LAWS.
  2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE BUILDING AND OTHER PERMITS REQUIRED FOR THE COMPLETION OF ALL WORK.
  3. INTERIOR FINISHES TO BE CLASS III, 76-200 FINISHES.
  4. CONTRACTOR SHALL PROVIDE FINAL CLEAN-UP OF JOB SITE PRIOR TO MOVE-IN
  5. PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED IN LOCATIONS DIRECTED BY THE FIRE MARSHALL AND SHALL BE IN ACCORDANCE WITH NFPA13
  6. CONTRACTOR TO PROVIDE BLOCKING IN WALLS FOR ALL WASH ROOM ACCESSORIES AND ALL OTHER ITEMS AS REQUIRED.

PROJECT:  
GAS STATION

LOCATION:  
33411 SIX MILE RD.  
LIVONIA, MI

N.C. DESIGNERS & CONTRACTING INC.

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:  
N.C.

DESIGNED BY:  
N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:  
01-30-2020

PROJECT NO  
#22-2019

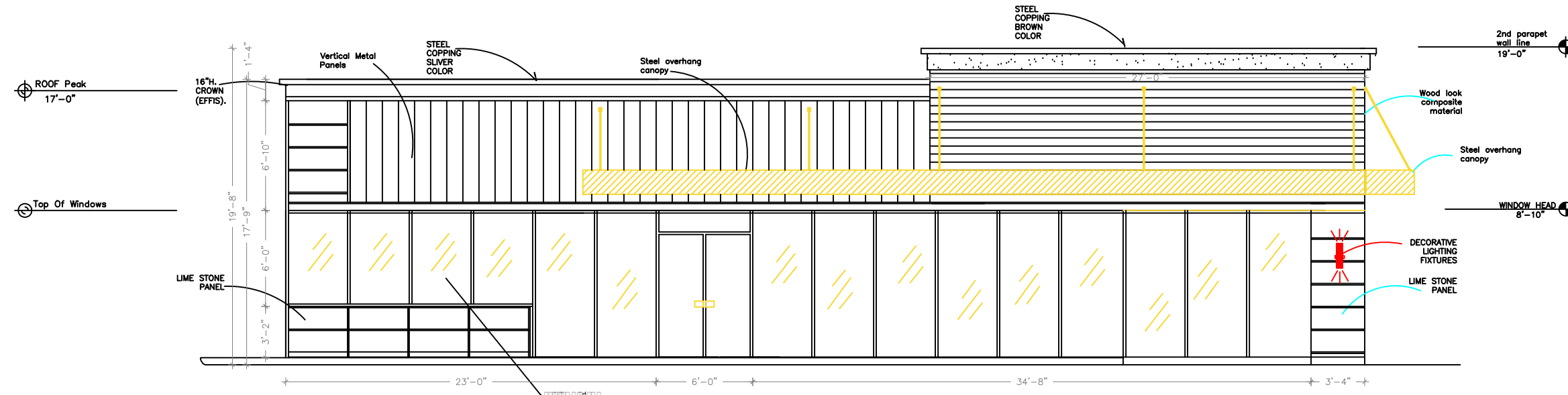
DATE  
01-30-2020

SCALE  
NOTED

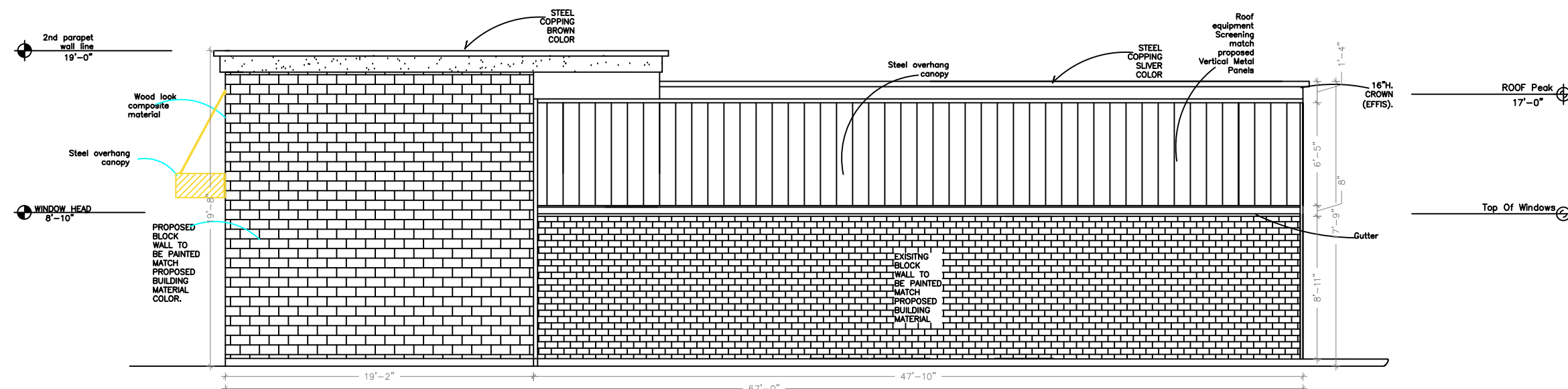
SHEET TITLE  
PROPOSED FLOOR PLAN

A-1

SEAL



PROPOSED WEST ELEVATION (Front)  
SCALE 1/8" = 1'-00"



PROPOSED EAST ELEVATION (BACK)  
SCALE 1/8" = 1'-00"

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

N.C. DESIGNERS  
& CONTRACTING INC.

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:  
N.C.

DESIGNED BY:  
N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO  
# 22-2019

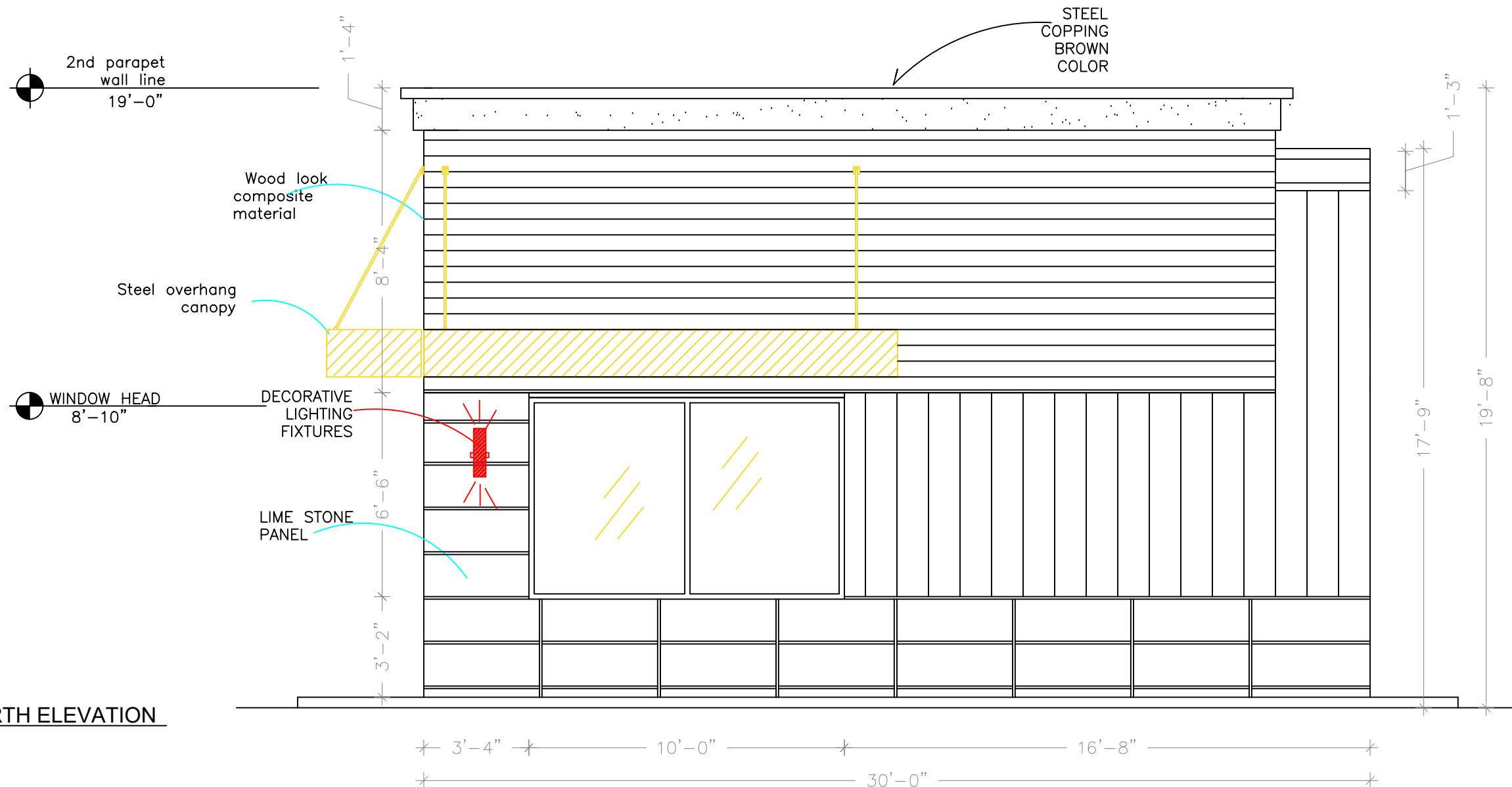
DATE  
01-30-2020

SCALE  
NOTED

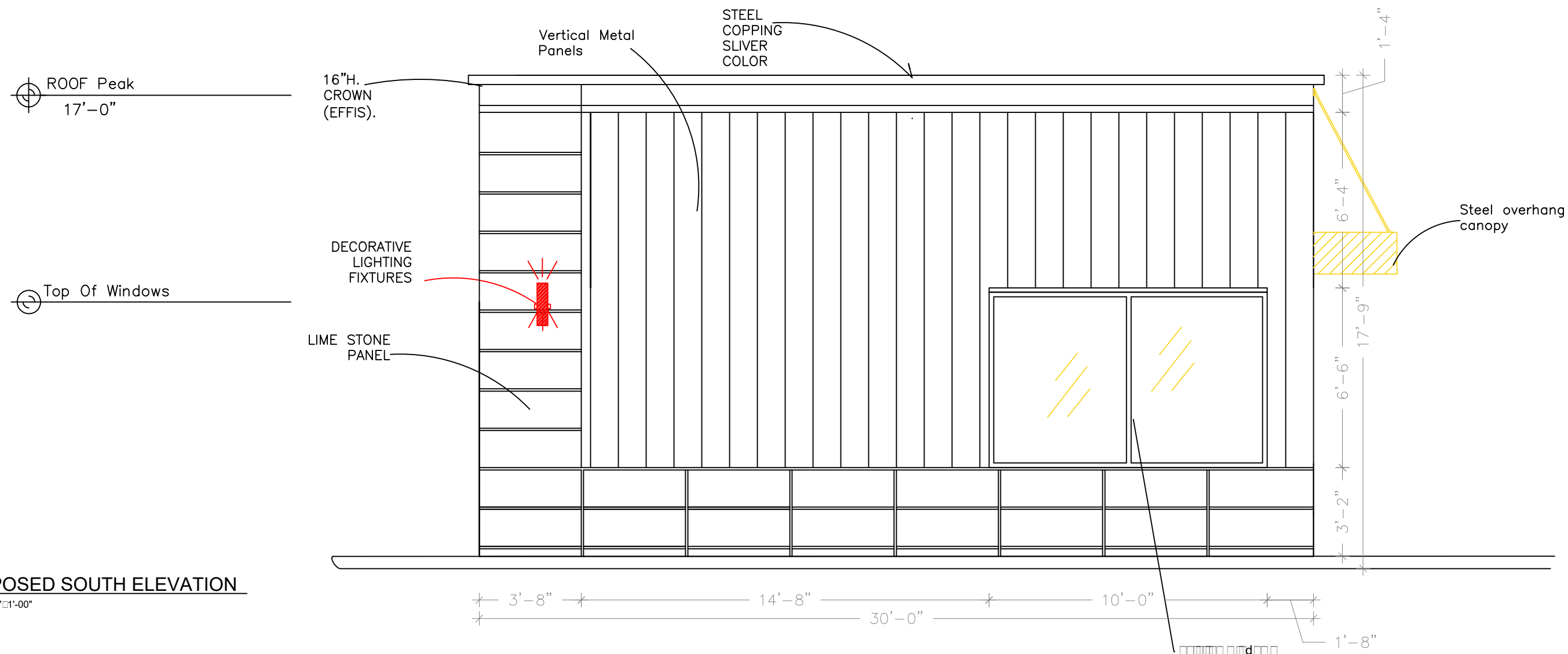
SHEET TITLE  
PROPOSED ELEVATIONS

A-2

SEAL



PROPOSED NORTH ELEVATION  
SCALE 1/4"=1'-00"



PROPOSED SOUTH ELEVATION  
SCALE 1/4"=1'-00"

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

N.C. DESIGNERS  
& CONTRACTING INC.

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:  
N.C.

DESIGNED BY:  
N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

# 22-2019

DATE

01-30-2020

SCALE

NOTED

SHEET TITLE

PROPOSED ELEVATIONS

A-3

SEAL

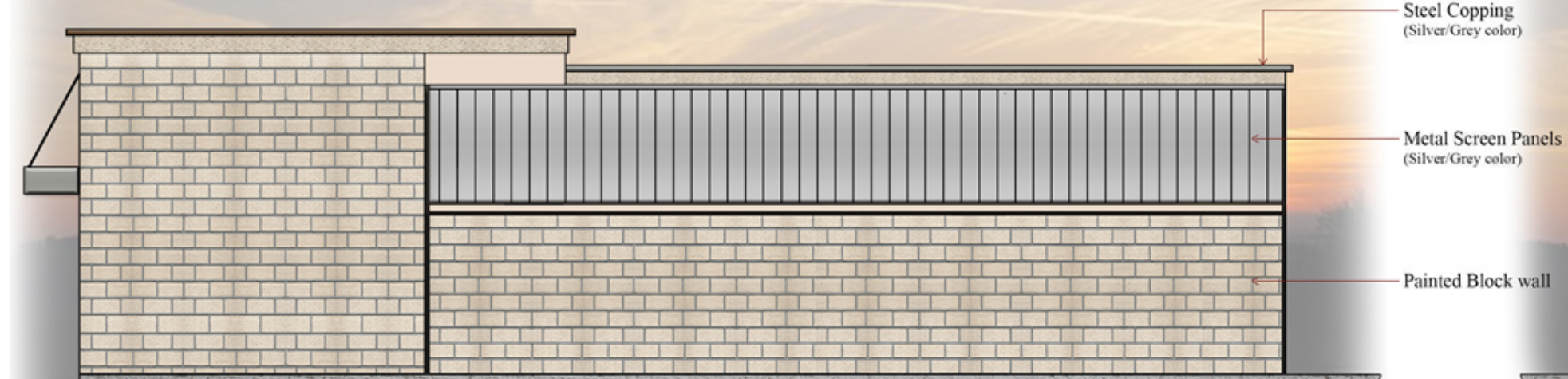




West Elevation



North Elevation



East Elevation



South Elevation

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

**N.C. DESIGNERS  
& CONTRACTING INC.**

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P: (313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:

N.C.

DESIGNED BY:

N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

# 22-2019

DATE

01-30-2020

SCALE

NOTED

SHEET TITLE

PROP. PERSPECTIVE

PER-1

SEAL



DEPARTMENT OF FINANCE

**Michael T. Slater**  
DIRECTOR OF FINANCE

**Connie Kumpula**  
CHIEF ACCOUNTANT



**MAUREEN MILLER BROSNAN**  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807

October 5, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2019-12-08-16 - 33411 Six Mile Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula  
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

October 8, 2021  
~~December 23, 2019~~

Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2019-12-08-16

33411 Six Mile Road  
Shell Gas Station

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, therefore I have no objections to the proposal.

Sincerely,

---

Lynda L. Scheel  
Treasurer, City of Livonia

# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,177<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, October 19, 2021, the City Planning Commission of the City of Livonia held its 1,177<sup>th</sup> Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:   David Bongero           Glen Long                   Betsy McCue  
                              Carol Smiley           Peter Ventura               Ian Wilshaw

Members absent:    Betsy McCue, Sam Caramagno

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #4    PETITION 2019-12-08-16                   Ali Hamouch (Shell)**

Ms. Smiley, Secretary, announced the next item on the agenda, Petition 2019-12-08-16 submitted by Ali Hamouch requesting a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16.

## **UNAPPROVED MINUTES**

2

Mr. Taormina: This is a request to extend site plan approval to the Shell Gas Station at Six Mile and Farmington Roads. This was approved originally by Council in March 2020 and by the Zoning Board of Appeals in September 2020. It involves a one-story 578 square foot addition to the existing gas station building that would occur on the west side of the building, located here. The reason the petitioner is asking for the extension is because due to COVID and a shortage of supplies, as well as an inability to hire a contractor, the project has been delayed. So, he is asking for the one-year extension. I believe Mr. Hamouch is in the audience. There he is.

Mr. Wilshaw: Yes, thank you. Good evening, Mr. Hamouch.

Ali Hamouch, 33411 Six Mile Road, Livonia, MI. Thank you, so much.

Mr. Wilshaw: Is there anything you would like to add, or did Mr. Taormina steal your thunder?

Mr. Hamouch: Thank you, Mr. Taormina, for explaining. So, basically it is a shortage of supply material and also the contractors are...have a pile of work and need to be finished. We were moving forward and then the pandemic hit and you guys can tell there was a gap between the City Council approval and the Zoning Board of Appeals approval until September. Until then when all the restrictions were actually lifted, contractors have to actually stand up and do their work as well. Keep up with their work where they were behind and that also lagged the project and currently, they have also shortage...we have national shortage of supply material plus labor as well. They are behind.

Mr. Wilshaw: I have heard something about that.

Mr. Hamouch: I wanted to do it today before tomorrow, honestly.

Mr. Wilshaw: Very good. Appreciate those comments. I think we all understand that it is going on right now. Is there any questions or comments from any of our commissioners?

Mr. Bongero: Mr. Hamouch, when are you going to start?

Mr. Hamouch: As soon as I can start.

Mr. Bongero: Do you have guys lined up now?

## **UNAPPROVED MINUTES**

3

Mr. Hamouch: I am talking to the people, believe it or not, day by day calling contractors. I want to start as soon as spring, because this will involve pouring concrete and it has to be like after the wintertime because of the...

Mr. Bongero: Yeah, I know. It's tough out there.

Mr. Hamouch: I want to start sooner than later.

Mr. Bongero: it would be nice if you get it going.

Mr. Homouch: Yeah, absolutely.

Mr. Wilshaw: Excellent. Thank you, Mr. Bongero. Any other questions or comments? Is there anybody in the audience that wishes to speak for or against this item? Seeing no one coming forward, I think we are all set, Mr. Hamouch. We will go to our commission and get a motion on the floor. Thank you for coming this evening. Hold on for a moment and we will see how things go.

On a motion by Long, seconded by Bongero, and unanimously adopted, it was

**#10-56-2021**     **RESOLVED**, That the City Planning Commission does hereby recommend to City Council that Petition 2019-12-08-16 submitted by Ali Hamouch, requesting a one-year extension of all plans in connection with a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16 be approved subject to the following conditions:

1. That the request for a one-year extension of waiver use approval by Ali Hamouch, in a letter dated September 8, 2021, is hereby approved, and
2. That all conditions imposed by Council Resolution #85-20 in connection with Petition 2019-22-08-16 shall remain in effect to the extent that they are not in conflict with the foregoing condition.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.



**SITE PLANS**

Petition 2019-12-08-16  
(N.C. Designers & Contracting, Inc.)  
Approval to construct an addition and remodel the interior and exterior of the existing gas station (Shell) located on the southwest corner of Six Mile and Farmington Roads (33411 Six Mile Road), Section 16.

**#85-20** RESOLVED, that having considered a communication from the City Planning Commission, dated January 29, 2020, which transmits its resolution #01-14-2019, adopted on January 28, 2020, with regard to Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval to construct an addition and remodel the interior and exterior of the existing gas station (Shell) located on the southwest corner of Six Mile and Farmington Roads (33411 Six Mile Road), in the Northeast ¼ of Section 16, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2019-12-08-16 is hereby approved and granted, subject to the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.
4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to, except that a window shall be added to the north side of the building.

March 11, 2020

9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department, and the dumpster enclosure shall be painted to match the building.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council,

and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

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

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

NAYS: None

The President declared the resolutions adopted.

|                                                                 |
|-----------------------------------------------------------------|
| <b>CONSENT AGENDA ITEMS</b> (Regular Meeting of March 11, 2020) |
|-----------------------------------------------------------------|

**Motion by:** Toy

**Seconded by:** White

**ROLL CALL:**

**Ayes:** Bahr, White, McCullough, Donovic, Jolly, Toy, McIntyre

**Nays:** None

**Absent:** None

---

PLANNING COMMISSION

IAN WILSHAW, Chairman  
GLEN W. LONG, JR., Vice Chairman  
SAM CARAMAGNO, Secretary  
DAVID BONGERO  
ELIZABETH McCUE  
CAROL A. SMILEY  
PETER H. VENTURA



MAUREEN BROSNAN-MILLER  
MAYOR

MARK TAORMINA  
PLANNING & ECONOMIC  
DEVELOPMENT DIRECTOR

SCOTT O. MILLER  
PLANNER IV

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2290 Fax (734) 466-2108

January 29, 2020

Honorable Members of the City Council  
City of Livonia, Michigan

Re: Petition 2019-12-08-16 – Shell station

Dear Council Members:

At the 1,154<sup>th</sup> Public Hearings and Regular Meeting held by the City Planning Commission on January 28, 2020, in the Livonia City Hall, the following resolution was unanimously adopted:

**#01-14-2019**     **RESOLVED**, that the City Planning Commission does hereby recommend to City Council that Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16, be approved, subject to the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.

4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to, except that a window shall be added to the north side of the building.
9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.



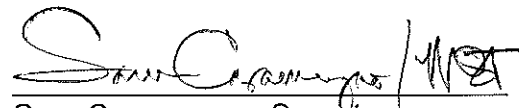
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Very truly yours,

APPROVED FOR SUBMISSION

  
Maureen Miller Brosnan, Mayor

CITY PLANNING COMMISSION

  
Sam Caramagno, Secretary

cc: Mayor, Clerk, Law  
N.C. Designers & Contracting, Inc., Nasser Choucair, 3241 S. Telegraph Road,  
Dearborn, MI 48124  
Ali Hammouch, 27008 Northmore, Dearborn Heights, MI 48127

**CITY OF LIVONIA, MICHIGAN  
APPLICATION FOR SITE PLAN REVIEW & APPROVAL**

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee = \$600.00 plus \$20.00 for each 1,000 square feet of gross floor area of new construction, not to exceed a total of \$1,500.00.**

Date Filed: 12-12-19 Petition 2019-12-08-16

Site Address: 33411 Six Mile Road Sidwell \_\_\_\_\_

Requesting Approval to Addition on building + Exterior remodeling

Applicant: Nasser Choucair Business/Company: NC Designers on building

Applicant's Address: 3241 S Telegraph City: Dearborn State: MI Zip Code: 48124

Applicant's Phone # (313) 986-8381 Applicant's Email ncdesigners2019@gmail.com

Contact Person: Nasser Choucair Business/Company: NC Designers

Contact's Address: 3241 S Telegraph City: Dearborn State: MI Zip Code: 48124

Contact's Phone # (313) 986-8381 cell Contact's Email ncdesigners@yahoo.com or

313 791-7184 OFFICE  
**Please provide the following information:** ncdesigners2019@gmail.com

1) **Site Plan** showing:

- property dimensions, including road right-of-way & building setback lines
- foot print of building(s), including dimensions & square footage
- all easements, protective walls, sidewalks & existing trees
- any significant topographic features (existing or proposed)
- parking layout, including type of surface material, sizes of spaces & aisles
- method used in calculating parking requirement
- location of light standards servicing parking lot & cutout showing type & height
- location of trash receptacle, including description of screening
- location of signs (if proposed must submit separate sign application)

2) **Detailed Landscape Plan** including:

- listing or labeling of all planted materials as to type and size
- areas to be fully irrigated
- percentage of landscaping provided (15% of total site required)

3) **Building Elevation Plan** depicting:

- architectural quality
- wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
- all visible rooftop mechanical equipment and how they will be screened

4) **General Floor Plan** showing:

- floor layout
- entrances & exits
- restaurants are required to illustrate seating arrangement & capacity

5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to [smiller@ci.livonia.mi.us](mailto:smiller@ci.livonia.mi.us)

6) **Legal Description** of the property to be considered (Clearly Printed)

7) One (1) completed application form & **sixteen (16)** sets of full-size drawings



RECEIVED  
DEC 12 2019  
CITY OF LIVONIA  
PLANNING COMMISSION

**FEE COMPUTATION**

578 sq. ft. of new construction x \$20.00 per 1,000 sq. ft. **\$600.00**  
(NOTE: Round off to nearest 1,000) + 20.00  
Total Amount Due \$ 620.00

Owner of Property: Ali Hamouch

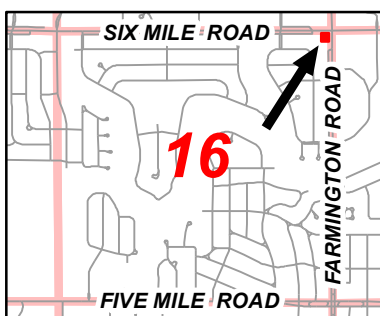
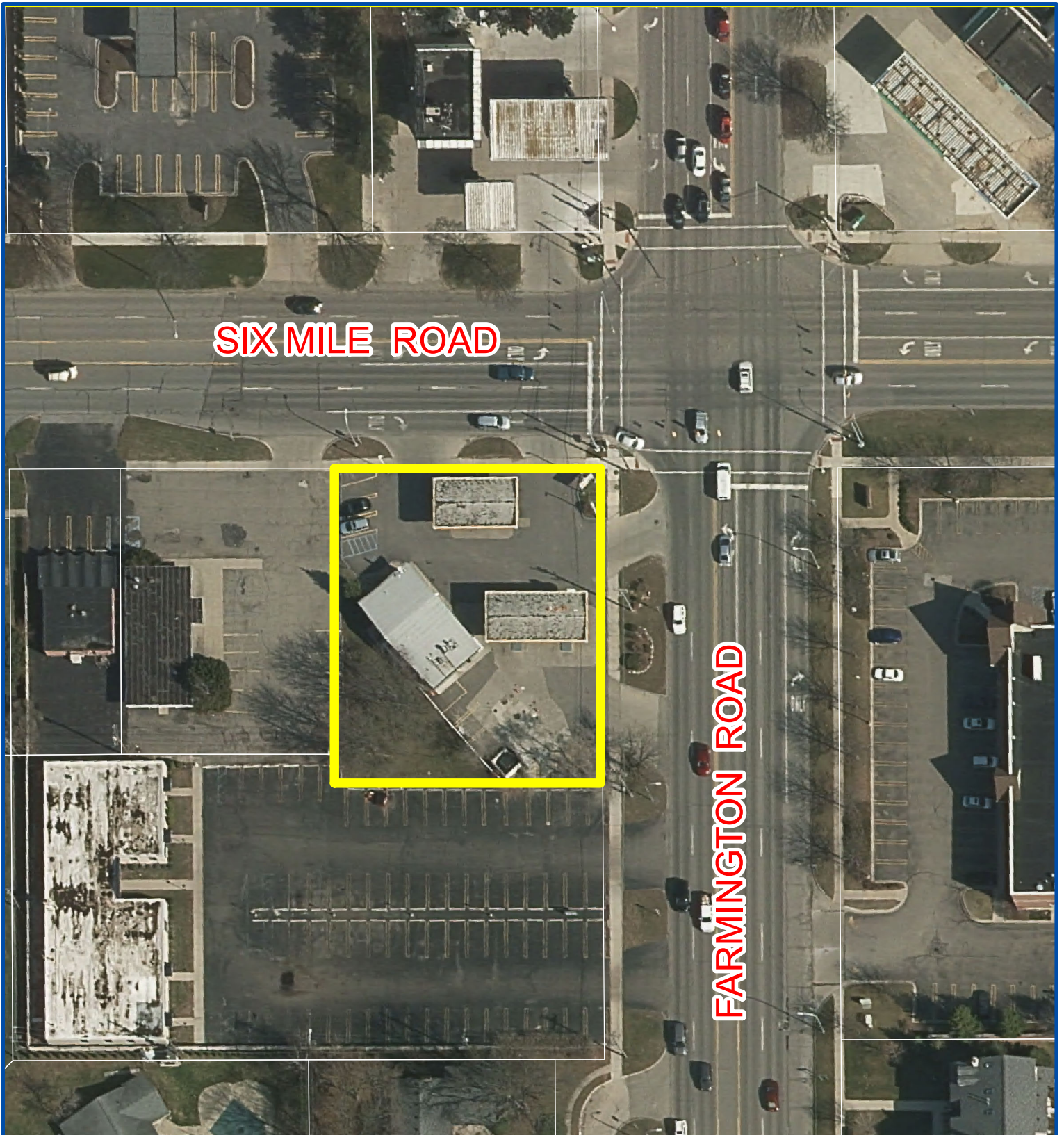
Owner's Address: 27008 Northmore City: Dearborn Heights State: MI Zip Code: 48127

Owner's Phone # (313) 304-1500 Owner's Email ahamouch@gmail.com

Signature of Owner: [Signature] Print Name: Ali Hamouch







## **Aerial Map**

Petition 2019-12-08-16

Shell Gas Station

33411 Six Mile Road

**to construct an addition and remodel the interior  
and exterior of the existing gas station**



Not to Scale



City of Livonia  
Planning Department



GAS STATION  
33411 SIX MILE ROAD  
LIVONIA, MI 48150  
MICHIGAN  
PROJECT 022-2019

LEGAL DESCRIPTION :

The north 160.0 feet of the East 135.0 feet of outlot "A", Burton Hollow Estates subdivision, part of the N.E. ¼ of section 16, T.15m R.9E, City of Livonia, Wayne County, Michigan, according to the plat thereof as recorded in liber 82 of plats, pages 25 and 26 of Wayne County records. Also described as beginning at a point at the intersection of the South line of Six Mile Road and the West line of Farmington Road distant N.89° 56' 50" W. 60.00 feet and S.00° 09' 20" E60.00 feet From the N.E. corner of section 16,T.1S., R.9E, City of Livonia, Wayne County, Michigan; Thence along the west line of Farmington road (120 feet wide) S.,00° 09' 20" E160.00 feet; Thence N.00.09' 20" W. 160.00 feet to the South line of Six Mile road (120 feet wide); thence along said South line of Six Mile road S.89° 56' 50" E. 135.00 feet to the point of beginning. Containing 21,600 square feet or 0.496 acres.



STANDARD NOTES :

1. NOTIFY THE CITY OF LIVONIA A MINIMUM OF 48 HOURS PRIOR TO THE START OF CONSTRUCTION
2. ALL CONSTRUCTION MUST CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF CITY OF LIVONIA.
3. CALL MISS DIG (800-482-7171) A MINIMUM OF THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION
4. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND UNLESS NOTED
5. ALL SOIL EROSION AND SILT MUST BE CONTROLLED AND CONTAINED ON SITE
6. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES AND PAVEMENT CAUSED BY THIS OPERATION.
7. ALL EXCAVATION UNDER THE 45 DEGREE ZONE OF INFLUENCE LINE OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACKFILLED AND COMPACTED WITH SAND (CLASS II MDOT) TO AT LEAST 95 % MINIMUM UNIT WEIGHT
8. ALL EXCAVATION OUTSIDE OF THE 45 DEGREE ZONE OF INFLUENCE LINE OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACKFILLED WITH SUITABLE MATERIAL FREE OF LARGE LUMPS OF CLAY, DEBRIS, AND ROCKS. MATERIAL SHALL BE COMPACTED TO AT LEAST 90 % UNIT WEIGHT
9. MINIMUM VERTICAL CLEARANCE BETWEEN UTILITIES SHALL BE 18" INCHES
10. WHERE UTILITIES CROSS, PROVIDE SAND (CLASS II MDOT) BACKFILL TAMPED IN 12" LAYERS TO THE UNDERSIDE OF THE HIGHER UTILITY. A 6" MINIMUM SAND CUSHION SHALL BE PROVIDED BETWEEN UTILITIES
11. THE DEVELOPER IS RESPONSIBLE FOR RESOLVING ANY DRAINAGE PROBLEMS WHICH ARE A RESULT OF THE DEVELOPER'S ACTIVITIES ON THE ADJACENT PROPERTIES
12. ALL SIGN AND TRAFFIC CONTROL DURING CONSTRUCTION AND MAINTENANCE ACTIVITIES SHALL BE PER MOST CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MMUUTCD)

ARCHITECTS/ENGINEERS:

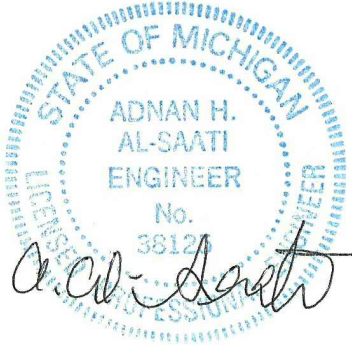
N.C. DESIGNERS & CONTRACTING INC.  
3241 S. TELEGRAPH RD.  
DEARBORN, MI 48124  
P:(313) 986-8381  
(313) 791-7184  
ncdesigners@yahoo.com

CODE INFORMATION

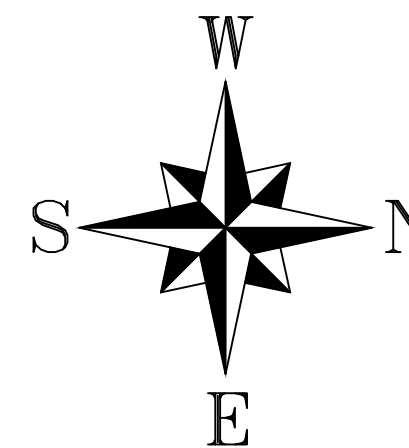
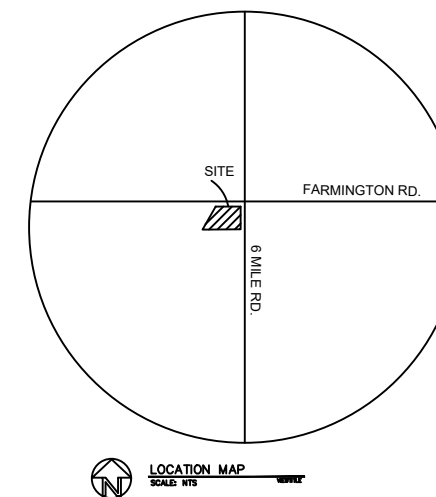
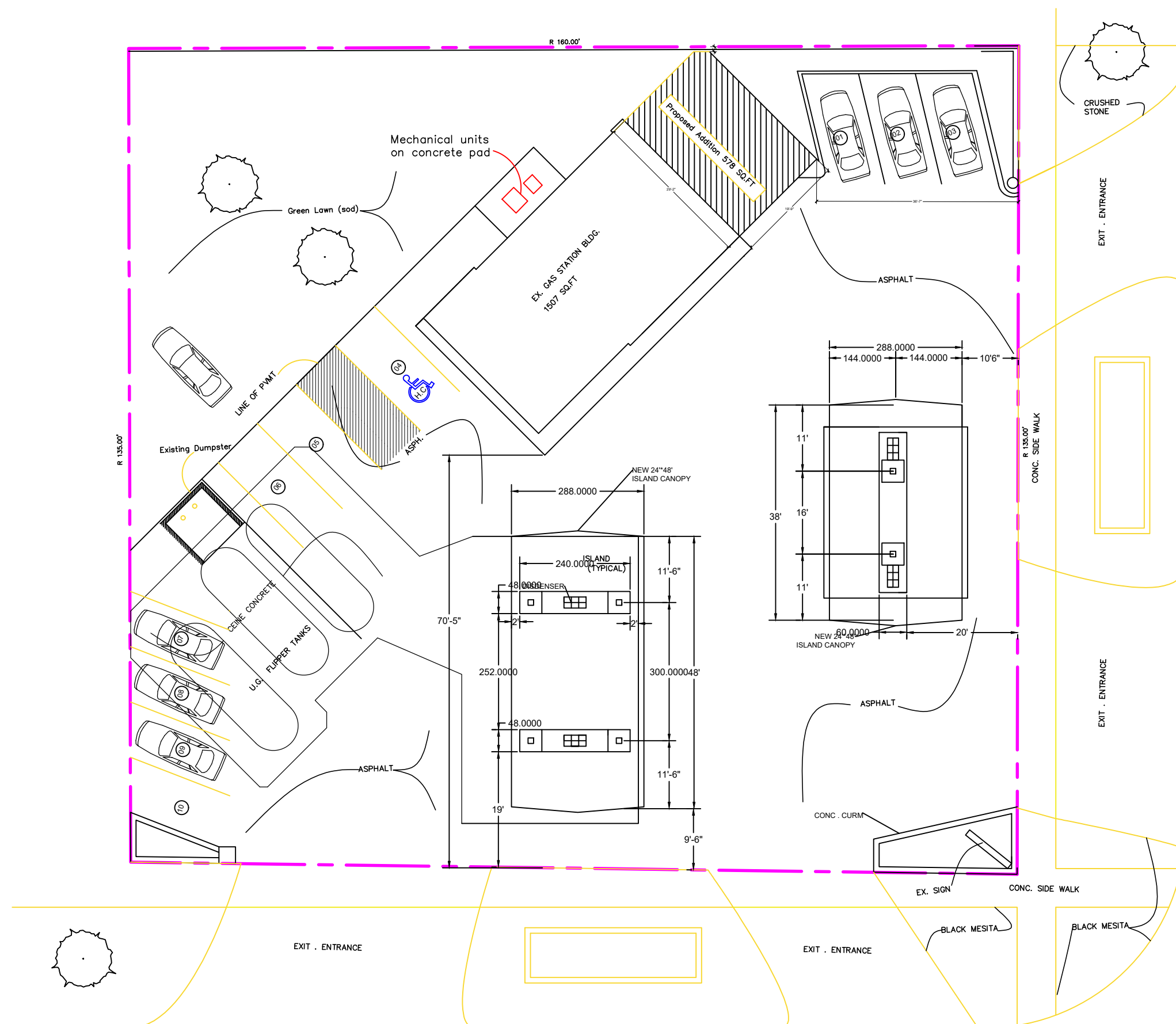
|                                   |                                               |                                            |
|-----------------------------------|-----------------------------------------------|--------------------------------------------|
| 1. BUILDING DESCRIPTION:          | SINGLE STORY – GASOLINE STATION C–STORE       |                                            |
| 2. APPLICABLE CODE:               | BUILDING:                                     | 2015 MICHIGAN BUILDING CODE.               |
|                                   | ACCESSIBILITY:                                | ANSI 117.1–2009 ACCESSIBILITY.             |
|                                   | ENERGY:                                       | 2015 MICHIGAN ENERGY CODE–ASHRAE 90.1–2007 |
|                                   | FIRE:                                         | 2015 INTERNATIONAL FIRE CODE               |
|                                   | PLUMBING:                                     | 2015 MICHIGAN PLUMBING CODE.               |
|                                   | MECHANICAL:                                   | 2015 MICHIGAN MECHANICAL CODE.             |
|                                   | ELECTRICAL:                                   | 2017 NATIONAL ELECTRIC CODES, WITH PART 8. |
| 3. OCCUPANCY/ USE CLASSIFICATION: | MERCANTILE GROUP "M"                          |                                            |
| 4. CONSTRUCTION CLASSIFICATION:   | TYPE IIB – NON SPRINKLED                      |                                            |
| 5. ALLOWABLE AREA TABLE (503):    | 12500.0 SQ.FT. FOR "M" PROPOSED 2925.0 SQ.FT. |                                            |
| 6. TOTAL ALLOWABLE HEIGHT (503):  | 35 FEET MAX. PROPOSED 1–STORY 19'–0"          |                                            |
| 7. FIRE AREA PER SECTION 903.2.7: | < 12,000.0 SQ.FT. FOR GROUP "M"               |                                            |
| 8. SEATING CAPACITY:              | NONE                                          |                                            |
| 9. GROSS AREA SUMMARY:            | AREAS                                         | OCCUPANT LOAD                              |
|                                   | MERCANTILE GROUP "M":                         | SALES 1384.0 SQ.FT. 46 (1 PER 30 SF GROSS) |
| TOTAL OCCUPANT LOAD:              |                                               | 48                                         |

SITE INFORMATION

|                                     |                                              |           |
|-------------------------------------|----------------------------------------------|-----------|
| 1. SITE AREA:                       | 23936.4 SQ.FT. = 23936.4/43560.0 =0.54 ACERS |           |
| 2. ZONED:                           | B-3                                          |           |
| 3. BUILDING AREA COVERAGE(STATION): | 2925.0 SQ.FT.                                |           |
| 4. BUILDING COVERAGE:               | 2085 / 23936.43 =0.10 =10%                   |           |
| 5. LANDSCAPE COVERAGE:              | 2085 SQ.FT. X 10% = 208.5                    |           |
| PARKING REQUIREMENTS:               |                                              |           |
| EXISTING BUILDING AREA.....         | 1507 SQ.FT                                   |           |
| BUILDING ADDITION AREA.....         | 578 SQ.FT                                    |           |
| TOTAL AREA.....                     | 2085 SQ.FT                                   |           |
|                                     |                                              |           |
| SALES AREA                          | AREAS                                        | PARKING   |
| NUMBER OF EMPLOYEES                 | 1384 S.Q.FT. / 200                           | 7 SPACES  |
|                                     | 2                                            | 2 SPACES  |
| TOTAL PARKING REQUIRED              |                                              | 9 SPACES  |
| TOTAL PARKING PROVIDED              |                                              | 9 SPACES  |
| TOTAL PARKING UNDER THE CANOPY      |                                              | 8 SPACES  |
|                                     |                                              |           |
| TOTAL PARKING                       |                                              | 17 SPACES |







PROJECT:

GAS STATION

LOCATION

33411 SIX MILE RD.  
LIVONIA, MI

**N.C. DESIGNERS  
& CONTRACTING INC.**

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:

N.C.

DESIGNED BY:

N.C.

APPROVED BY:

## SUBMITTALS

REVISIONS:

01-21-2020

PROJECT NO

#22-2019

DATE \_\_\_\_\_

12-11-2019

SCAL

NOTES

SHEET TITLE

PROPOSED SITE PLAN

SP-2

SEAL



LANDSCAPE PLANTING NOTES:

PLANTING

1. Installation of all plant material shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock* and with the specifications set forth by the City of Livonia, Michigan.
2. The plant materials shall conform to the type stated on the plant list. Sizes shall be the minimum stated on the plant list or larger. All measurements shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock*.
3. The plant material shall be nursery grown and inspected by the Owner's representative before planting. The Owner's representative reserves the right to reject any plant material at any time.
4. Plants designated "B&B" shall be balled and burlapped with firm balls of earth.
5. Dig shrub pits one foot (1') larger than the shrub rootball, tree pits three (3) times the width of the tree rootball and backfill with one (1) part topsoil and one (1) part soil from excavated pit. Plant trees and shrubs at the same grade level at which they were planted at the nursery. If wet, clay soils are evident, plant trees and shrubs slightly higher.
6. The Contractor is responsible for planting the materials at the correct grades and spacing. The plants shall be oriented to give the best appearance.
7. When the plant has been properly set, the pit shall be backfilled with the topsoil mixture, gradually filling, patting, and settling with water.
8. Trees in lawn areas to have a four foot (4') circle of mulch, four inches (4") deep, and three inches (3") away from the trunk. Shrub beds are to be mulched with shredded bark mulch to a minimum depth of three inches (3"). Perennial beds are to be mulched with shredded bark mulch to a minimum depth of two inches (2"). Only natural color, finely shredded hardwood bark mulch will be accepted.
9. Remove all twine, wire, and burlap from the top one third (1/3) of tree and shrub root balls and from tree trunks. Remove all non-biodegradable material such as plastic or nylon completely from branches and stems. All tree wrap, stakes, and guys are to be removed after one (1) winter season.
10. All plant materials shall be pruned and injuries repaired. The amount of pruning shall be limited to the removal of dead or injured limbs and to compensate for the loss of roots from transplanting. Cuts should be flush, leaving no stubs. Cuts over three quarters of an inch (3/4") shall be painted with tree paint. Shrubs along the site perimeter shall be allowed to grow together in a natural form.
11. Organic, friable topsoil shall be evenly distributed and fine graded over all areas to receive lawns at uniform depth of four inches (4") after settlement.
12. All lawn areas shall be sodded with a Grade A Kentucky Blue Grass blend over the topsoil.
13. All plantings shall be completed no later than November 30 in the fall season. The date of intended installation for landscape plant materials is approximately Fall, 2020.
14. Backfill directly behind all curbs and along sidewalks and compact to the top of curbs or walk to support vehicle and pedestrian weight without settling.
15. Conversion of all asphalt and gravel areas to landscape planting beds shall be done in the following manner: a. Remove all asphalt, gravel, and compacted earth to a depth of six inches to eighteen inches (6"-18") depending on the depth of the sub base and dispose of off site; b. Call the City for an inspection prior to backfilling; c. Replace excavated material with good, medium-textured planting soil (loam or light yellow clay) to a minimum of two inches (2") above the top of the curb and sidewalk, add four inches to six inches (4"-6") of topsoil and crown to a minimum of six inches (6") above the adjacent curb and walk after earth settling, unless otherwise noted on the landscape plan. If conversion from asphalt to landscape occurs in or between an existing landscape area(s), replace excavated material from four inches to six inches (4"-6") below adjacent existing grade with good, medium-textured planting soil (loam or light yellow clay) and add four inches to six inches (4"-6") of topsoil to meet existing grades after earth settling.

MATERIALS

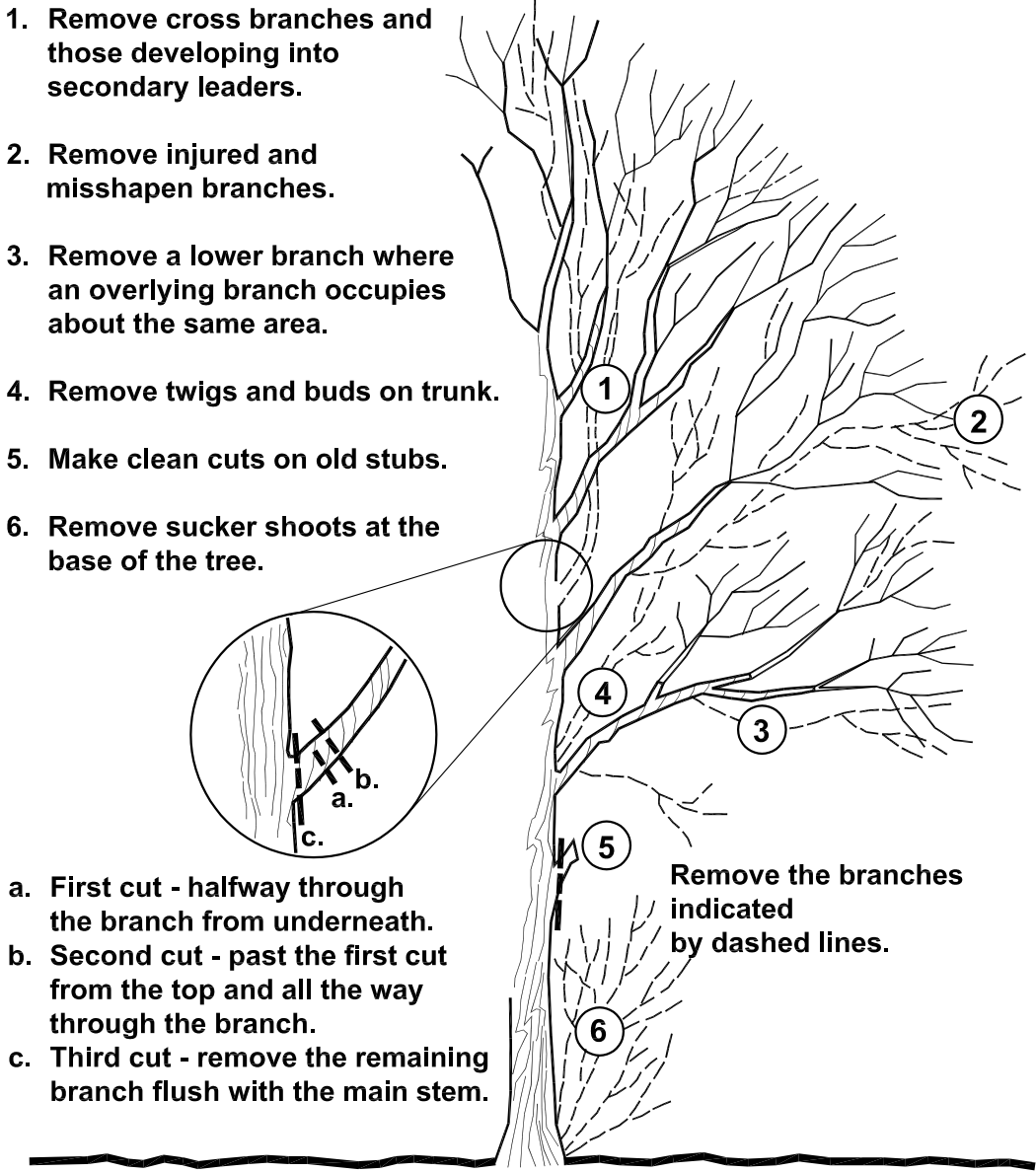
1. Required landscape material shall satisfy the criteria of the American Association of Nurserymen Standards for Nursery Stock and be: a.) Northern nursery grown; b.) State Department of Agriculture inspected; c.) No. 1 grade material with a straight, unscarred trunk, and well-developed uniform crown (park grade trees will not be accepted); d.) Staked, wrapped, watered, and mulched according to the details provided; and e.) Guaranteed for one (1) year.
2. Topsoil shall be friable, fertile soil of clayloam character containing at least five percent (5%) but not more than twenty percent (20%) by weight of organic matter with a pH range between 6.0 and 7.0. The topsoil shall be free from clay lumps, coarse sand, plant roots, sticks, and other foreign materials.
3. The lawn seed mixture shall consist of the following types and proportions: Kentucky Blue Grass blend "Baron/Sheri/Adelphi" @ sixty percent (60%), Chewing Fescue @ twenty-five percent (25%), Creeping Red Fescue @ ten percent (10%), and Perennial Rye Grass @ five percent (5%). Weed content shall not exceed one percent (1%). The mix shall be applied at a rate of 200 pounds per acre.
4. Cobblestone mulch to consist of two inch to six inch (2" - 6") river cobbles six inches (6") deep with geotextile fabric beneath.
5. Sod shall be two (2) year old "Baron/Sheri/Adelphi" Kentucky Blue Grass blend grown in a sod nursery on loam soil.
6. Proposed perennials shall be full, well-rooted plants.

GENERAL

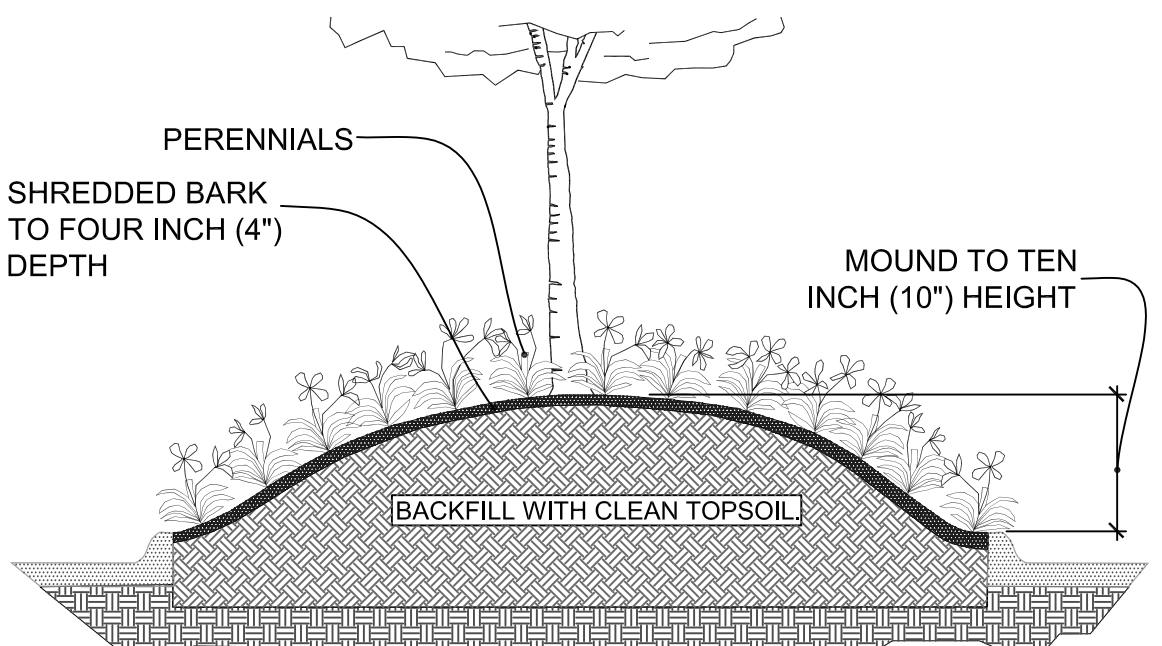
1. Do not plant deciduous or evergreen trees directly over utility lines or under overhead wires. Maintain a six foot (6') distance from the centerline of utilities and twenty feet (20') from the centerline of overhead wires for planting holes. Call MISS DIG forty-eight (48) hours prior to landscape construction for field location of utility lines.
2. The Contractor agrees to guarantee all plant material for a period of one (1) year. At that time, the Owner's representative reserves the right for a final inspection. Plant material with twenty-five percent (25%) die back, as determined by the Owner's representative shall be replaced. This guarantee includes the furnishing of new plants, labor, and materials. These new plants shall also be guaranteed for a period of one (1) year.
3. The work shall consist of providing all necessary materials, labor, equipment, tools, and supervision required for the completion as indicated on the drawings.
4. Landscape areas shall be irrigated by an automatic underground irrigation system. Lawns and shrub/landscape areas shall be watered by separate zones to minimize overwatering.
5. All written dimensions override scale dimensions on the plans.
6. All substitutions or deviations from the landscape plan must be approved by the City of Livonia prior to installation.
7. All bidders must inspect the site and report any discrepancies to the Owner's representative.
8. All specifications are subject to change due to existing conditions.
9. The Owner's representative reserves the right to approve all plant material.

MAINTENANCE

1. The Owner of the landscaping shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris.
2. The Owner shall conduct a seasonal landscape maintenance program including regular lawn cutting (at least once per week during the growing season), pruning at appropriate times, watering, and snow removal during winter.
3. The Contractor is responsible for watering and maintenance of all seed areas until a minimum of ninety percent (90%) coverage, as determined by the Owner's representative.
4. All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.
5. Any debris such as lawn clippings, fallen leaves, fallen limbs, and litter shall be removed from the site on a weekly basis at the appropriate season.
6. All planting beds shall be maintained by removing weeds, fertilizing, and replenishing mulch as needed.



PROPER PRUNING DETAIL not to scale



PARKING LOT ISLAND DETAIL not to scale

NOTES:

- NOTES ON PLANT MATERIALS:
- \* Existing Plant Material is italicized and described by the common name. An inventory of the existing plant material is indicated on the drawing. Example: *Arborvitae*.
  - \* NEW PLANT MATERIAL IS DENOTED WITH A KEY THAT CORRESPONDS TO THE LIST FOR NEW PLANT MATERIAL ON THE DRAWING. EXAMPLE: 2 ACS.

NOTES:

- \* REMOVE DEBRIS, WEEDS, STUMPS, STONES, AND DEAD WOOD FROM NEW PLANTING BEDS.
- \* PRUNE ALL BROKEN TREE BRANCHES AND DEAD WOOD FROM EXISTING PLANT MATERIAL.
- \* THE EXISTING IRRIGATION SYSTEM SHALL BE TESTED AND ADJUSTED TO INSURE THAT IT IS IN GOOD WORKING ORDER.
- \* ALL EXISTING GRASS AREAS MUST BE HEALTHY AND FREE OF WEEDS. RESEED ALL DISTURBED LAWN AREAS WITH THE SEED MIX SPECIFIED IN THE NOTES.

GENERAL NOTES FOR ALL PLANTINGS:

- \* DO NOT CUT CENTRAL LEADER.
- \* REMOVE ALL TAGS, STRINGS, PLASTICS, AND ANY OTHER NON-BIODEGRADABLE MATERIALS (EXCEPT LABEL FOR PLANT NAME) FROM PLANT STEMS OR CROWN WHICH ARE UNSIGHTLY OR COULD CAUSE GIRDLING.
- \* PLANTS SHALL BEAR THE SAME RELATION TO FINISH GRADE AS IT BORE TO THE PREVIOUS GRADE IN THE NURSERY. SET THE BASE OF THE PLANT SLIGHTLY HIGHER THAN EXISTING GRADE IF PLANTING IN CLAY SOILS.
- \* CENTER THE ROOTBALL IN THE PLANTING HOLE. LEAVE THE BOTTOM OF THE PLANTING HOLE FIRM. USE WATER TO SETTLE THE PLANTING MIX AND REMOVE ANY AIR POCKETS AND FIRMLY SET THE TREE OR SHRUB. GENTLY TAMP IF NEEDED.

NOTE:

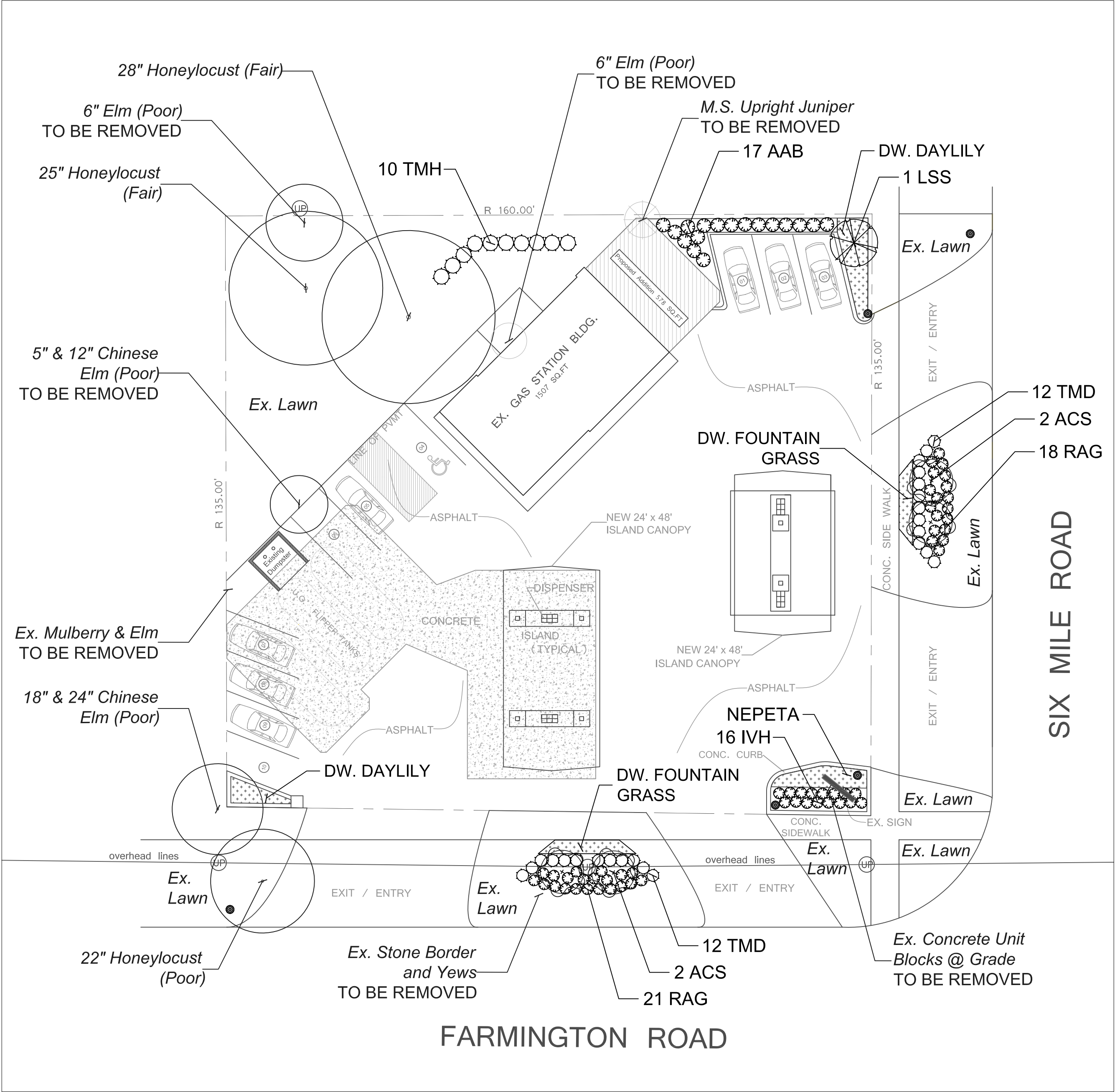
- \* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
- \* THE PLANTING MIXTURE SHALL CONSIST OF 20% TOPSOIL, 60% SAND, AND 20% COMPOST.

- 1 SHREDDED BARK MULCH AT THREE INCH (3") MINIMUM DEPTH. MULCH SHALL BE NATURAL IN COLOR.
- 2 FORM A SAUCER WITH MULCH AND SOIL AROUND SHRUB BED.
- 3 CUT AND REMOVE BURLAP AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.
- 4 3/16" x 4" ALUMINUM EDGING (OR APPROVED EQUIVALENT) OR SPADED EDGE.
- 5 EXCAVATE PLANTING BED AND BACKFILL WITH PREPARED PLANTING MIX.
- 6 UNDISTURBED SUBGRADE.
- 7 LAWN.
- 8 SCARIFY SUBGRADE.

SHRUB

PERENNIAL / GROUNDCOVER

not to scale



LANDSCAPE PLANTING PLAN

scale: 1" = 20'

PLANT LIST

| KEY QTY.   | BOTANICAL NAME                              | COMMON NAME                    | SIZE                 |
|------------|---------------------------------------------|--------------------------------|----------------------|
| AAB 17     | <i>Aronia arbutifolia</i> 'Brilliantissima' | Brilliantissima Red Chokeberry | 30" ht. B&B          |
| ACS 4      | <i>Amelanchier canadensis</i>               | Single Stem Serviceberry       | 2" cal. B&B          |
| IVH 16     | <i>Itea virginica</i> 'Little Henry'        | Little Henry Sweetspire        | 24" ht. B&B          |
| LSS 1      | <i>Liquidambar styraciflua</i>              |                                |                      |
|            | 'Slender Silhouette'                        | Slender Silhouette Sweetgum    | 2-1/2" cal. B&B      |
| RAG 39     | <i>Rhus aromatica</i> 'Gro-Low'             | Gro-Low Fragrant Sumac         | 24" ht., 3 gal. pot  |
| TMD 24     | <i>Taxus x media</i> 'Densiformis'          | Densiformis Yew                | 30" ht. B&B          |
| TMH 10     | <i>Taxus x media</i> 'Hicksii'              | Hicks Yew                      | 42" ht. B&B          |
| PERENNIALS |                                             |                                |                      |
| HHR *      | <i>Hemerocallis</i> sp. 'Happy Returns'     | Happy Returns Daylily          | 1 gal. pot, 24" o.c. |
| NBW *      | <i>Nepeta x faassenii</i> 'Blue Wonder'     | Blue Wonder Nepeta             | 1 gal. pot, 24" o.c. |
| PAB *      | <i>Pennisetum alopecuroides</i>             | Burgandy Bunny                 |                      |
|            | 'Burgandy Bunny'                            | Dwarf Fountain Grass           | 1 gal. pot, 24" o.c. |

\* Landscape Contractor to determine quantity in the field.

LANDSCAPE PLAN FOR:  
N. C. Designers & Contracting, Inc.  
3241 South Telegraph Road  
Dearborn, Michigan 48124  
(313) 986-8381

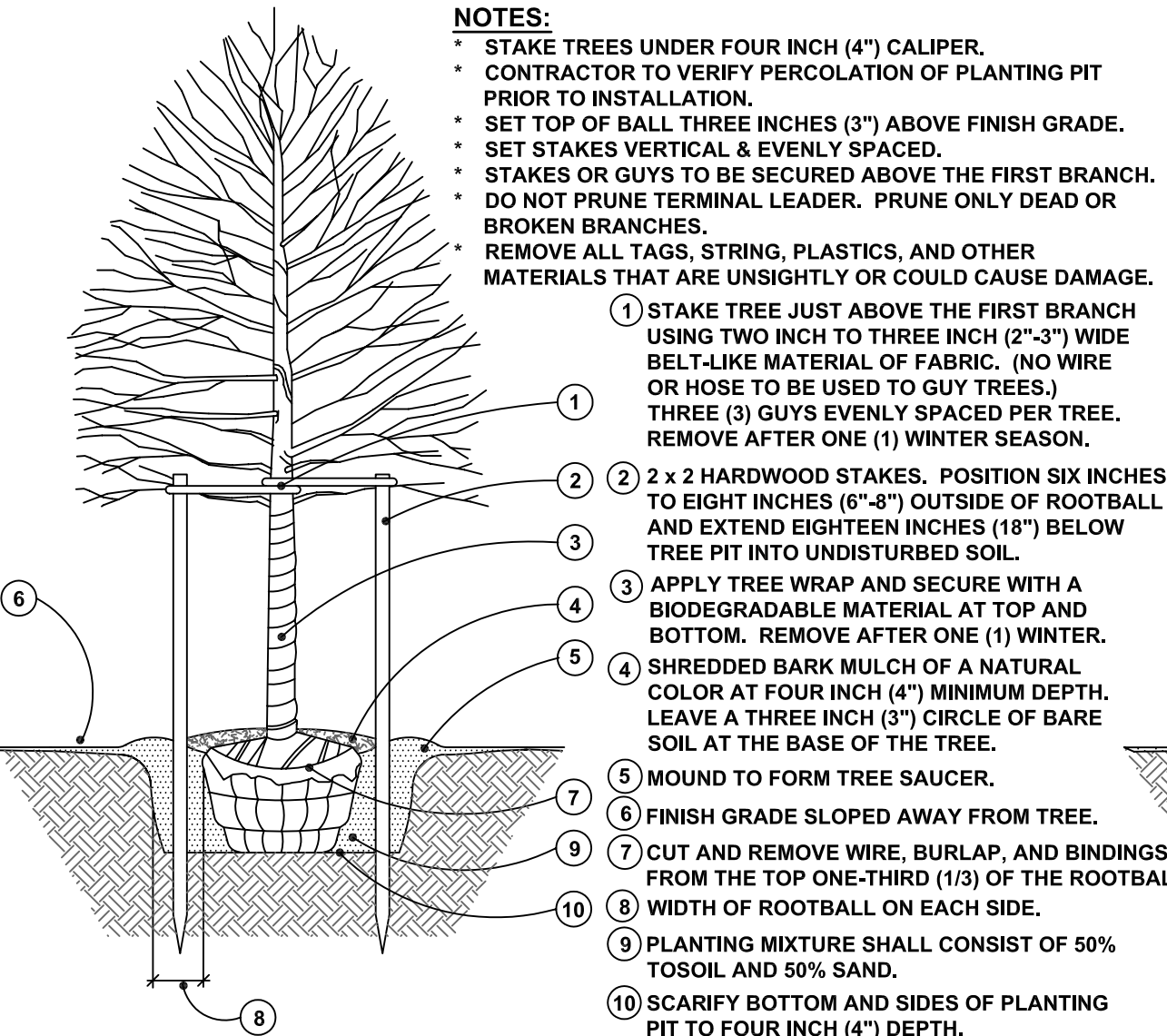
PROJECT LOCATION:  
Shell Service Station  
Farmington Road &  
Six Mile Road  
Livonia, Michigan

LANDSCAPE PLAN BY:  
Nagy Devlin Land Design, L.L.C.  
31736 West Chicago Ave.  
Livonia, Michigan 48150  
(734) 634-9208



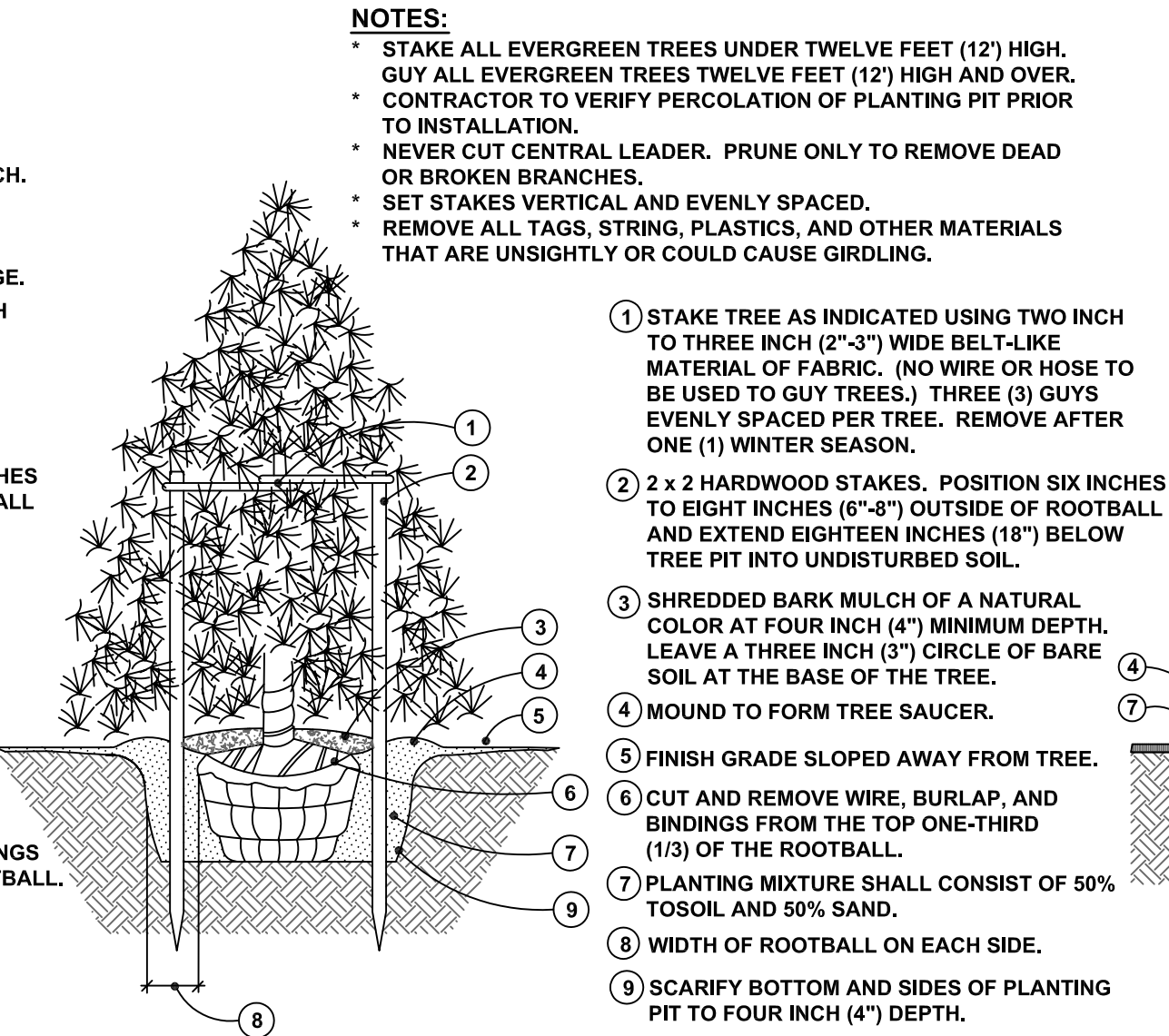
LP - 1: LANDSCAPE PLANTING PLAN

\* Base data provided by N. C. Designers & Contracting, Inc.

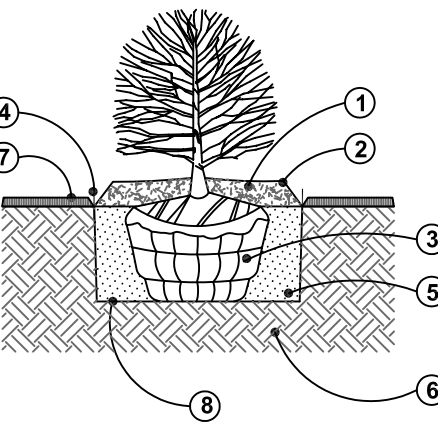


DECIDUOUS TREE

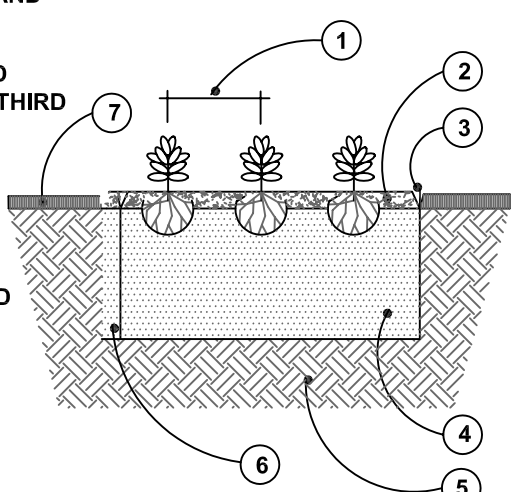
PLANTING DETAILS



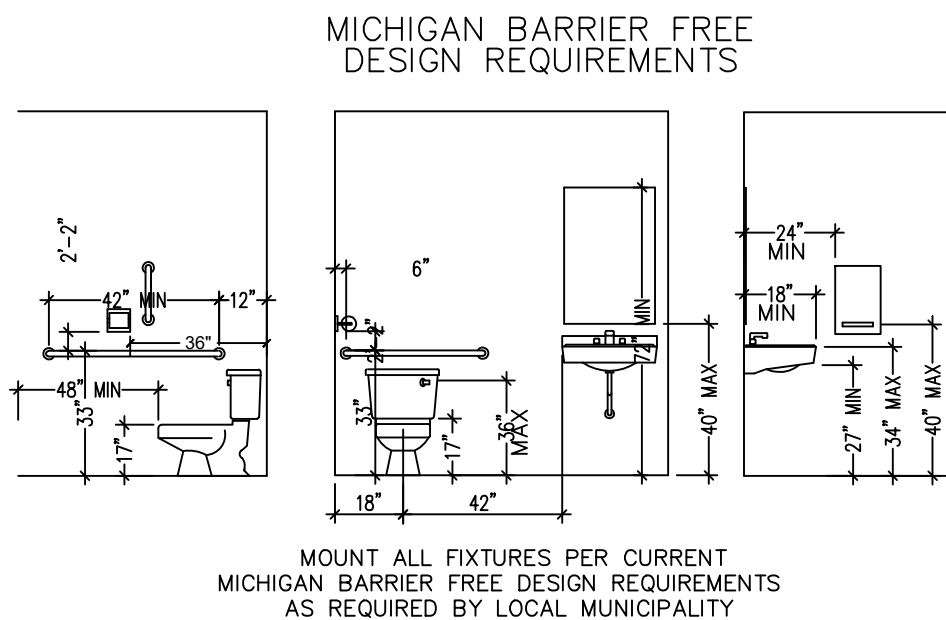
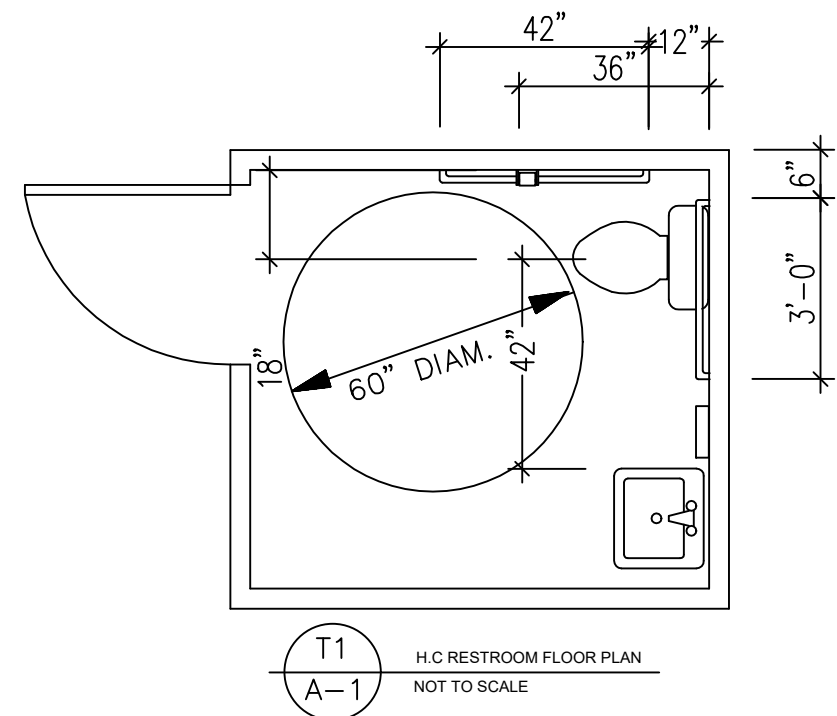
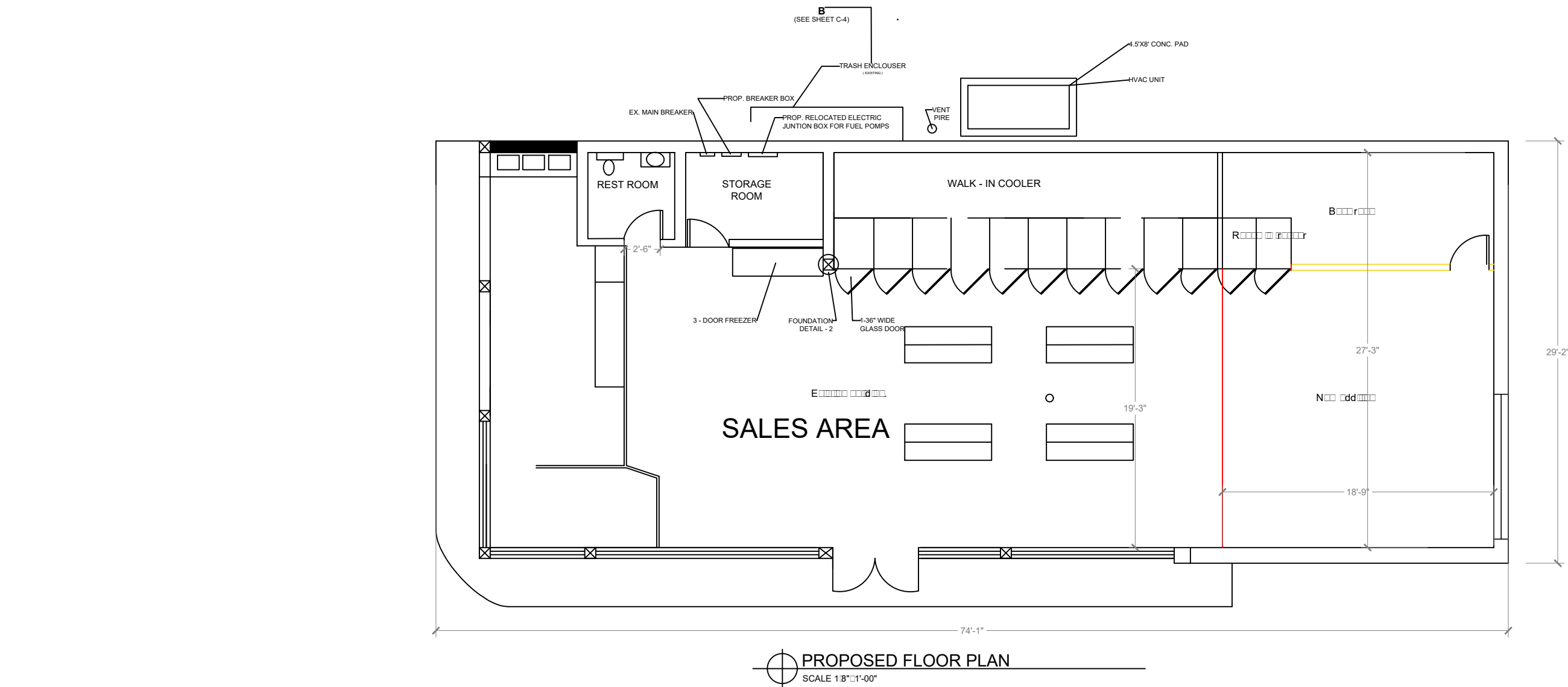
EVERGREEN TREE



SHRUB







#### GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES AND LAWS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE BUILDING AND OTHER PERMITS REQUIRED FOR THE COMPLETION OF ALL WORK.
3. INTERIOR FINISHES TO BE CLASS III, 76-200 FINISHES.
4. CONTRACTOR SHALL PROVIDE FINAL CLEAN-UP OF JOB SITE PRIOR TO MOVE-IN
5. PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED IN LOCATIONS DIRECTED BY THE FIRE MARSHALL AND SHALL BE IN ACCORDANCE WITH NFPA13
6. CONTRACTOR TO PROVIDE BLOCKING IN WALLS FOR ALL WASH ROOM ACCESSORIES AND ALL OTHER ITEMS AS REQUIRED.

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

N.C. DESIGNERS  
& CONTRACTING INC.

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:

N.C.

DESIGNED BY:

N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

#22-2019

DATE

01-30-2020

SCALE

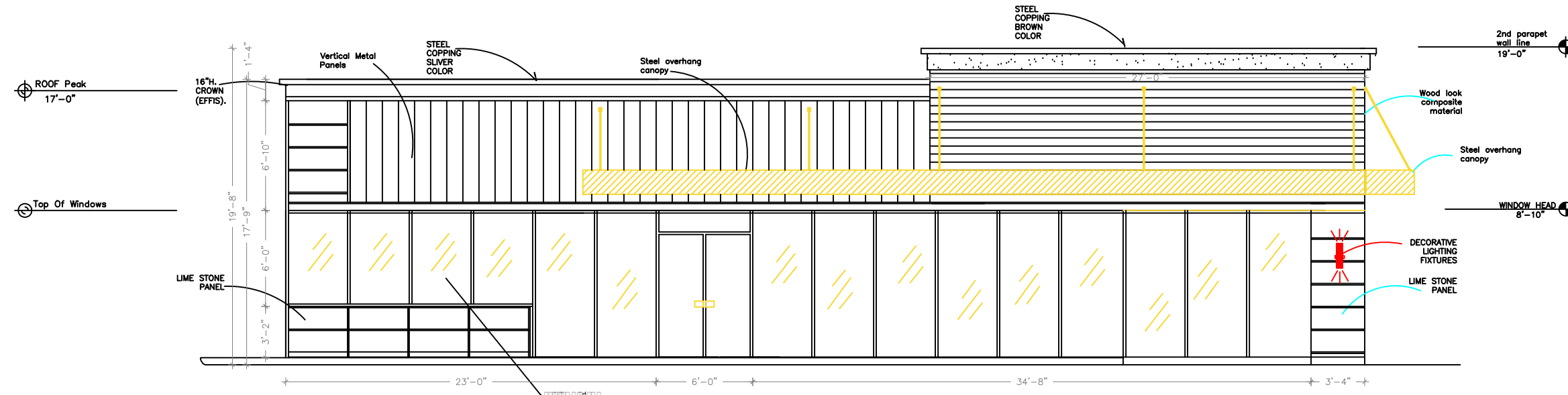
NOTED

SHEET TITLE

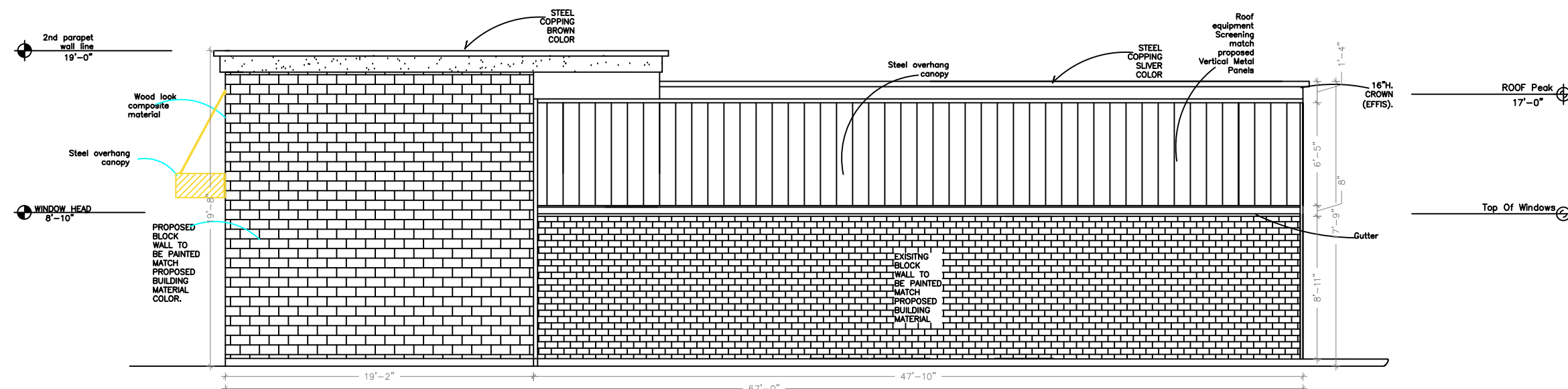
PROPOSED FLOOR PLAN

A-1

SEAL



PROPOSED WEST ELEVATION (Front)  
SCALE 1/8"=1'-00"



PROPOSED EAST ELEVATION (BACK)  
SCALE 1/8"=1'-00"

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

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3241 S. TELEGRAPH  
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DRAWN BY:

N.C.

DESIGNED BY:

N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

# 22-2019

DATE

01-30-2020

SCALE

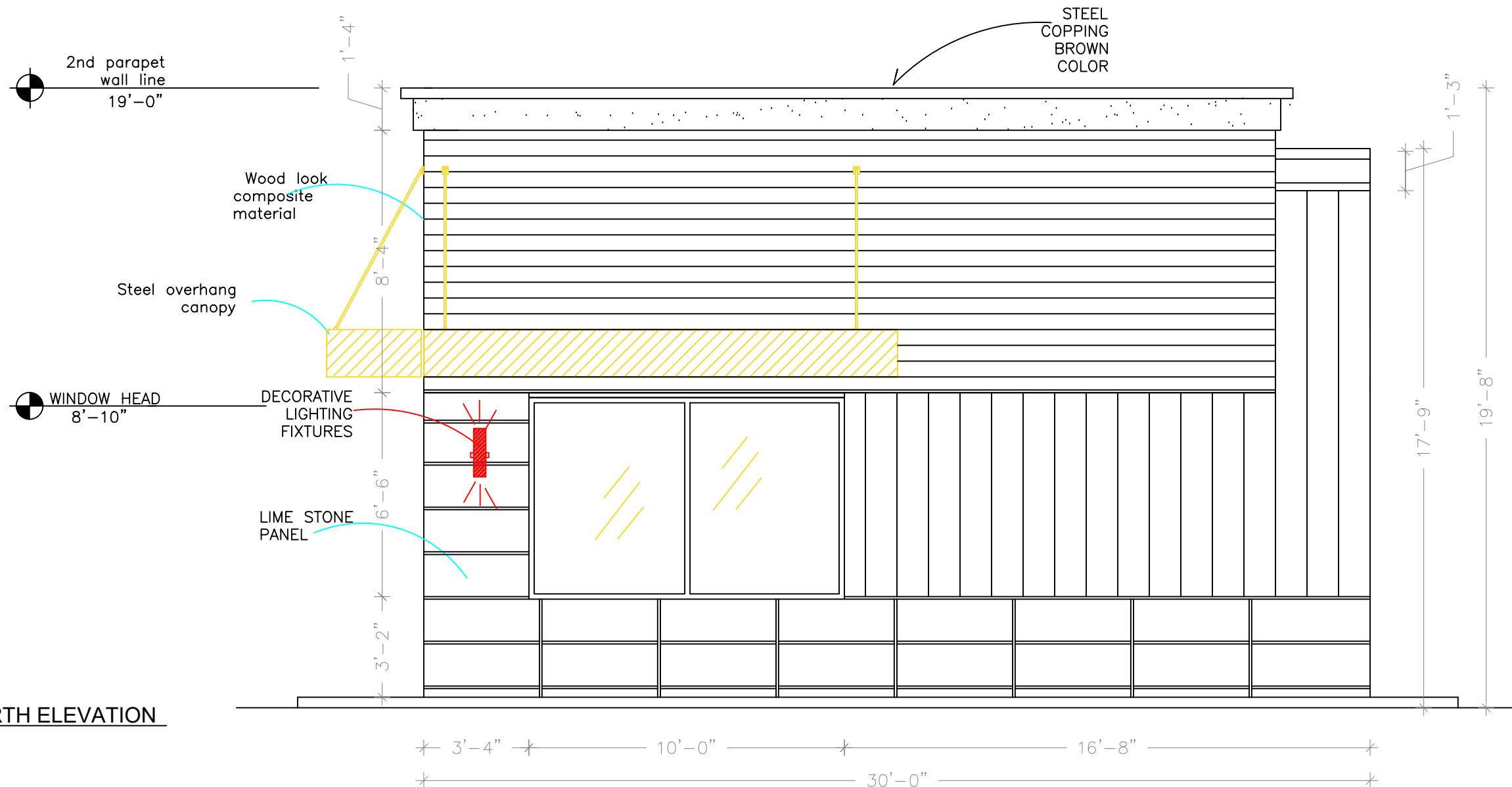
NOTED

SHEET TITLE

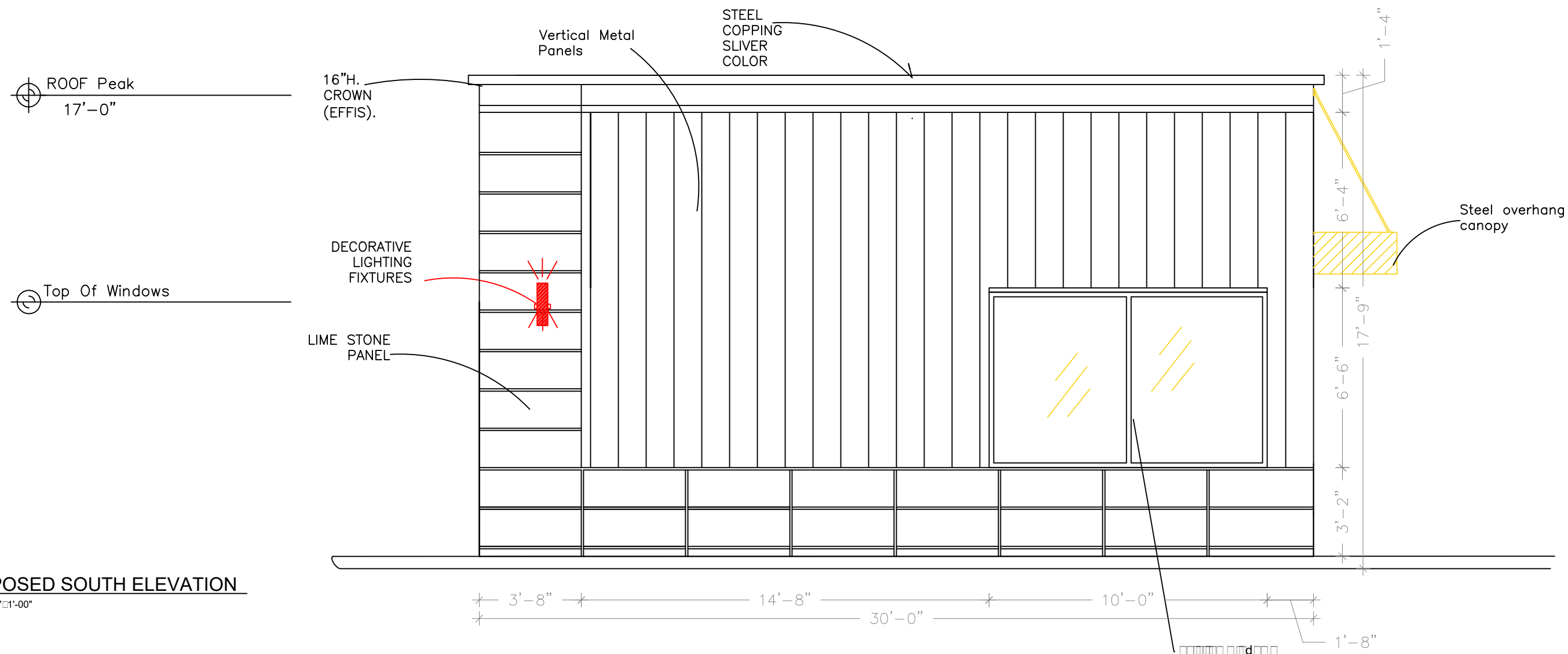
PROPOSED ELEVATIONS

A-2

SEAL



PROPOSED NORTH ELEVATION  
SCALE 1/4"=1'-00"



PROPOSED SOUTH ELEVATION  
SCALE 1/4"=1'-00"

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

N.C. DESIGNERS  
& CONTRACTING INC.

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P:(313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:  
N.C.

DESIGNED BY:  
N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

# 22-2019

DATE

01-30-2020

SCALE

NOTED

SHEET TITLE

PROPOSED ELEVATIONS

A-3

SEAL

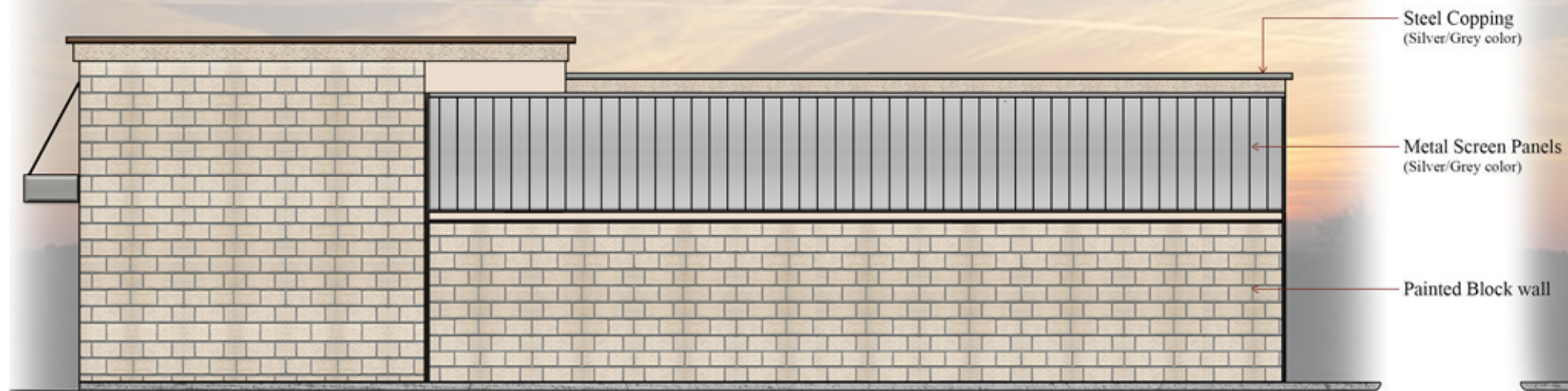




West Elevation



North Elevation



East Elevation



South Elevation

PROJECT:

GAS STATION

LOCATION:

33411 SIX MILE RD.  
LIVONIA, MI

**N.C. DESIGNERS  
& CONTRACTING INC.**

3241 S. TELEGRAPH  
DEARBORN, MI 48124

P: (313) 986-8381  
ncdesigners@yahoo.com

DRAWN BY:  
N.C.

DESIGNED BY:  
N.C.

APPROVED BY:

SUBMITTALS

REVISIONS:

01-30-2020

PROJECT NO

# 22-2019

DATE

01-30-2020

SCALE

NOTED

SHEET TITLE

PROP. PERSPECTIVE

PER-1

SEAL

## PLANNING COMMISSION STAFF NOTES

### PENDING ITEM

#### ITEM 5

**Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc.** requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16.

#### **January 7, 2020 Study Meeting:**

This request involves a proposal to construct an addition and remodel the interior and exterior of the existing Shell gas station located at the southwest corner of Six Mile and Farmington Roads. In order to bring the use into compliance with the Zoning Ordinance, this site was recently rezoned from C-1, Local Business to C-2, General Business.

The subject site measures 160 feet along Farmington Road by 135 feet along Six Mile Road for a total lot area of 21,600 square feet. The existing one-story building is approximately 1,500 square feet and is positioned at an approximate 45-degree angle to the intersection. There are two (2) groups of gas pumps and island canopies: one fronting on Six Mile Road and the other on Farmington Road. Four (4) driveways provide ingress and egress to the site, including two (2) on Farmington Road and two (2) on Six Mile Road.

The proposed addition would be constructed at the north end of the existing building. It would be one-story in height, 578 square feet in area and would provide the station with additional retail space. Upon completion, the enlarged building would total 2,085 square feet in area. The required setback for a gas station building is sixty feet (60') from any road rights-of-way. The existing gas station/convenience store is located approximately seventy feet (70') from Farmington Road and only forty-five feet (45') from Six Mile Road and thus nonconforming. To add to a nonconforming building requires a variance from the Zoning Board of Appeals (ZBA). The addition would encroach further into the required setback adjacent to Six Mile Road. At the closest point, the north corner of the addition would be approximately thirty-five feet (35') from the road's right-of-way line. Where this property abuts the OS zoning to the west and south, the Zoning Ordinance allows for zero setbacks subject to applicable building and fire codes. The proposed addition would have a zero-setback distance against the west property line. Because the addition necessitates further encroachment into the front yard setback, a variance from the ZBA would be required.

Other than the proposed addition, no other site improvements are planned with this proposal. The parking layout, landscape areas, number of driveways and canopy setup would all remain as is.



Required parking for gas stations is based on a ratio of one (1) space for each 150 square feet of floor space devoted to retail sales. Based on the floor area of the proposed building ( $2,085 \times 80\% \div 150$ ), this station would require twelve (12) parking spaces. The site plan shows only nine (9) striped parking spaces, including three (3) along the west side of the property. Twelve (12) more spaces are available at the gas pumps; however, these spaces typically do not count towards the required parking for the store on the basis that the sale of gasoline is treated as a separate use. However, operators of these types of businesses point out that at least 75% of their convenience store customers are usually people using the gas pumps. A variance for deficient parking from the ZBA would be required.

Along with the addition, the entire façade of the existing building would be renovated. The exterior finish of the remodeled building would consist of vertical metal panels, a wood-look composite material and limestone panels. The existing block wall of the rear elevation would be repainted. The top edge of the building would be finished with a continuous crown molding. The finished one-story structure would have a general height, as measured from the finished grade to the top edge of the roofline, of nineteen feet (19'). The height limit of buildings in a C-2 zoning district is thirty-five feet (35').

Gas stations are permitted one (1) ground sign not to exceed forty (40) square feet in area, twelve feet (12') in height, and a minimum setback of five feet (5') from any right-of-way line. Also allowed are signs attached either to the wall of the building or the canopy fascia, based on two (2) square feet for each one (1) lineal foot of building frontage, with the maximum sign area not to exceed one hundred (100) square feet. The plans do not indicate any type of proposed signage for the site or building; therefore, signage was not reviewed as part of this petition.

#### **January 14, 2020 Regular Meeting:**

It was suggested at the Study Meeting that the Petitioner continue the limestone panels along the base of both the north and south sides of the building. Additionally, both Staff and the Planning Commission agree that the proposed landscape plan is unacceptable. The Commission must decide whether to table this item until a revised plan is submitted or allow the project to move forward treating the landscaping plan as a “call-back” item.

#### **January 21, 2020 Study Meeting:**

This item was tabled at the January 14<sup>th</sup> Regular Meeting to allow the Petitioner time to address the following concerns: 1) landscaping, 2) revised site plan based on survey showing more detail, dimensions and accurate setback information, 3) façade changes including extending the limestone along the north and south elevations of the building, 4) provisions for free air, and 5) the location and screening of all mechanical equipment.

**January 28, 2020 Regular Meeting:**

On January 21, 2020, the following new information was submitted: 1) A revised site plan showing the location of the mechanical equipment behind the building as well as the dimensioned setback of the proposed addition from Six Mile Road (36'-7" feet); 2) A fully detailed landscape plan showing a variety of new shrubs and trees that would be planted throughout the site, including areas within the rights-of-way, at the corners of the site, and along portions of the west property line; and 3) Revised elevation plans and a rendering showing the limestone panels extending along the base of the north and south elevations of the building. In addition, the Petitioner informed the Planning Commission at the Study Meeting that the station is now equipped with "Free Air".

**Approving Resolution:** That the request to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, is hereby approved, subject to City Council approval and the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.
4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.



## PENDING ITEM

### ITEM 5 Petition 2019-12-08-16 – Shell Gas Station

Page 4

8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.  
CITY ENGINEER

DAVID W. LEAR, P.E.  
ASST. CITY ENGINEER



DENNIS K. WRIGHT  
MAYOR

DONALD R ROHRAFF  
DIRECTOR OF PUBLIC WORKS

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2571  
FAX: (734) 466-2195

December 19, 2019



Mr. Scott Miller  
Planner IV  
City of Livonia

**Re: Petition 2019-12-08-16 – Shell Gas Station**

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The existing parcel is assigned the address of **#33411 Six Mile Road**.

The existing parcel is currently serviced by public water main, sanitary sewer and storm sewer. The information submitted does not show proposed alterations for the utility services, so it does not appear that there will be any impacts to the existing systems.

It should be noted that should the developer need to do any work within the Six Mile Road or Farmington Road right-of-way's, permits will need to be obtained from the Wayne County Department of Public Services.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at [dlear@ci.livonia.mi.us](mailto:dlear@ci.livonia.mi.us) or [tzilincik@ci.livonia.mi.us](mailto:tzilincik@ci.livonia.mi.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Lear".

David W. Lear, P.E.  
Assistant City Engineer

cc: 2019 Petition File

DEPARTMENT OF PUBLIC SAFETY  
LIVONIA FIRE & RESCUE

DAVE HEAVENER  
FIRE CHIEF



DENNIS K. WRIGHT  
MAYOR

14910 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5419  
734-466-2444  
734-466-2082 fax

**DATE:** December 23, 2019  
**TO:** Scott O. Miller, Planner IV  
**FROM:** Livonia Fire Prevention Division  
**SUBJECT:** Petition 2019-12-08-16, Shell Gas Station, 33411 Six Mile Road

This office has reviewed the site plan submitted in connection with a request to construct an addition and remodel the interior and exterior of the existing gas station on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

*Greg Thomas*

Greg Thomas  
Fire Marshal

SM  
File

DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF POLICE

CURTIS CAID  
CHIEF OF POLICE



Maureen Miller-Brosnan  
MAYOR

15050 Farmington Road  
Livonia, Michigan 48154-5499  
(734) 466-2470  
FAX: (734) 261-2265

January 10, 2020

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154



Re: Petition 2019-12-08-16 – Shell Gas Station

Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have the following objections to the proposal.

There is only one parking space provided for handicap parking.

My other concern is regarding the placement of the only available handicap parking space provided for access to the building. It is my suggestion that the handicap parking space be moved to the area of the labeled #1 and #2 parking spaces shown on the blueprint.

The proposed handicap parking space would force the disabled patron to traverse around two sides of the building which could pose a possible safety hazard for the handicapped person.



Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE

*Sgt. Scott Szczepanski #543*

Scott Szczepanski, Sergeant  
Traffic Bureau  
(734) 466-2107

INSPECTION DEPARTMENT

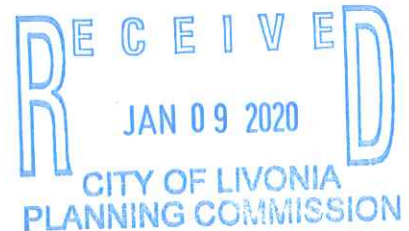
BUILDING  
HEATING  
PLUMBING  
ELECTRICAL  
ZONING  
SANITATION  
ENVIRONMENTAL PROTECTION  
ORDINANCE ENFORCEMENT



MAUREEN BROSAN  
MAYOR

JEROME A. HANNA  
DIRECTOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2580  
FAX: (734) 466-2095



Date: January 7, 2020

To: Scott O. Miller

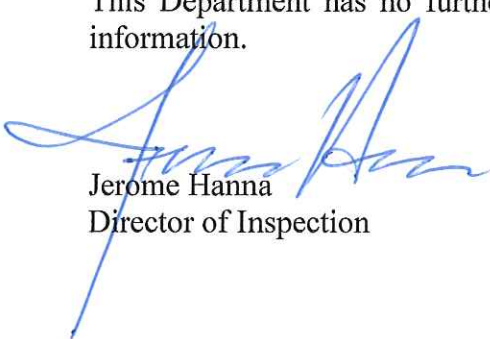
From: Jerome Hanna

RE: Petition 2019-12-08-16 – 33411 Six Mile Road – Shell Gas Station

Pursuant to your request, the above referenced Petition has been reviewed.

1. Only one restroom is shown. Two restrooms are required per the Michigan Plumbing Code based on the proposed occupant load. This will be addressed further at the time of our plan review if this project moves forward.
2. A variance from the Zoning Board of Appeals would be required to maintain the deficient setback proposed for the side yard.

This Department has no further objections to this Petition. I trust this provides the requested information.

  
Jerome Hanna  
Director of Inspection

JH/kdt

DEPARTMENT OF FINANCE

Michael T. Slater  
DIRECTOR OF FINANCE

Connie Kumpula  
CHIEF ACCOUNTANT



DENNIS K. WRIGHT  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807



December 19, 2019

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2019-12-08-16 – 33411 Six Mile Road – Shell Gas Station

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula  
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

January 20, 2020  
~~December 23, 2019~~

Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2019-12-08-16

33411 Six Mile Road  
Shell Gas Station

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are **no** taxes due, therefore I have no objections to the proposal.

Sincerely,

A handwritten signature in blue ink that reads "Lynda L. Scheel". The signature is written in a cursive style and is positioned above a horizontal line.

Lynda L. Scheel  
Treasurer, City of Livonia



**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF**  
**August 26, 2019**

**Petition 2019-05-01-03**

White took from the table, for second reading and adoption, the following Ordinance:

AN ORDINANCE AMENDING SECTION 16 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF ORDINANCE NO. 543, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3.\_\_\_\_\_ THERETO. (Petition 2019-05-01-03)

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

AYES: White, McIntyre, Meakin, Jolly, Kritzman, Bahr and Toy

NAYS: None

The President declared the foregoing Ordinance duly adopted, and would become effective on publication.

# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,153<sup>rd</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, January 14, 2020, the City Planning Commission of the City of Livonia held its 1,153<sup>rd</sup> Public Hearings and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7:00 p.m.

Members present:   David Bongero           Sam Caramagno           Glen Long  
                              Carol Smiley           Peter Ventura           Ian Wilshaw

Members absent:   Betsy McCue

Mr. Mark Taormina, Planning Director and Stephanie Reece, Program Supervisor were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #3    PETITION 2019-12-08-16            N.C. Designers & Cont.**

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 1.

Mr. Taormina: This is a request to construct an addition and remodel the interior and exterior of an existing gas station located at the southwest corner of Six Mile and Farmington Roads. This site was recently rezoned from C-1, Local Business to C-2, General Business. The site is about 21,600 square feet in size. It has 160 feet of frontage on Farmington Road and 135 feet on Six Mile Road. The existing one-story building on the site measures roughly 1,500 square feet in area. As you can see from this aerial photograph, it is positioned at about a 45-degree angle from the intersection. There are two groups of gas pumps with overhead canopies, as well as four driveways: two that are on Farmington and two that are on Six Mile Road. The addition would be constructed at the north end of the building. The addition would also be one-story in height. It would be 578 square feet in total area, with dimensions of 18 feet nine inches by 27 feet three inches. The main purpose is to provide the station with additional retail space. Upon completion, the enlarged gas station building would be about 2,085 square feet in size. The required setback is 60 feet from any road right-of-way. The building is 70 feet from the Farmington Road right-of-way and only 45 feet from Six Mile Road, thus non-conforming. As you can see, the addition would encroach even further into the setback along Six Mile Road. From our estimation, at the closest point, the addition would be less than 35 feet from the property line. Along the west property where the site abuts OS zoning, the zoning ordinance allows a zero setback provided that the building is property fire rated. The building in this case would have a zero setback adjacent to the west property line. Again, because the addition encroaches into the required front setback, a variance would be required from the Zoning Board of Appeals. In terms of parking, a requirement for gas stations is one space for each 150 square feet of usable floor space devoted to retail sales. That translates to an off-street parking requirement of 12 spaces. This plan shows 10 spaces. It is shy of a couple of spaces and would also require a variance from the Zoning Board of Appeals. Looking at the building itself, this is the rendering. As you can see, the entire façade would be remodeled. The exterior would consist of vertical metal panels, which is the dark brown color, composite siding, which is the lighter brown on the top portion of the building, and limestone panels. There is existing block wall along the back of the building that would be painted. Along the top of the building it would be finished with a 16-inch-high continuous crown molding that would be constructed using EIFS. The roofline, as you can see, has two sections with varying heights. Seventeen feet would be the height on the south half of the building, and it would be raised a couple of feet to nineteen feet on the north half where the addition

is proposed. At the study session, it was suggested that the limestone panels extend across the lower part of the ends of the building on the north and south elevations. When you look at these two elevations, the north and the south, the suggestion was to carry those limestone panels across the base of the building. Going back to the plan, in terms of landscaping, the plan shows a combination of lava rock and artificial plants in the right-of-way, as well as a small island at the intersection where the sign is located. The petitioner indicated that this was an oversight on their part and that they would upgrade the landscaping. This aspect of the job would have to be refined further. We did not review this petition regarding signage, so we cannot comment on that. Lastly, I thought it would be helpful to the Commission to show an aerial photograph of what the size of the addition would look like in relationship to the surrounding buildings to the north and give you a better sense of what the encroachment would be into the required setback. It is conceptual, but it gives you a good idea of what the impact to the site would be in terms of the addition to the building. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Please.

Mr. Taormina: The first item is from the Engineering Division, dated December 19, 2019, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The existing parcel is assigned the address of #33411 Six Mile Road. The existing parcel is currently serviced by public water main, sanitary sewer and storm sewer. The information submitted does not show proposed alterations for the utility services, so it does not appear that there will be any impacts to the existing systems. It should be noted that should the developer need to do any work within the Six Mile Road or Farmington Road right-of-way's, permits will need to be obtained from the Wayne County Department of Public Services."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated December 23, 2019, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct an addition and remodel the interior and exterior of the existing gas station on property located at the above referenced address. We have no objections to this proposal"* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated January 10, 2020, which reads as follows: *"I have reviewed the plans in connection with the*



*petitions. I have the following objections to the proposal. There is only one parking space provided for handicap parking. My other concern is regarding the placement of the only available handicap parking space provided for access to the building. It is my suggestion that the handicap parking space be moved to the area of the labeled #1 and #2 parking spaces shown on the blueprint. The proposed handicap parking space would force the disabled patron to traverse around two sides of the building which could pose a possible safety hazard for the handicapped person."* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated January 7, 2020, which reads as follows: *" Pursuant to your request, the above referenced Petition has been reviewed. 1. Only one restroom is shown. Two restrooms are required per the Michigan Plumbing Code based on the proposed occupant load. This will be addressed further at the time of our plan review if this project moves forward. 2. A variance from the Zoning Board of Appeals would be required to maintain the deficient setback proposed for the side yard. This Department has no further objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Treasurer's Department, dated December 23, 2019, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. The next letter is from the Finance Department, dated December 19, 2019, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. That is the extent of the correspondence.

- Mr. Wilshaw: I want to thank you for the extra aerial that you provided. I think that was helpful to the presentation. Are there any questions of the Planning Director?
- Mr. Bongero: Is there an actual site plan, engineered site plan for this property?
- Mr. Taormina: Engineered, no. I would say not, because it doesn't appear to have been based on a Alta survey or any boundary survey. Bear in mind, that we are estimating some of the information here, like the setbacks from Six Mile Road.

## **UNAPPROVED MINUTES**

5

- Mr. Bongero: When I was at the site, I found no corner stakes at all. I was having a hard time getting my bearings. So, we don't know if this is actual. It is just kind of hypothetical.
- Mr. Taormina: We do know that the addition most certainly encroaches into the setback. The extent of what the variance would have to be there and what exactly that setback would be, we do not have that information. We are estimating.
- Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions for our planning staff?
- Ms. Smiley: Mine was more about the landscaping. Is that the landscape plan that you have up there right now?
- Mr. Taormina: Yes. This was provided with the site data. It provides some limited information on landscaping. There was discussion regarding this at the study session. The petitioner acknowledged that the landscape plan needed work.
- Ms. Smiley: So, they are going to come back with that? Is that a call back or...
- Mr. Taormina: It could be treated as a call back item. The Planning Commission would determine whether to do that or wait until you get...
- Ms. Smiley: Table this until you get more information?
- Mr. Taormina: Yes, correct.
- Ms. Smiley: Thank you.
- Mr. Wilshaw: Any other questions for our planning staff?
- Mr. Ventura: Mark, has the petitioner provided you with the material samples or any specifics?
- Mr. Taormina: I do not have that. Maybe he does, I am not sure if he has a sample board or not.
- Mr. Ventura: I just want to be clear. There is no landscape plan at the present time.
- Mr. Taormina: That is correct.
- Ms. Smiley: The handicap parking thing, was that addressed?

Mr. Taormina: There has been no change to the plan regarding barrier free parking. That is something that is reviewed by the Inspection Department. If the plans get to that point, they will determine the appropriate number as well as the location of the barrier free spaces based on the entrance to the store and other important items such as the provision for a ramp and that sort of thing. We appreciate the concern expressed by Traffic Bureau. I am not sure if a second barrier-free parking space is needed in this case or not, but again, this is something that would be reviewed by the Inspection Department.

Ms. Smiley: Thank you.

Mr. Wilshaw: Any other questions? I don't see anything else. Our petitioner is here. We will need your name and address for the record please.

Nasser Choucair, 3241 S. Telegraph Road, Dearborn, MI 48124, I am here to answer any questions. The handicap parking, I think one is sufficient for a small site like that, but in terms of moving it toward the sidewalk for safety reasons we are willing to do so. Regarding the building inspector referring to the restrooms, we are willing to put another if needed after we do the calculations. It is true that it depends on the occupancy that put on the plan, but normally in such small building like this. Occupancy is less than 14 occupants, so it is not needed to have two restrooms, but if the Building Department insisted, we are willing to put another restroom. That's no problem. Regarding the landscaping, I was hoping to get you another better landscaping than the one we had, but the landscaping architect didn't have sufficient time from the time that we met in the study meeting. I could not get that with me tonight. I hope we will get that resolved to the board expectation.

Mr. Wilshaw: Thank you. Any other comments you wanted to make in regard to this plan before we go to questions?

Mr. Choucair: The materials on the building that we aren't using any E. I. F. S., I mean very little of E. I. F. S. which is the crown on top of the wall. The reason I am using it, because it is a lightweight and these walls are not masonry. It is a framing wall so I would like to use something light. The composite material that we are using on the building is like a wood look. Also, this is a material that won't fail within time. We are using some limestone panels on the building. We did agree that we are going to bring those panels on the side of the building under the window. We have

some aluminum panels, metal panels, silver color on top of the building which is...give the building a modern look. Some steel canopy on the front of the elevation and the side. That would give some shades to the windows. Protect people from going in and out from snow and rain.

Mr. Wilshaw: Very good. Thank you for describing the materials. Let' see if we have some questions for you. I believe we probably do. Anyone with questions for our petitioner?

Ms. Smiley: Did I understand you to say that on the limestone it's going to go along the base on the north and the south elevations?

Mr. Choucair: I thought it's only where the window is, which is the south. If it is needed to be put in the north, that is fine with me. We can do that. Not a problem.

Ms. Smiley: Are you the owner/operator?

Mr. Choucair: No, I am the architect.

Ms. Smiley: Thank you.

Mr. Wilshaw: Anything else Ms. Smiley?

Ms. Smiley: No.

Mr. Bongero: Do you have an actual site plan of the property?

Mr. Choucair: You mean a survey?

Mr. Bongero: Yeah.

Mr. Choucair: Okay, we do have a survey and that site plan is taken out of that survey. If you are looking for the pins on the property, they are about six inches in the grass on the four corners. If we bring a surveyor to pull them out, we can then expose them and show them, but I think the boundaries is how we extended. It is sufficient and we are...the corner of the building should be about one foot away from the boundary line exactly.

Mr. Bongero: Typically, we see one with a stamp on it. We don't know if this is accurate or not. Right? How do we know? It doesn't show a stamp on it that is authentic.

Mr. Choucair: The drawing?



## **UNAPPROVED MINUTES**

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- Mr. Bongero: On the site plan.
- Mr. Choucair: We can...I mean I can stamp it. I can provide Mr. Taormina the survey that we got from the owner. They have an existing survey. It is an older survey. It shows the drawing how it is.
- Mr. Bongero: Are going to change the drawing to reflect the stone on ends of the building?
- Mr. Choucair: Yeah, on the sides. We will put some limestone on the bottom.
- Mr. Bongero: Thank you.
- Mr. Wilshaw: Any other questions for our petitioner?
- Mr. Ventura: I don't know whether this question is directed to you or to the owner, but we have...I want to tell you that we are happy to see the change to the station. It sorely needs upgrading, but you were before us for rezoning and then you were before us for a study session and both times you were made aware that you were not in conformance with city ordinance regarding free air. Both time we were told it would be rectified. As of 4:00 p.m. this afternoon, it had not been. Can you explain why?
- Ali Hammouch, 33441 Six Mile Road, Livonia, MI, 48152, I do acknowledge what you said and the only reason is...first of all, we have a contract with that service that will end very soon with the provider for that. I bought that station three years ago and I wasn't aware of that ordinance to be free. You brought it up in the zoning, when we did that rezoning. I said yes, we will definitely do it when we do the renovation for the site, of course I didn't know where we going to place that...on the left, on the right. Is it going to be on the side of the building? That is one of the reasons. The second one is, if I have to actually stop the contract with this guy, so I have to pay something for him, and on the other end I have to buy the equipment to provide as a free service. I totally acknowledge that. It is just going to take some time in order to obey to this ordinance. I am not saying that I am not going to do it, but it is just for the fact how the site plan is going to end. Eventually, if I don't do this what you are requesting is, nothing will pass. I agree 100%. I did not know which side of the building we going to put it and plus how are we going to solve that issue with provider of that air machine. I can stop it if you feel you don't want it there. I just can stop it. That doesn't...it's not going to hurt...I mean the entire this...it makes \$45.00 at the end of the month. I can stop

it if it makes you feel better. I understand where you are coming from 100%, but I just...there are rules that I am trying to follow and need to also acknowledge the rules, but this is where I am at. They are an existing contract. I need to talk to the guy...this is what is happening, and also relocating that machine...this is where I am at right now.

Mr. Choucair: It's probably going to be moved from there because we have a handicapped...we are reorganizing the parking lot, so I guess it would be on the other side of the building, because that spot is going to be for the handicap next to the sidewalk so, he have to move it now or later. He is going to be removing that pump from that side plus I have a contract with the company so that machine it does not belong to him so he will have to buy his own that generates the air without the coins.

Mr. Ventura: I appreciate your comments, but it strikes me as though...between the time you were before us in the rezoning and now, you have had sufficient time to speak to your contractor and rectify this. It is not our position to say that you have to provide air, or where it is going to be located. That is totally up to you. It is our position that we require you to conform with the city ordinance. That is part of what we do here. So, you are correct, I would not support approval of the petition until it is fixed.

Mr. Hammouch: Ok, I mean...absolutely. For that rezoning meeting, I take the ownership that I misunderstood. I thought that while we start the renovation, we are going to correct that and have the time to correct that when I do the renovation. As I said, if it makes all our (inaudible) here that to stop this I can stop it until we resolve it, but this is my situation. I am not opposing that, but on my end I misunderstood what you meant at the zoning that this has to be resolved during the renovation or immediately.

Mr. Ventura: I understand. Thank you.

Mr. Wilshaw: Thank you. Mr. Hammouch. Any other questions for the architect or the property owner?

Mr. Caramagno: Mr. Chairman, I have a couple questions here. I wrote down bathrooms, so I am glad that came up in the documents there. My question would be more to...is there an air conditioning unit on the ground behind the building?

Mr. Choucair: Yes.

Mr. Caramagno: What happens to that? Where does that go?

Mr. Choucair: That stays...I mean we are not touching the existing system because that system is not a rooftop unit. So, I think he have a furnace and a A/C unit, so it is not a rooftop unit. If he is wishing to...if he wishes to put a rooftop unit, I am going to be placing that unit on the new addition, which have a flat roof, not on the building that have an existing gable roof.

Mr. Caramagno: I thought you had mentioned that, and I could have this confused with another petition. I thought we talked about the utilities being be upstairs behind that tree.

Mr. Choucair: Compressors. I think he have a compressor if I am not mistaken for the cooler, but not an A/C unit, I believe. The walk-in cooler has a fan on the inside and there is a compressor on the outside, so that compressor, I believe, is on the...

Mr. Hammouch: Let me correct that. The mechanical parts, as far as the heating and cooling, is behind the building and also the compressor behind the building. There is nothing on the roof. The roof or whatever fan they have is an existing where it was. Back in the day it used to be a Subway. They have existing fans or whatever from before that doesn't exist anymore. This can all be removed.

Mr. Choucair: And probably the satellite. But the satellite system...I noticed something up there, that is why I said that the screening would look nice to cover the back of the building plus any mechanical equipment on the roof. It doesn't necessarily have to be the HVAC unit.

Mr. Caramagno: Just with that, this petition is lending itself to being, to me, incomplete as a presentation here tonight. I think there is a bunch of things...the landscaping is not right, this A/C unit...something is going on the roof, it's not going on the roof...there are a lot of things here tonight that seem incomplete to me. What is going to happen to the wood, the firewood that is stacked outside the window? What is going to happen? Are you going to discontinue selling wood there? What happens with that going forward?

Mr. Hammouch: For the wood?

Mr. Caramagno: Yes.

Mr. Hammouch: Okay, what's the ordinance says? Do I have to discontinue?

Mr. Caramagno: I think there is language that you don't sell any product outside the store. So, you have firewood there, and you have an ice machine outside. You have a newspaper stand outside. There are a lot of things here that I think need to be better thought out before I can approve this petition.

Mr. Hammouch: Okay, so the firewood I will of course take it out if it is needed. The ice machine we will figure out something else, but as far as that newspaper, this also cannot be outside for the early people to come in? I don't open 24-hours. They have to have something in order to put the newspaper, which is they come around between 2 and 4 or 5. We don't open at that time.

Mr. Caramagno: I don't mean to be specific to you with these things because I looked across the street at the Mobil and I think he sells firewood too. You are asking for a redo here and I think those are things that we really don't need to see stacked up on the front sidewalk. That is my opinion at this point. Thank you.

Mr. Wilshaw: Any other questions or comments for the petitioner? I don't see anyone else on the Commission with any comments. Is there anybody in the audience that wishes to speak for or against this item? Again, I will go back to the Commission. Is there anyone with any comments? If not, a motion is in order.

Mr. Bongero: Mr. Chairman, I agree with Sam. It's an incomplete application. We are missing a lot of information. We all like it. It's great. It definitely needs it, and it's a great improvement, but there is so much information missing. Site plan, incomplete blueprint, a plan for the mechanicals, the air. For me, I am just struggling with tonight. I don't know what we are voting on. We don't have actual things that we are actually voting on, so that would be my feeling.

Mr. Wilshaw: So, it sounds like you are asking for a tabling? Is that a form of a motion?

Mr. Bongero: Yes.

Mr. Wilshaw: Ok, so Mr. Bongero has asked for a tabling motion. You would move it to the next study meeting? That would be adequate time?

Mr. Bongero: That's fine.

Mr. Taormina: There is room on the agenda, the question I think would be to the petitioner and how much time they would need to revise the plans.

Mr. Wilshaw: To the petitioner, do you think that you would be able to come back for our next study meeting which would be next week. Correct, Mr. Taormina?

Mr. Taormina: Correct.

Mr. Wilshaw: Does that give you adequate time or do you need additional time?

Mr. Hammouch: That's fine.

Mr. Wilshaw: That would be adequate time. Okay.

On a motion by Bongero, seconded by Smiley, and unanimously adopted, it was

**#01-05-2020** **RESOLVED**, that the City Planning Commission does hereby recommend that Petition 2019-09-01-07 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 1, be tabled to the meeting of January 28, 2020.

Mr. Wilshaw: There is no discussion on tabling motions.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted.



# **UNAPPROVED MINUTES**

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## **MINUTES OF THE 1,154<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, January 28, 2020, the City Planning Commission of the City of Livonia held its 1,154<sup>th</sup> Public Hearings and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7:00 p.m.

Members present: David Bongero      Sam Caramagno      Glen Long  
                             Betsy McCue      Ian Wilshaw

Members absent: Carol Smiley, Pete Ventura

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #5      PETITION 2019-12-08-16      N.C. Designers (Shell)**

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16.

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Mr. Wilshaw: This item was tabled at our last meeting, is there a motion to remove this item from the table?

On a motion by Long, seconded by McCue, and unanimously adopted, it was

**#01-13-2020**     **RESOLVED**, that the City Planning commission on January 28, 2020, on Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16, does hereby remove the item from the table.

Mr. Taormina: This pending item which involves an addition and other site modifications to the Shell gas station located at Six Mile and Farmington Roads was tabled at the Planning Commission meeting of January 14, 2020 in order to allow the petitioner to make some additional changes. We have new information which includes a revised site plan showing the location of the mechanical equipment behind the building, as well as the dimensioned setback of the addition from Six Mile Road. It is shown to be 36' 7" at the closest point. Also provided is a fully detailed landscape plan that shows a variety of new shrubs and trees throughout the site, including areas within the rights-of-way, at the corners of the property and along the west property line. Lastly, revised elevation plans, including a rendering that shows the limestone panels extending along the base of the north and south elevations of the building, as well as an additional window along the north elevation. The only other item that was discussed was the provision for free air. Apparently, the petitioner demonstrated at the study meeting that he has taken care of that and added that as part of the current operation.

Mr. Wilshaw: Thank you, Mr. Taormina. Any questions for our planning staff? I don't see any. Our petitioner is here. We will need your name and address for the record please.

Nasser Choucrair, N.C.Designers, 3241 S. Telegraph, Dearborn, MI, 48124, Mr. Taormina explained what we are doing and what we adjusted. I just want to add that we did add the window. We are not sure if it is going to be a window or a fake window. We will determine that, what it is going to be, what we are going to be doing in that corner, the owner probably want to put some shelves up and then it would be a fake. If not, then it would be a regular window to get

## **UNAPPROVED MINUTES**

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light in there. Other than that, we adjusted all the issues that we had previously. I hope we will get an approval tonight.

Mr. Wilshaw: Thank you, sir. We also have Mr. Hammouch here as well.

Ali Hammouch, 33411 Six Mile Road, MI, 48152, owner of Shell gas station. Thank you so much for looking into this and hopefully it passes as Nasser said.

Mr. Wilshaw: Very good. Thank you, sir. Any questions for our petitioner?

Mr. Bongero: Nasser, your coming out 20 feet with the building addition, right?

Mr. Choucair: Yes.

Mr. Bongero: On the plan it shows 18'-9", but that is the inside dimension. I am just rounding off 20 feet. Is that pole on the west line, is that the property line? There is a telephone pole in the back southwest corner. I was just out there trying to find...and I love the plan, it looks good. I am just clarifying. Is that telephone pole on the lot line?

Mr. Choucair: Not necessarily. Normally light poles and electrical poles can be in the property but of course in the legal description with an easement for DTE or Comcast or any of these utilities. Whenever you have a light pole or an easement, of course you cannot put any fixed structure on it, but if there isn't you are allowed. Where we are putting our addition, I don't think we have any easements in that area.

Mr. Bongero: No. What I meant was...I was trying to figure out where the lot line is.

Mr. Choucair: The lot line would be where

Mr. Bongero: Where the telephone pole is. I was thinking...plus or minus.

Mr. Choucair: I can say that the asphalt...where the asphalt line is along the property...probably that is the lot line but sometime people encroach on to other properties. If you put the iron from one side to the other, then you can really have a straight line.

Mr. Bongero: The only reason I am asking is because I know you are going to have to go to Zoning Board of Appeals. You are going to need an actual survey.

## **UNAPPROVED MINUTES**

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Mr. Choucair: Actually, we are going to get our surveyor over there to put the pins on the property and show exactly where it is going to be.

Mr. Bongero: The reason I bring it up is because I tried to make...I was out there and I wheeled it off and I was trying to figure out where your building line was and...running my eye out the side of the building and I wheeled it out on that west lot line. It looks like you have 23 feet from the corner to the lot line and you are only coming out 20. What I am saying is that you may not have to clip the corner of the building. You may not need as much of a variance if you have an accurate survey. So, it would be nice to see it. It might not be as much as you think.

Mr. Choucair: I always take precautions. They are going to come back and throw it on me. When we come down to it...this meeting is to get approval that we are allowed to do something like this. Next step it would be more detailed. Engineering would be involved, and surveys would be involved. More precise than the mortgage survey or the plot survey that the owner provided me.

Mr. Bongero: One last question. I know you were having a meeting with the neighbor about possibly doing maybe a business deal. Anything come of that?

Mr. Taormina: Can you come up to the podium?

Mr. Hammouch: So the question was if I had any meeting with potential buyer. I am not sure if he bought that plaza behind me or not. Yes, I will schedule by the end of the week something with him in order to talk about the development he is going to have behind my property. Unfortunately, this week it didn't happen because I was super busy with other schedules and commitments.

Mr. Bongero: I was just wondering if you were going full board with this plan.

Mr. Hammouch: Yes. As of now we are going full blown with this own making sure...whatever it takes I am going to change that building.

Mr. Wilshaw: Any other questions for our petitioner? I don't hear any other questions. There is no one else in the audience to speak for or against this item, so if there is no other discussion, a motion would be in order.

On a motion by McCue, seconded by Long, and unanimously adopted, it was

**#01-14-2019**     **RESOLVED**, that the City Planning Commission does hereby recommend to City Council that Petition 2019-12-08-16 submitted by N.C. Designers & Contracting Inc. requesting approval of all plans required by Section 18.58 of the City of Livonia Zoning Ordinance #543, as amended, regarding a proposal to construct an addition and remodel the interior and exterior of the existing gas station (Shell) at 33411 Six Mile Road, located on the southwest corner of Six Mile and Farmington Roads in the Northeast ¼ of Section 16, be approved, subject to the following conditions:

1. The Site Plan identified as Sheet SP-2 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for building setback and parking deficiencies.
3. All parking spaces, except the required barrier free parking, shall be striped at ten feet (10') wide by twenty feet (20') in length as required, and the number and location of the barrier free parking space(s) shall be provided at the direction of the Inspection Department.
4. The Landscape Plan identified as Sheet LP-1 dated January 18, 2020, as revised, prepared by Nagy Devlin Land Design, L.L.C., is hereby approved and shall be adhered to.
5. All disturbed lawn areas, including road rights-of-way, shall be sodded in lieu of hydroseeding.
6. Underground sprinklers are to be provided for all landscaped and sodded areas including the rights-of-way, and all planted materials shall be installed to the satisfaction of the Inspection Department and thereafter permanently maintained in a healthy condition.
7. The Exterior Building Elevation Plan showing the west and east elevations identified as A-2 dated December 11, 2019, prepared by N.C. Designers & Contracting Inc., is hereby approved and shall be adhered to.
8. The Exterior Building Elevation Plan showing the north and south elevations identified as A-3 dated January 21, 2020, as revised, prepared by N.C. Designers & Contracting Inc.,



is hereby approved and shall be adhered to, except that a window shall be added to the north side of the building.

9. All roof-mounted mechanical equipment shall be concealed from public view on all sides by the parapet walls of the building, and all ground-mounted equipment shall be concealed with the use of masonry screen walls as approved by the Inspection Department.
10. Any new light fixtures shall not exceed a height of twenty feet (20') from grade at the base of the light and shall be aimed and shielded to minimize stray light trespassing across property lines or on adjacent roadways.
11. No outside storage, placement or display of merchandise shall be permitted, except this condition shall not apply to the display, on the pump islands only, of products pursuant to Section 11.03(a)(12) of the Zoning Ordinance.
12. Pursuant to Section 11.03(a)(13), free air shall be provided and dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
13. Vacuum equipment or the outdoor placement/storage of propane cylinder storage units is not allowed.
14. The sale of ice shall be restricted to the inside of the building.
15. Only conforming signs are approved as part of this petition, and any additional signs shall be separately submitted for review and approval by the Zoning Board of Appeals.
16. No part of the pump island canopy fascia, except for signage, shall be illuminated, and no LED lightband or exposed neon is allowed on any part of the building, including around the windows or on the overhead canopies.
17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
18. The specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,

19. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of **ONE YEAR ONLY** from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**10**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

11. WAIVER PETITION: Planning Commission, re: Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road, located on the S side of Plymouth Road between Middlebelt and Merriman Roads in the Northwest ¼ of Section 35.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this item comes from Airgas USA, located at the former Viscount Building on the south side of Plymouth Road between Merriman and Middlebelt Road. The property is immediately adjacent to the Quality Inn and the building has been there for many years, there's been several uses over the years, it's a good sized building, maybe 6,000 square feet. As I said, Airgas is in that building and operating. There is a storage area behind the building that Airgas would like to use for the purpose of storing various compressed gas products, these are cylinders, these include oxygen, nitrogen, carbon dioxide, argon, propane and acetylene. The Planning Commission reviewed this petition carefully, consulting with the Fire Marshal, he's on top of this, they've been in contact with them regarding the storage. The storage area itself is about 225 feet from the closest residential property. One of the things the Planning Commission wanted to see was an obscuring fence along the south side of the storage area to further screen that area from view from the residents. Parking is adequate on the site. Other minor deficiencies were addressed as part of the petition and are reflected in the resolution and again, the Planning Commission is recommending approval.

Councilmember Donovic commented that I was at the Planning Commission meeting and listening to you guys present and it was going great, and now I keep seeing Airgas signs all over the different commercial buildings across the city and other cities, so it looks like you guys have a pretty wide range of customers and what not, so congratulations. I think everything is in order. At the Planning Commission some of the Commissioners had suggestions and from what it seems like from the plans you guys have all met those, so I'd like to offer an approving for Consent if there's no objections.

DIRECTION:

APPROVING

CONSENT



## LETTER TO THE LIVONIA CITY COUNCIL

11.

Planning  
October 22, 2021

### MEETING DATE

November 8, 2021

### PREPARED BY

Stephanie Reece, Program Supervisor,

### AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road, located on the S side of Plymouth Road between Middlebelt and Merriman Roads in the Northwest ¼ of Section 35.

### BACKGROUND

### RECOMMENDATION

At the 1,177th Public Hearing and Regular Meeting held by the City Planning Commission on October 19, 2021, the following resolution was unanimously adopted:

#10-54-2021 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on October 19, 2021, on Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting waiver use approval pursuant to Section 6.42 of the Livonia Vision 21 Zoning Ordinance, to develop and operate an outdoor storage yard for cylinders containing industrial, medical and specialty gases at 30441 Plymouth Road, located on the south side of Plymouth Road between Middle Belt and Merriman Roads in the Northwest ¼ of Section 35, the Planning Commission does hereby recommend to the City Council that Petition 2021-09-02-17 be approved subject to the following conditions:

1. That the Site Plan, labeled Sheet No. SP1.01, dated October 8, 2021, as revised, prepared by Scott Monchnik & Associates, Inc., is hereby approved and shall be adhered to.
2. That all outside storage of gas cylinders shall be restricted to the confined area behind the building, as shown on the approved site plan. Storage within this area shall be limited to properly secured gas cylinders and no more than two (2) vehicles. Any changes in the location and extent of the outdoor storage yard shall first be approved by the Planning Commission.
3. That a six (6) foot-high vinyl privacy fence shall replace the existing chain link fence along the south side of the outdoor storage yard to help shield the materials and activities from the adjacent residences.
4. That there shall be no outdoor storage of disabled or inoperative equipment and vehicles, scrap material, debris or other similar items either within or outside of the designated storage area.

5. All storage of gas products onsite must meet all applicable fire codes as required by the City of Livonia Fire Marshal.
6. That the hours of operation of this business shall be limited as follows: Mondays through Fridays, 7:30 a.m. to 6:00 p.m., and Saturdays, 9:00 a.m. to 5:00 p.m.
7. That a building permit shall be required for the dumpster enclosure which shall contain full, continuous footings and shall be constructed of building materials that complement the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass.
8. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
9. That the existing painted wall sign on the west elevation of the building shall be removed and the wall returned to a condition satisfactory to the Inspection Department. That the petitioner shall have the option of requesting approval of a wall-mounted sign on this elevation, subject to variance(s) being granted by the Zoning Board of Appeals for excess sign area and excess number of wall signs on the building.
10. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
11. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
12. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of the Livonia Vision 21 Zoning Ordinance.

## FISCAL CONSIDERATION

## ATTACHMENTS

1. 2021-09-02-17\_Airgas\_E-COUNCIL Pkt

## APPROVED BY



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Mark Taormina, Planning and Economic Development

Date: October 25, 2021



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Director

*Maureen Miller Brosnan*

Date: October 29, 2021

---

Maureen Miller Brosnan, Mayor

**Petition 2021-09-02-17 submitted by Airgas USA L.L.C.**  
requesting waiver use approval pursuant to Section 6.42 of the  
Livonia Vision 21 Zoning Ordinance, to develop and operate an  
outdoor storage yard for gas cylinders at 30441 Plymouth Road,  
located on the south side of Plymouth Road between Middlebelt  
and Merriman Roads in the Northwest ¼ of Section 35.

**CITY OF LIVONIA, MICHIGAN  
APPLICATION FOR WAIVER USE APPROVAL**

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications must include property owner's name, address and notarized signature.

Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: September 13, 2021 Petition 2021-09-02-17

Site Address: 30441 Plymouth Rd Sidwell \_\_\_\_\_ Zoning of Property C4

Requesting Approval To Store cylinders outside of the building

Applicant: Natalie Jackman Business/Company: Airgas USA LLC

Applicant's Address: 101 N Ann Arbor Trl City: Plymouth State: MI Zip Code: 48170

Applicant's Phone # (734) 455-2550 Applicant's Email natalie.jackman@airgas.com

Contact Person: Mike Miller Business/Company: Airgas

Contact's Address: 4935 New Haven Ave City: Fort Wayne State: MI Zip Code: 46803

Contact's Phone # (574) 218-4533 Contact's Email mike.miller@airgas.com

**Please provide the following information:**

**1) Site Plan showing:**

property dimensions, including road right-of-way & building setback lines  
foot print of building(s), including dimensions & square footage  
all easements, protective walls, sidewalks & existing trees  
any significant topographic features (existing or proposed)  
parking layout, including type of surface material, sizes of spaces & aisles  
method used in calculating parking requirement  
location of light standards servicing parking lot & cutout showing type & height  
location of trash receptacle, including description of screening  
location of signs

**Detailed Landscape Plan including:**

listing or labeling of all planted materials as to type and size  
areas to be fully irrigated  
percentage of landscaping provided (15% of total site required)

**Building Elevation Plan depicting:**

architectural quality  
wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)  
all visible rooftop mechanical equipment and how they will be screened

**General Floor Plan showing:**

floor layout  
entrances & exits  
restaurants are required to illustrate seating arrangement & capacity  
one (1) set of reduced plans (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us

**Legal Description** of the property to be considered (Clearly Printed)

three (3) completed application forms & **three (3)** sets of full-size drawings

**RECEIVED**  
SEP 17 2021  
CITY OF LIVONIA  
PLANNING COMMISSION

**You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.**

| <b>FEE COMPUTATION</b>                                        |    | <b>\$600.00</b> |
|---------------------------------------------------------------|----|-----------------|
| _____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft. |    |                 |
| (NOTE: Round off to nearest 1,000)                            | +  |                 |
| Total Amount Due                                              | \$ |                 |

Owner of Property: Jensam Perry Investments

Owner's Address: 115 W. Brown St City: Birmingham State: MI Zip Code: 48009

Owner's Phone # 248, 649-6320 Owner's Email \_\_\_\_\_

Signature of Owner: [Signature] Print Name: Arthur Nyman

Subscribed and sworn to before me, a Notary Public in and for the County of Macomb State of Michigan

on this 13<sup>th</sup> day of September 20 21

Signature of Notary [Signature] My commission expires July 25, 2022

Acting in the County of Oakland

**Natalie Jackman**  
Business Specialist  
Great Lakes Region

**Airgas USA, LLC**  
G-5075 N Dort Hwy  
Flint, MI 48505

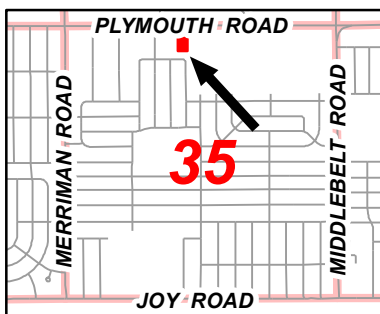
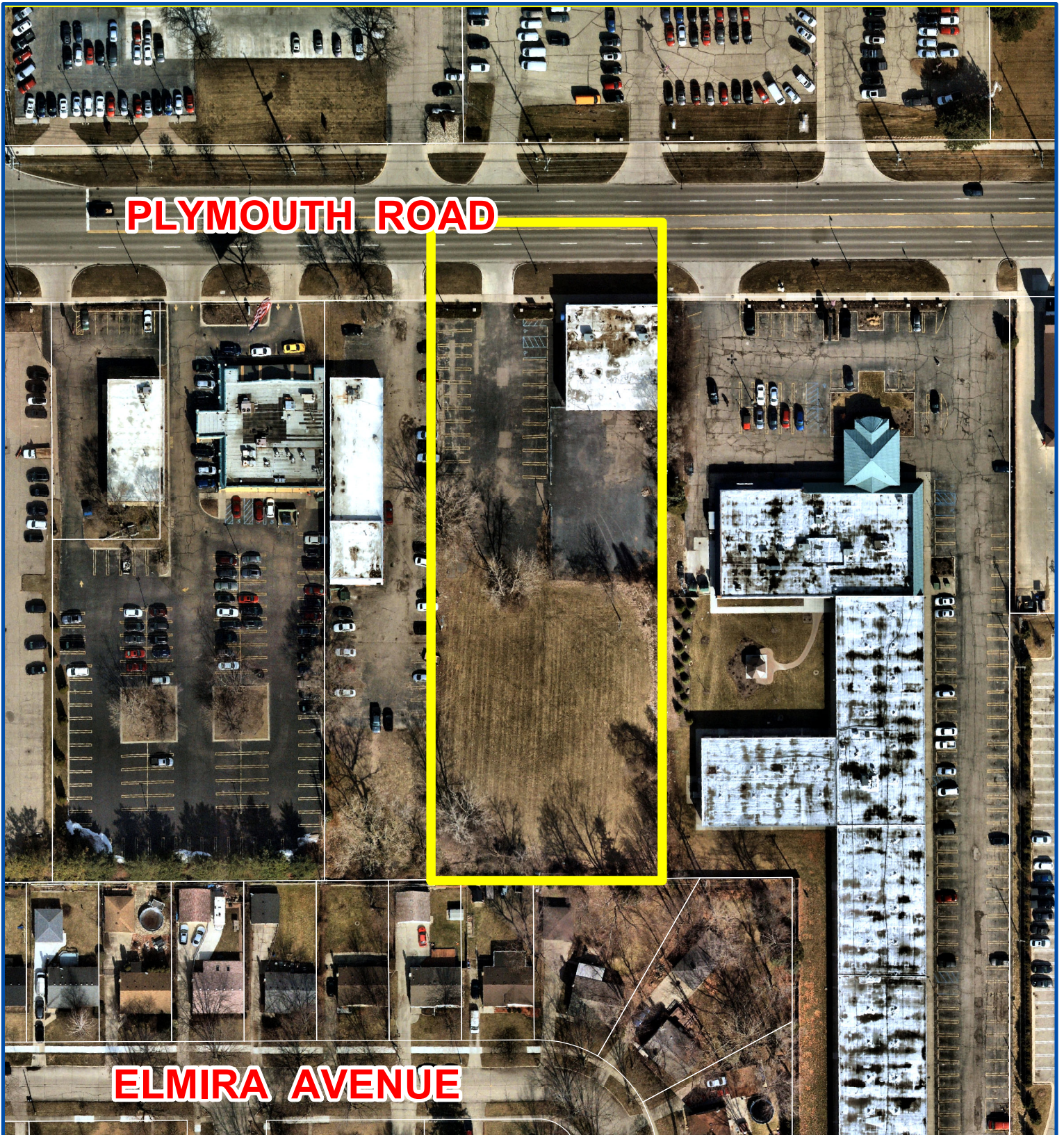
810-785-2322  
Cell: 810-730-4805  
Email: [natalie.jackman@airgas.com](mailto:natalie.jackman@airgas.com)  
Airgas.com

**Airgas**

GASES, WELDING & SAFETY PRODUCTS







## Aerial Map

Petition 2021-09-02-17

Airgas USA L.L.C.

30441 Plymouth Road

to develop and operate an outdoor storage yard



Not to Scale



City of Livonia  
Planning Department



## PLANNING COMMISSION STAFF NOTES

### PUBLIC HEARING

#### ITEM 2

**Petition 2021-09-02-17 submitted by Airgas USA L.L.C.** requesting waiver use approval pursuant to Section 6.42 of the Livonia Vision 21 Zoning Ordinance, to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road, located on the S side of Plymouth Road between Middlebelt and Merriman Roads in the Northwest  $\frac{1}{4}$  of Section 35.

#### **October 12, 2021: Study Meeting:**

This petition is a request for waiver use approval to develop and operate an outdoor storage yard for gas cylinders on property located on the south side of Plymouth Road between Middlebelt and Merriman Roads. This building was most recently occupied by Viscount Pools, who vacated the building in April of 2019. The subject property measures approximately 172 feet along Plymouth Road by a depth of 414 feet and has a total land area of 71,328 square feet, or 1.64 acres. The front part of the site contains an existing one-story, 5,952 square foot commercial building and an asphalt paved parking lot. Directly behind the building is an unstriped asphalt paved area enclosed by an existing fence. This fenced-in area is where the proposed outdoor storage would take place. The remaining back section of the property is undeveloped and consists primarily of natural vegetation. The subject site is zoned C-2, General Business. Open air business uses, sales and display require waiver use approval under the provisions set forth in Section 6.42 of the Zoning Ordinance.

East, west and north of the subject property are commercial uses that front along Plymouth Road, zoned C-2. Abutting the property to the south are residential homes that are part of the Devonshire Park Subdivision, zoned N1, Neighborhood.

The existing fenced-in area measures approximately 129 feet by 86 feet for a total land area of 11,094 square feet. Although a note on the plan indicates that "all cylinders are high pressure non-flammable," the submitted Site Plan also shows that the yard would be used to store a variety of gas cylinders, including oxygen, nitrogen, carbon dioxide, and propane. The cylinders would be grouped according to the various types of gas. The distance between the outdoor storage yard and the adjacent residential zone is approximately 225 feet. On the commercial side of where the two (2) districts abut one another, the subject property contains trees, shrubs and other vegetation that acts as a visual screen. A masonry screen wall does not exist. Instead, the adjoining residential properties contain fences.

One of the special waiver use requirements pertaining to this use is that the entire storage area be enclosed with either a six foot (6') cyclone fence or a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such display area, with only such openings therein as may be necessary for ingress and egress. The entire storage yard is currently enclosed by a six-foot (6') high chain link fence. An on-site inspection showed that there is barbed wire along sections of the fencing. Chapter 15.44.070 of the City's Code of Ordinances prohibits barbed wire on commercial property that abuts any residential district. Ingress or egress to the fenced-in area is provided by a gate system installed within the western section of the fencing.

Another special waiver use requirement pertaining to this type of use requires that adequate lighting facilities be provided and so arranged away from streets and residential uses adjacent to the area. The Petitioner has submitted pictures showing the existing lights on the building that would provide security lighting for the area behind the building. They appear to be LED flood light wall packs.

The submitted floor plan for the facility shows an interior layout that would include a large sales area, workstations, a manager's office, a customer service area, parts and stock rooms, a staff lounge and restrooms. Vehicular access to the site is provided by a single driveway off Plymouth Road.

Required parking is computed based on a ratio of one (1) parking space for each 150 square feet of usable floor area of the building devoted to retail sales, plus one (1) parking space for each 200 square feet of floor area devoted to general office use. With the useable floor area of the building measuring approximately 4,800 square feet, and the space generally demised evenly between retail sales and office functions, this business requires at least twenty-eight (28) parking spaces. The site plan shows thirty (30) available parking spaces resulting in a surplus of two (2) spaces.

The site plan shows a trash dumpster within the fenced-in area behind the building. The dumpster appears not be within an enclosure and just sitting out in the open. Section 10.03 of the Zoning Ordinance requires that all garbage, refuse, and recycling must be completely screened utilizing an enclosure. It is also not known how trash pickup would be handled since the dumpster is within the fenced-in area.

No exterior building modifications are shown. Under the sign regulations for buildings in a C-1 zoning district, the proposed use is allowed a single wall sign at seventy-four (74) square feet in sign area. The site is not allowed a ground sign because the existing building is deficient in front yard setback.

**October 19, 2021: Public Hearing:**

A revised site plan has been submitted which shows a dumpster enclosure located in the southwest corner of the parking lot. The design shows block panels mounted between concrete posts where only the posts would have footings; however, the City requires full, continuous footings on all sides where masonry is used. Staff revisited the site and confirmed that the existing chain link fence along the south side of the outdoor storage yard should be replaced with a rigid privacy/obscuring fence (i.e., vinyl) in order to shield the area from view of the residences. It is not certain whether a privacy fence could extend partially along the west side of the yard since this area contains a large gate that is affixed to and runs parallel to the existing chain link fence.

At the Study Meeting, staff was asked to research any past use of the outside storage area. A review of past aerial photos dating back to the mid-1990's shows that the area was used by previous occupants of the building only sparingly for outside storage. Items appear to have included commercial vehicles, containers, and equipment/material in about ¼ of the yard.

**Approving Resolution:** That the request to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road, is hereby approved, subject to City Council approval, for the following reasons:

1. That the Site Plan, labeled Sheet No. SP1.01, dated October 8, 2021, as revised, prepared by Scott Monchnik & Associates, Inc., is hereby approved and shall be adhered to.
2. That all outside storage of gas cylinders shall be restricted to the confined area behind the building, as shown on the approved site plan. Storage within this area shall be limited to properly secured gas cylinders and no more than two (2) vehicles. Any changes in the location and extent of the outdoor storage yard shall first be approved by the Planning Commission.
3. That a six (6) foot-high vinyl privacy fence shall replace the existing chain link fence along the south side of the outdoor storage yard to help shield the materials and activities from the adjacent residences.
4. That there shall be no outdoor storage of disabled or inoperative equipment and vehicles, scrap material, debris or other similar items either within or outside of the designated storage area.
5. All storage of gas products onsite must meet all applicable fire codes as required by the City of Livonia Fire Marshal.
6. That the hours of operation of this business shall be limited as follows: Mondays through Fridays, 7:30 a.m. to 6:00 p.m., and Saturdays, 9:00 a.m. to 5:00 p.m.
7. That a building permit shall be required for the dumpster enclosure which shall contain full, continuous footings and shall be constructed of building materials that complement the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass.
8. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
9. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
10. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

## PUBLIC HEARING

### ITEM 2     Petition 2021-09-02-17 – Airgas USA

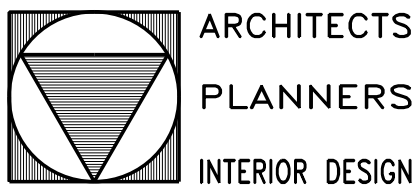
Page 4

11. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

**Denying Reasons:** That the request to develop and operate an outdoor storage yard for gas cylinders at 30441 Plymouth Road 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 1.02 and 13.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the proposed development would have a detrimental effect upon the neighboring properties.
3. That the proposal creates significant adverse impacts on adjoining parcels and public services.
4. This use would be too close to a residential district and causes safety problems on the neighborhoods, and.
5. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.





**SCOTT MONCHNIK  
& ASSOCIATES, INC.**  
1700 STUTZ DRIVE  
SUITE 104-B  
TROY, MICHIGAN  
48084  
TEL: 248-654-1010  
FAX: 248-654-3002  
SCOTT@SMAARCH.COM

SITE PLAN –GENERAL NOTES:

ZONED: C-2 GENERAL BUSINESS  
ADJACENT ZONING: NORTH = C-2  
EAST = C-2  
SOUTH = N-1  
WEST = C-2

- |                                       |          |          |
|---------------------------------------|----------|----------|
| 1. BUILDING SETBACKS:                 | REQUIRED | PROVIDED |
| FRONT                                 | 60'      | 0'       |
| INTERIOR SIDE YARD                    |          |          |
| EAST SIDE                             | 0'       | 0'       |
| WEST SIDE                             | 0'       | 97'      |
| REAR                                  | 15' *    | 335'     |
| * = ADJACENT TO RESIDENTIAL REAR YARD |          |          |
2. BUILDING HEIGHT: 35' 2 STORY 18'-8" 1 STORY
3. LOT SIZE 4,000 SF MIN 5,952 SF
4. SIGNAGE: SIGNAGE WILL BE ISSUED FOR APPROVAL SEPARATELY.
5. REAR YARD, C-2 ADJACENT TO N-1 REQUIRES PROTECTIVE WALL OR GREENBELT. GREENBELT PROVIDED
6. LANDSCAPING REQUIRED = MIN. OF 15%  
LANDSCAPING PROVIDED = 52% LOT COVERAGE

PROJECT DESCRIPTION

EXISTING RETAIL SPACE BEING REMODELED INTO A NEW RETAIL SPACE.

LAND – BUILDING – PARKING DATA

LAND AREA +/-71,328 SQ. FT. GROSS = +/-1.64 ACRES

BUILDING AREA

TOTAL BUILDING AREA = 5,952 SFG

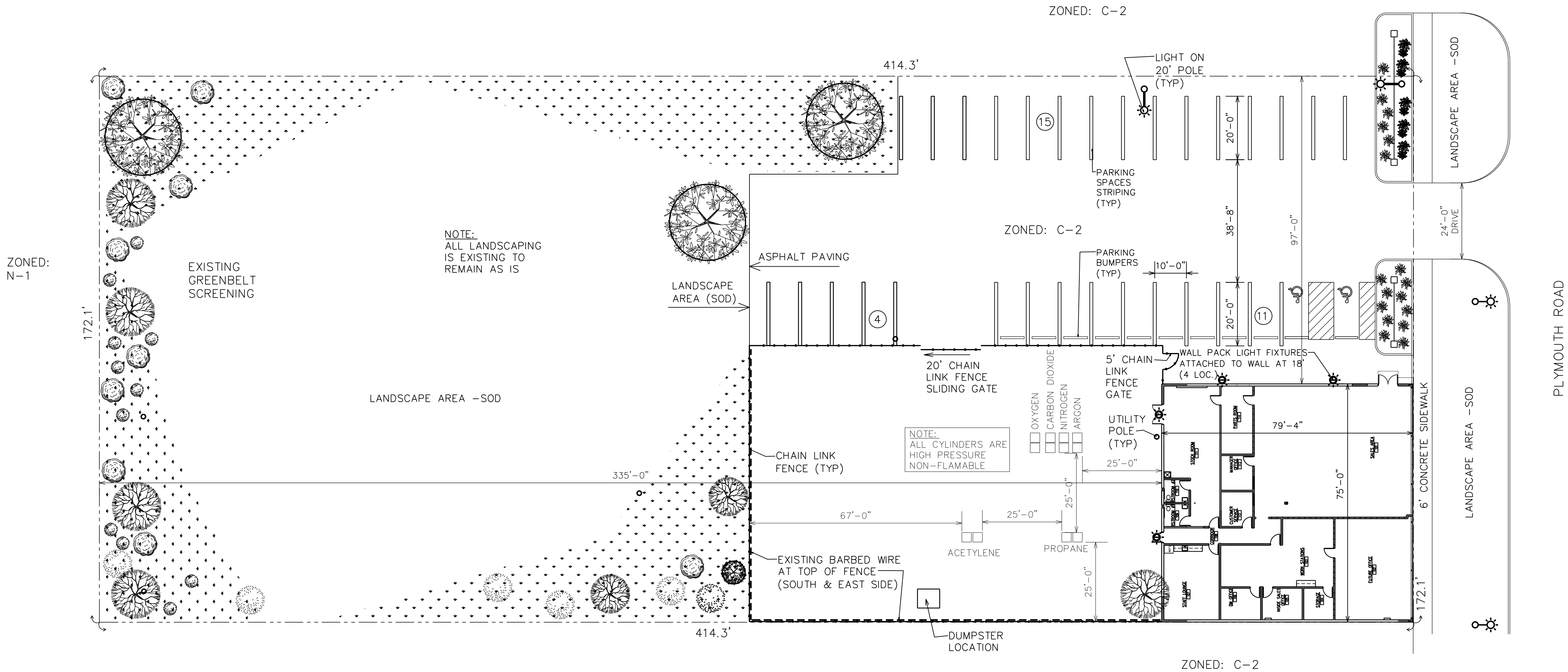
PARKING DATA

PARKING REQUIRED

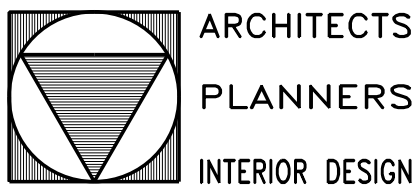
RETAIL (1 SPACE / 150 SFG)  
5,952 SFG / 150 SFG = 40 SPACES

PROVIDED PARKING

TOTAL PARKING PROVIDED = 30 SPACES  
(INCLUDES 2 BARRIER FREE SPACES)







SCOTT MONCHNIK  
& ASSOCIATES, INC.

1700 STUTZ DRIVE  
SUITE 104-B  
TROY, MICHIGAN  
48084

TEL: 248-654-1010  
FAX: 248-654-3002  
SCOTT@SMAARCH.COM

PROJECT DESCRIPTION

EXISTING RETAIL SPACE BEING REMODELED INTO A NEW RETAIL SPACE.

CODE ANALYSIS

REVIEW CODE 2015 MICHIGAN BUILDING CODE  
2015 MICHIGAN MECHANICAL CODE  
2015 MICHIGAN PLUMBING CODE  
2017 NEC CODE WITH MICH. AMENDMENT  
2009 ICC/ANCI A117.1

USE GROUP "M" MERCANTILE  
TYPE OF CONSTRUCTION TYPE II-B

OCCUPANCY LOAD  
MERCANTILE (1/60) 2272 SF /60 = 38 OCCUPANTS  
BUSINESS (1/100) 2514 SF /100 = 25 OCCUPANTS  
STOCK ROOM (1/300) 911 SF /300 = 1 OCCUPANT  
TOTAL = 64 OCCUPANTS

EXIT ACCESS 2 EXITS REQUIRED  
2 EXITS PROVIDED

EGRESS WIDTH PER OCCUPANT 64 OCCUP. x 0.2" = 12.8" REQUIRED  
68" PROVIDED

SPRINKLER SYSTEM SPRINKLER SYSTEM IS NOT PROVIDED

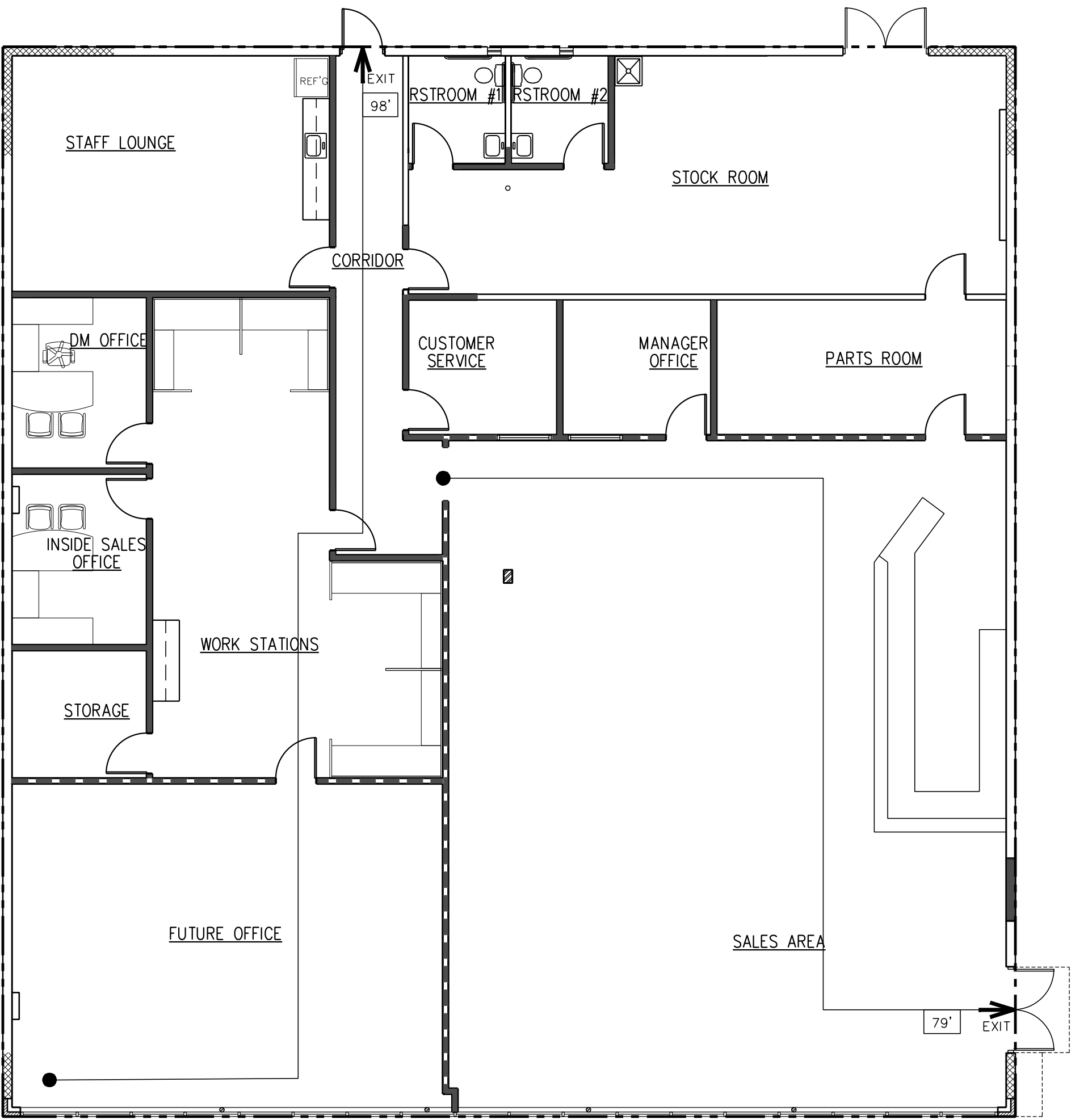
DISTANCE TRAVEL 200' MAX. DISTANCE TRAVEL ALLOWED.  
98' LONGEST DISTANCE OF TRAVEL TO AN EXIT

PLUMBING FIXTURES REQUIREMENTS: TOTAL OCCUPANCY = 64  
REQUIRED PROVIDED

TOILETS (1 PER 500 OCC)  
MEN (32 OCC) 1 1  
WOMEN (32 OCC) 1 1

LAV (1 PER 750 OCC)  
MEN (32 OCC) 1 1  
WOMEN (32 OCC) 1 1

SLOP SINK 1 1



FLOOR PLAN

1/8"=1'-0"

AIRGAS  
30441 PLYMOUTH ROAD  
LIVONIA, MICHIGAN

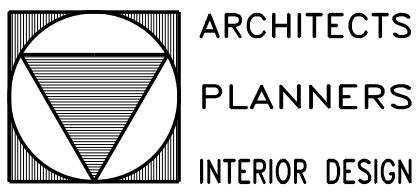
ISSUED FOR:  
15 SEPT 2021  
SITE PLAN  
APPROVAL

SHEET# SP1.02

DATE: 15 SEPT 21

JOB# 21003





**SCOTT MONCHNIK  
& ASSOCIATES, INC.**

1700 STUTZ DRIVE  
SUITE 104-B  
TROY, MICHIGAN  
48084

TEL: 248-654-1010  
FAX: 248-654-3002  
SCOTT@SMAARCH.COM



WEST ELEVATION  
NO SCALE



EAST ELEVATION  
NO SCALE



SOUTH ELEVATION  
NO SCALE



NORTH ELEVATION  
NO SCALE

**AIRGAS**  
30441 PLYMOUTH ROAD  
LIVONIA, MICHIGAN

ISSUED FOR:  
15 SEPT 2021  
SITE PLAN  
APPROVAL





**FULL  
INDUSTRIAL  
GAS**





FULL FOOD  
GRADE  
PRODUCT  
248-643-350



ALLIED METALS

FULL  
INDUSTRIAL  
GAS





TALS

FULL  
ACETYLENE

⚠ DANGER

No smoking.

FULL  
ACETYLENE

EMPTY  
CYLINDERS







FULL FOOD  
GRADE  
PRODUCT

240-364-3850





These pictures show lighting that is currently in place on the outside of our building located at 30441 Plymouth Rd.



**Mike Miller** | Safety Manager – Great Lakes | **Airgas**, an Air Liquide company

574-218-4533 | [Mike.Miller@Airgas.com](mailto:Mike.Miller@Airgas.com)

# CORRESPONDENCE



DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.  
CITY ENGINEER

DAVID W. LEAR, P.E.  
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN  
MAYOR

DONALD R ROHRAFF  
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48150  
(734) 466-2571  
FAX: (734) 466-2195

September 21, 2021

Mr. Scott Miller  
Planner IV  
City of Livonia

**Re: Petition 2021-09-02-17 – 30441 Plymouth Road**

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the address of **#36163 Plymouth Road**.

The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems.

It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation (MDOT), should any work occur within the Plymouth Road right-of-way.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at [dlear@livonia.gov](mailto:dlear@livonia.gov) or [tzilincik@livonia.gov](mailto:tzilincik@livonia.gov).

Sincerely,



David W. Lear, P.E.  
Assistant City Engineer

cc: 2021 Petition File

DEPARTMENT OF PUBLIC SAFETY  
LIVONIA FIRE & RESCUE

DAVE HEAVENER  
FIRE CHIEF



DENNIS K. WRIGHT  
MAYOR

14910 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5419  
734-466-2444  
734-466-2082 fax

**DATE:** September 30<sup>th</sup>, 2021  
**TO:** Scott O. Miller, Planner IV  
**FROM:** Livonia Fire Prevention Division  
**SUBJECT:** **Petition 2021-09-02-17, 30441 Plymouth Rd. Airgas U.S.A.**

This office has reviewed the site plan submitted in connection with 30441 Plymouth Rd.

We have no objections to this proposal with the following stipulations:

- Provide a "Knox Box" (fire department after-hour key box) affixed to the address side of the structure that contains a master key for the building as well as keys to the rear fenced in storage area.

Code reference: 2015 IFC 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

All storage of gas products onsite must meet all applicable NFPA and IFC standards.

Note: This has been addressed and agreed upon by ownership.

Sincerely,

*Greg Thomas*

Greg Thomas  
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF POLICE

CURTIS CAID  
CHIEF OF POLICE

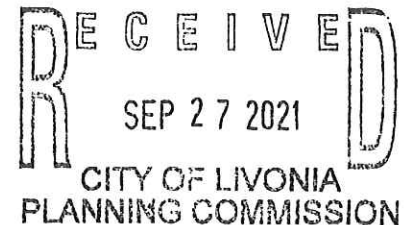


MAUREEN MILLER BROSNAN  
MAYOR

15050 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5499  
(734) 466-2470  
FAX: (734) 261-2265

September 23, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154



Petition 2021-09-02-17 - 30441 Plymouth Road

Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have the following concerns to the proposals.

From a public safety perspective, I have concerns with the storage of gas cylinders in close proximity to the residents that back up to the petitioner's property. Will there be stipulations in place as to how far the gas cylinders need to be kept away from the residential area? In the event of a fire or accident is the safety of the neighboring residents going to be in jeopardy? Perhaps an explosive expert should be consulted or Livonia Fire Department Hazardous Material specialist be consulted regarding the possible dangers.

Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE

 #543  
Scott Sczepanski, Sergeant  
Traffic Bureau  
(734) 466-2107



**INSPECTION DEPARTMENT**

BUILDING  
HEATING  
PLUMBING  
ELECTRICAL  
ZONING  
SANITATION  
ENVIRONMENTAL PROTECTION  
ORDINANCE ENFORCEMENT



**MAUREEN MILLER BROSNAN**  
MAYOR

**JEROME A. HANNA**  
DIRECTOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2580  
FAX: (734) 466-2095

Date: October 12, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-09-02-17 – 30441 Plymouth Road

Pursuant to your request, the above referenced Petition has been reviewed.

1. There is a portion of the existing fence that is in poor condition and installed against another fence. The double fence should be removed and any dilapidated fencing shall be repaired or replaced.

This Department has no further objections to this Petition.

I trust this provides the requested information.

*Jerome Hanna*

Jerome Hanna  
Director of Inspection

DEPARTMENT OF FINANCE

**Michael T. Slater**  
DIRECTOR OF FINANCE

**Connie Kumpula**  
CHIEF ACCOUNTANT



**MAUREEN MILLER BROSNAN**  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807

September 23, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2021-09-02-17 - 30441 Plymouth Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula  
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

September 29, 2021

Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2021-09-02-17

30441 Plymouth Road

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are no taxes due, therefore I have no objections to the proposal.

Sincerely,

A handwritten signature in blue ink that reads "Lynda L. Scheel". The signature is written in a cursive style and is positioned above a horizontal line.

Lynda L. Scheel  
Treasurer, City of Livonia



**OTHER ITEMS  
RELATED TO THE  
PETITION**

# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,177<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, October 19, 2021, the City Planning Commission of the City of Livonia held its 1,177<sup>th</sup> Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:   David Bongero           Glen Long                   Betsy McCue  
                              Carol Smiley           Peter Ventura               Ian Wilshaw

Members absent:   Betsy McCue, Sam Caramagno

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #2   PETITION 2021-09-02-17**

**Airgas USA, L.L.C.**

Ms. Smiley, Acting Secretary, announced the next item on the agenda, Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting waiver use approval pursuant to Section 6.42 of the Livonia Vision 21 Zoning Ordinance, to develop and operate an outdoor storage yard for cylinders containing industrial, medical and specialty gases at 30441 Plymouth Road, located on the south side of Plymouth Road between Middle Belt and Merriman Roads in the Northwest ¼ of Section 35.

Mr. Taormina: This is a request by Airgas USA to operate an outdoor storage yard for gas cylinders. This property is on the south side of Plymouth Road between Middle Belt and Merriman. This map shows the zoning of the site and the surrounding area. The property is roughly 1.64 acres in area. It has 172 feet of frontage on Plymouth Road and a depth of 414 feet. The zoning, as you can see, is C-2 (General Business). The building on this property was most recently occupied by Viscount Pools. The front of the site contains a one-story, roughly 6,000 square foot, commercial building. Directly behind this building is an unstriped asphalt paved area that is enclosed by an existing fence. It is within this fenced in area where the petitioner would like to have their outdoor storage take place. The remaining back section of the property, as you can see from the aerial photograph, is undeveloped and consists primarily of natural vegetation. To the east, west, and north are commercial uses that front along Plymouth Road. To the south there are single-family homes. The proposed outdoor storage yard measures roughly 11,094 square feet. It has dimensions of 129 feet by 86 feet. The area would be used to store a variety of gas cylinders. The gas cylinders would include oxygen, nitrogen, carbon dioxide, argon, propane, and acetylene, of which are all noted on the plan. Vehicle access from the parking lot is provided via a sliding gate that is located on the west side of the storage area. The undeveloped portion of the site backs up to the single-family residences. The distance between the storage yard and the adjacent residential district is roughly 225 feet. Along the south property line the site contains trees, shrubs, and other vegetation. There is not a masonry screen wall. Instead, the adjoining residential properties contain a variety of fences. For commercial outside storage, the zoning ordinance requires that all such areas be enclosed with a six-foot high cyclone fence or other suitable means. Portions of the existing fence contain barbed wire, which is prohibited, and the petitioner has agreed to remove. Staff also recommends that the cyclone fence along the south side of this storage area be replaced with six-foot high vinyl privacy fence. In terms of lighting, the storage area would be illuminated at night using LED wall packs mounted on the south side of the building. They are shown here in these photographs. The floor plan shows a large sales area, workstations, manager office, customer service area, parts and stock room, staff lounge, and restrooms. Only about one-fourth of the building would be used for customer display and sales. For that reason, it only requires 28 parking spaces, and the site provides 30 parking spaces. Parking is adequate. The latest plan shows



the dumpster location here in the southwest corner of the parking lot. The details, unfortunately, show partial footings for the enclosure. We have confirmed with the Inspection Department that they will require full depth continuous footings for the three sides of the enclosure that contain masonry, which is something that would be handled at the time of permitting, but we have included that in the prepared approving resolution. There are no other building modifications shown. For signage, they are allowed one wall sign not to exceed 74 square feet in area on the north side of the building that faces Plymouth Road. A permit has been pulled from a sign contractor to install a 69 square foot sign. We do note, however, that a second sign has been placed on the west side of the building that is painted on the wall. The Department doesn't necessarily object to second sign, but it cannot be painted on the building. That will have to be removed and any new wall sign on that side of the building will have to be approved by the Zoning Board of Appeals. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated September 21, 2021, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the address of #36163 Plymouth Road. The existing building is currently serviced by public water main and sanitary sewer, as well as private storm sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems. It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation (MOOT), should any work occur within the Plymouth Road right-of-way."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated September 30, 2021, which reads as follows: *"This office has reviewed the site plan submitted in connection with 30441 Plymouth Rd. We have no objections to this proposal with the following stipulations: Provide a "Knox Box" (fire department after-hour key box) affixed to the address side of the structure that contains a master key for the building as well as keys to the rear fenced in storage area. Code reference: 2015 IFC 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings*

*or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. All storage of gas products onsite must meet all applicable NFPA and IFC standards. Note: This has been addressed and agreed upon by ownership."* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated September 23, 2021, which reads as follows: *"I have reviewed the plans in connection with the petitions. I have the following concerns to the proposals. From a public safety perspective, I have concerns with the storage of gas cylinders in close proximity to the residents that back up to the petitioner's property. Will there be stipulations in place as to how far the gas cylinders need to be kept away from the residential area? In the event of a fire or accident is the safety of the neighboring residents going to be in jeopardy? Perhaps an explosive expert should be consulted or Livonia Fire Department Hazardous Material specialist be consulted regarding the possible dangers."* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated October 12, 2021, which reads as follows: *"Pursuant to your request, the above referenced Petition has been reviewed. There is a portion of the existing fence that is in poor condition and installed against another fence. The double fence should be removed and any dilapidated fencing shall be repaired or replaced. This Department has no further objections to this Petition."* The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated September 23, 2021, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated September 29, 2021, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are no taxes due, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director?

- Ms. Smiley: They are already operational, correct?
- Mr. Taormina: Airgas does occupy the building. That is correct. With a very limited use of the rear storage area.
- Ms. Smiley: Thank you.
- Mr. Wilshaw: Mr. Ventura.
- Mr. Ventura: Mr. Taormina, in the write-up here,...I am have a problem navigating here...I can't find it, but in here it says somewhere that the cylinders are non-flammable.
- Mr. Taormina: Yeah, I think that was a...
- Mr. Ventura: So, that is the cylinders themselves, but not the contents?
- Mr. Wilshaw: Right. The cylinders are not flammable, but the things in them may be flammable.
- Mr. Ventura: Right. So, we do have flammable and/or explosive gases in cylinders outside the building?
- Mr. Taormina: Yes, I would think propane would qualify.
- Mr. Ventura: I was just making sure.
- Mr. Wilshaw: That is a good point to make. I think there is a combination, as we discussed at the study meeting...we will talk to the petitioner when they come up. There was a combination of non-flammable gases, oxygen and other items and then also some flammable gases, the acetylene.
- Mr. Taormina: I believe the Fire Marshal has full knowledge of all the types of materials that will be stored there.
- Mr. Ventura: It's in there.
- Mr. Wilshaw: I think there was some kind of requirement that they keep them separated as well, the flammable and the non-flammable sections if I recall in the plan. Any other questions for our planning staff? If not, our petition is in the audience. You are welcome to come forward and introduce yourselves. Good evening.



## **UNAPPROVED MINUTES**

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Natalie Jackman, 30441 Plymouth Road, Livonia, MI. We are excited to have moved into the City of Livonia and are in operation there. We relocated from the downtown Plymouth area and are happy to be on Plymouth Road in a much higher traffic area. I am accompanied by Michael Paul, our VP of Safety and Compliance, and Michael Miler, our local safety manager. I hope they can address some of your concerns regarding safety and questions regarding the gases. We are requesting the waiver-use approval to store our high-pressure cylinders inside the fenced in area. We are willing to accommodate the fencing requirement of privacy fence along the back, as well as removal of the barbed wire and installation of the dumpster enclosure with the required footings. We have years of experience and training for our associates to keep ourselves and the public safe. We are happy to address any of your questions.

Mr. Wilshaw: Thank you, Ms. Jackman. Unfortunately, I am sure you saw the audience and you thought they were all for you, but they all left.

Ms. Jackman: Relieved to see that they are not.

Mr. Wilshaw: It is going to be a pretty quiet crowd here. Are there any questions for our petitioner?

Ms. Smiley: Did you hear what they said about the sign on the side of the building?

Ms. Jackman: I did. It was painted on. I did not realize that was not allowed by the city. We were actually thinking about developing that wall into a mural if it is also allowed. We will have it painted over and request additional signage on the side of the building.

Ms. Smiley: Great. Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. There are some council members I believe that like murals, so that may be an option when you get to City Council.

Mr. Taormina: We will save that for another day.

Mr. Bongero: I just had something to add. I went around and drove around to some of your competitors to see what they are doing. They all store in an outside...in an enclosed...a fenced in...you have a lot bigger rear yard than all of them that I saw. Most of them have a lot smaller area and all the tanks were condensed. It seems like you have a lot of room. It is a nice set up.

Ms. Jackman: Correct. We have plenty of space to separate them even further. Our requirement on the flammables to keep them away from the high-pressure cylinders is 25 feet on all sides, but we can absolutely move them further if need be, we definitely have the space.

Mr. Bongero: Nice feature, yeah. Thanks.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions or comments from our commissioners? If not, is there anybody in the audience that wishes to speak for or against this item? I don't think so. Ms. Jackman, is there anything else you would like to say before we make our decision?

Ms. Jackman: Nope. Thank you for your time.

Mr. Wilshaw: Thank you for being here. With that I will close the public hearing and a motion would be in order.

On a motion by Long, seconded by Bongero, and unanimously adopted, it was

**#10-54-2021** **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on October 19, 2021, on Petition 2021-09-02-17 submitted by Airgas USA L.L.C. requesting waiver use approval pursuant to Section 6.42 of the Livonia Vision 21 Zoning Ordinance, to develop and operate an outdoor storage yard for cylinders containing industrial, medical and specialty gases at 30441 Plymouth Road, located on the south side of Plymouth Road between Middle Belt and Merriman Roads in the Northwest ¼ of Section 35, the Planning Commission does hereby recommend to the City Council that Petition 2021-09-02-17 be approved subject to the following conditions:

1. That the Site Plan, labeled Sheet No. SP1.01, dated October 8, 2021, as revised, prepared by Scott Monchnik & Associates, Inc., is hereby approved and shall be adhered to.
2. That all outside storage of gas cylinders shall be restricted to the confined area behind the building, as shown on the approved site plan. Storage within this area shall be limited to properly secured gas cylinders and no more than two (2) vehicles. Any changes in the location and extent of

the outdoor storage yard shall first be approved by the Planning Commission.

3. That a six (6) foot-high vinyl privacy fence shall replace the existing chain link fence along the south side of the outdoor storage yard to help shield the materials and activities from the adjacent residences.
4. That there shall be no outdoor storage of disabled or inoperative equipment and vehicles, scrap material, debris or other similar items either within or outside of the designated storage area.
5. All storage of gas products onsite must meet all applicable fire codes as required by the City of Livonia Fire Marshal.
6. That the hours of operation of this business shall be limited as follows: Mondays through Fridays, 7:30 a.m. to 6:00 p.m., and Saturdays, 9:00 a.m. to 5:00 p.m.
7. That a building permit shall be required for the dumpster enclosure which shall contain full, continuous footings and shall be constructed of building materials that complement the building. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass.
8. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
9. That the existing painted wall sign on the west elevation of the building shall be removed and the wall returned to a condition satisfactory to the Inspection Department. That the petitioner shall have the option of requesting approval of a wall-mounted sign on this elevation, subject to variance(s) being granted by the Zoning Board of Appeals for excess sign area and excess number of wall signs on the building.
10. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.



11. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

12. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

***FURTHER RESOLVED***, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of the Livonia Vision 21 Zoning Ordinance.

Mr. Wilshaw: Is there any discussion?

Mr. Taormina: If the maker of the motion would allow the staff to draft the appropriate condition regarding the removal of the sign on the west elevation of the building.

Mr. Long: So added.

Mr. Taormina: Thank you.

Mr. Wilshaw: And the supporter is okay with that as well?

Mr. Bongero: Yes, absolutely.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

11

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

13. PROPOSED 2022 CITY COUNCIL MEETING SCHEDULE: City Council President Kathleen E. McIntyre, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

President McIntyre presented this request to Council. She stated the proposed 2022 meeting schedule comes to Council from her, the Council President, in accordance with the provisions of the Open Meetings Act of 1976, Public Act 267 as amended. And I made a few suggestions and solicited input from all of my colleagues before Sara finalized the schedule.

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

|            |           |         |
|------------|-----------|---------|
| DIRECTION: | APPROVING | CONSENT |
|------------|-----------|---------|



## LETTER TO THE LIVONIA CITY COUNCIL

13.

**Council Office  
September 8, 2021**

### MEETING DATE

November 8, 2021

### PREPARED BY

Sara Kasprowicz, Council Office Manager

### AGENDA ITEM

PROPOSED 2022 CITY COUNCIL MEETING SCHEDULE: City Council President Kathleen E. McIntyre, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

### BACKGROUND

October 19, 2021

Honorable Members of the City Council  
City of Livonia, MI 48154

SUBJECT: PROPOSED 2022 CITY COUNCIL MEETING SCHEDULE

Dear City Councilmembers,

In accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended, attached is the proposed City Council Meeting Schedule for calendar year 2022.

An approving resolution is being requested.

Thank you.

Respectfully submitted,

Kathleen E. McIntyre  
City Council President

### RECOMMENDATION

To respectfully approve the 2022 City Council calendar as submitted.

### FISCAL CONSIDERATION

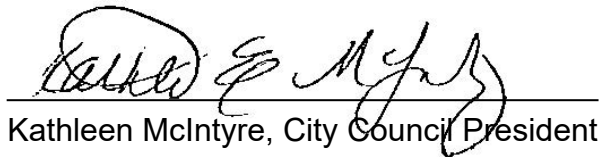
N/A

### ATTACHMENTS



1. 2022 Meeting Schedule

APPROVED BY

  
Kathleen McIntyre, City Council President

Date: November 2, 2021

## **LIVONIA CITY COUNCIL MEETING SCHEDULE – 2022\***

**PLACE:** LIVONIA CITY HALL AUDITORIUM  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154-3097

**TIME:** 7:00 P.M.  
**PHONE:** 734-466-2250

**Regular Meetings will start at 7:00 P.M.**  
**Study Meetings will start at 8:00 P.M. or immediately following the Regular Meeting**

### **STUDY MEETINGS**

**Wednesday**, January 5 (Starting time 8 PM)  
**Wednesday**, January 19

Monday, January 31  
**Wednesday**, February 16

Monday, February 28  
Monday, March 14

**Wednesday**, March 23  
Monday, April 4

Monday, April 18  
Monday, May 2

Monday, May 16  
Monday, June 6

Monday, June 27  
Monday, July 11

Monday, July 25  
Monday, August 8

Monday, August 22  
**Wednesday**, September 7

Monday, September 26  
**Wednesday**, October 5

Monday, October 17  
**Wednesday**, November 2

Monday, November 14  
Monday, December 5

\*Subject to Change with Notice

Adopted on \_\_CR \_\_-21

### **REGULAR MEETINGS**

**Wednesday**, January 19  
Monday, January 31

**Wednesday**, February 16  
Monday, February 28

Monday, March 14  
**Wednesday**, March 23

Monday, April 4  
Monday, April 18

Monday, May 2  
Monday, May 16

Monday, June 6  
Monday, June 27

Monday, July 11  
Monday, July 25

Monday, August 8  
Monday, August 22

**Wednesday**, September 7  
Monday, September 26

**Wednesday**, October 5  
Monday, October 17

**Wednesday**, November 2  
Monday, November 14

Monday, December 5  
**Wednesday**, December 14

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

**12**

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

10. WAIVER PETITION: Planning Commission, re: Petition 2021-08-02-16 submitted by Mellodie Hastings requesting to operate a day care nursery (Kid Venture Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast  $\frac{1}{4}$  of Section 33.

President McIntyre presented the New Data on this item.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a waiver use request for a child day care/nursery. This property is on Farmington Road, it's south of Plymouth Road. It's a former office building that's part of a medical office complex that was known as Orangelawn Professional Center. It's an older building that was constructed in 1963, one of three buildings actually. The Petitioner is looking to repurpose this building as a day care center, it's set up well for that use. The Planning Commission has spent some time with this Applicant rearranging some of the parking and circulation on the site. One aspect of the request that would require modification to one of the special requirements is the size of the play area. Our ordinance requires a minimum size of 5,000 square feet. The State, on the other hand, only requires 1,200 square feet. In this case she's pretty much splitting the difference, she's selling the area that's about 3,000 square feet located behind the building. But again, Council can approve this smaller play area that would require a separate resolution in which five members of Council concur. Parking is adequate on the site. Again, the Planning Commission went over the drop off arrangement for this site. We rearranged the parking and also addressed issues regarding the fencing around the outdoor play area, how traffic is going to be handled. There are no building exterior modifications proposed, really they're going to keep the building as it is. With that, I'll answer any questions that you have.

Councilmember Jolly offered an approving for the Consent Agenda as well as the waiver for the play yard size for the Regular Agenda.

Councilmember Donovic asked how many children can be accommodated here at one time, is there a maximum of 100 kids a day; how does that equation work out?

Taormina replied that determination is made by the State, these would be children ranging in age from infant to a 12-year old. Ms. Hastings may have an update, but I know she's been working with the State to try to fix that number but I'm not sure that that has been accomplished yet.

Donovic said I'm very excited about this project, you're repurposing an old building and bringing it back to life with as many children as they have in terms of trash; how is trash handled here, is it just a trash can that GFL comes and picks up or is it an actual dumpster enclosure outside with the three yard dumpster, etc.

Taormina replied in this particular instance it's going to be curbside only. They do not generate sufficient trash to really require a separate dumpster so I believe the end result was just continue with curbside pick-up.

Donovic asked if there was some kind of signage outside and Taormina replied yes, there's an existing sign if you look at this aerial, this photograph, you can see the existing sign, I'm sure that will just be refaced.

Donovic then asked what kind of security precautions, does the City mandate security precautions on these sorts of developments that age or does the State, how does that work?

Taormina replied I think the State would address certain security issues, but again, Ms. Hastings is here and can probably answer that better than I can.

President McIntyre called the Petitioner to the podium.

Mellodie Hastings, 2380 Stockmeyer Road, Westland, Michigan, came to the podium.

President McIntyre opened the floor for questions for the Petitioner.

Councilmember Donovic welcomed Ms. Hastings to Livonia and thanked her for picking our community and wished her the best of luck on this future project. I have just one other question is the security thing, out of curiosity with Public Safety in our communities, what kind of precautions does your type of business have to take nowadays?

Hastings replied as far as coming in and out the door, the door has to be locked at all times but there will be like a buzzer so that parents or for staff, maybe like a team entrance kind of thing that I'm working on which I would like to choose but definitely have the door locked and have to let them in.

Councilmember Toy asked Hastings if she had run a facility like this before and/or worked at a facility like this and Hastings replied yes. Toy then asked if Hastings holds a degree and Hastings replied I have a CDA.

DIRECTION:

APPROVING

REGULAR





## LETTER TO THE LIVONIA CITY COUNCIL

9.

Planning  
October 19, 2021

### MEETING DATE

October 18, 2021

### PREPARED BY

Stephanie Reece, Program Supervisor,

### AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2021-08-02-16 submitted by Mellodie Hastings requesting to operate a day care nursery (Kid Venture Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.

### BACKGROUND

### RECOMMENDATION

At the 1,176th Public Hearing and Regular Meeting held by the City Planning Commission on September 21, 2021, the following resolution was unanimously adopted:

#09-49-2021 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on September 21, 2021, on Petition 2021-08-02-16 submitted by Mellodie Hastings requesting waiver use approval pursuant to Section 6.13 of the Livonia Vision 21 Zoning Ordinance, to operate a day care nursery (Kid Venture Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33, the Planning Commission does hereby recommend to the City Council that Petition 2021-08-02-16 be approved subject to the following conditions:

1. That the Site Plan, as received by the Planning Commission on September 20, 2021., is hereby approved and shall be adhered to.
2. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
3. That no LED lightband or exposed neon shall be permitted on this site, including but not limited to, the building or around the windows.
4. That the entire outdoor play area shall be surrounded by a vinyl privacy fence.
5. That the existing concrete protective wall along the north property line shall be repaired to the satisfaction of the Inspection Department
6. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.

7. That the parking lot shall be repaired, resealed and restriped to the satisfaction of the Inspection Department.
8. That the hours of operation for this childcare facility shall be limited to 6:00 a.m. to 7:00 p.m.
9. The tenant(s) of this building shall not engage in any form of solicitation for business within the public rights-of-way of Farmington Road.
10. That the Petitioner shall enter into a conditional agreement limiting the waiver to this user only, with the provision to extend this waiver use approval to a new user only upon approval of the new user by the City Council.
11. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
12. Pursuant to Section 13.13 of Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of approval by the City Council, and unless a building permit is obtained, and construction is commenced, this approval shall be null and void at the expiration of said period.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. S101821 New Data (Mellodie Hastings) Item 8 Recd 101521
2. 2021-08-02-16\_Kidventure\_E-COUNCIL Pkt

## APPROVED BY



Mark Taormina, Planning and Economic Development  
Director

Date: September 27,  
2021



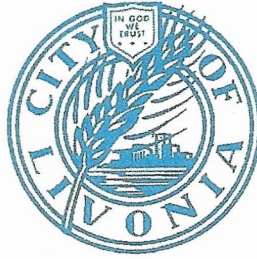
Maureen Miller Brosnan, Mayor

Date: September 30,  
2021

OFFICE OF THE TREASURER

NEW DATA FOR STUDY MEETING  
OF 11/08/2021 - ITEM 10

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

November 5, 2021  
~~October 15, 2021~~

Honorable Members of the City Council  
City of Livonia

Re: November 5, 2021, Study Meeting Item #10  
October 18, 2021 Study Meeting Item #8  
Petition 2021-08-02-16 Kidventure Kid Venture

**NEW: All Past Due Taxes were Paid In Full on November 4, 2021 by e-check.**

The Law Dept has brought to the Treasurer's Office attention that this owner is the same as a current business in Livonia where taxes are outstanding and we had received no response to tax bills and law letter sent to business property and home address. The current property taxes past due are:

Kid Venture (note: in our system different then proposed name above)  
31213 Plymouth Rd Livonia MI

~~2020 Personal Property Taxes \$1,131.93 — 2021 Summer Due \$554.86~~

~~Our office had reached out to her again, letting her know this will be brought up with City Council. Lo and behold, this received a call back. She does not know if/when she can pay, but stated she will get back to us. At this time, where there are outstanding amounts due for Personal Property taxes, and no attempt to contact us to ask what they are, set up a payment plan, etc. I do not recommend moving forward with this proposal.~~

Sincerely,

  
Lynda L. Scheel  
Treasurer, City of Livonia

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

October 15, 2021

Honorable Members of the City Council  
City of Livonia

Re: October 18, 2021 Study Meeting Item #8  
Petition 2021-08-02-16 Kidventure Child Care

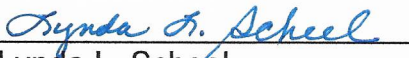
The Law Dept has brought to the Treasurer's Office attention that this owner is the same as a current business in Livonia where taxes are outstanding and we had received no response to tax bills and law letter sent to business property and home address. The current property taxes past due are:

Kid Venture (note: in our system different then proposed name above)  
31213 Plymouth Rd Livonia MI

2020 Personal Property Taxes \$1,131.93      2021 Summer Due \$554.86

Our office had reached out to her again, letting her know this will be brought up with City Council. Lo and behold, this received a call back. She does not know if/when she can pay, but stated she will get back to us. At this time, where there are outstanding amounts due for Personal Property taxes, and no attempt to contact us to ask what they are, set up a payment plan, etc. I do not recommend moving forward with this proposal.

Sincerely,

  
Lynda L. Scheel  
Treasurer, City of Livonia



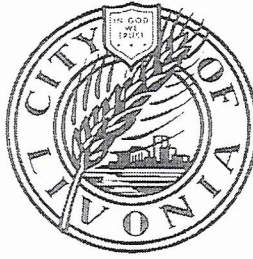
DEPARTMENT OF LAW

**PAUL A. BERNIER**  
City Attorney

**MICHAEL E. FISHER**  
Chief Assistant City Attorney

**ERIC S. GOLDSTEIN**  
Assistant City Attorney

**LEO D. NEVILLE**  
Assistant City Attorney



**MAUREEN MILLER BROSNAN**  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2520  
FAX: (734) 466-2072

October 1, 2021

P-2020-129

Ms. Mellodie Hastings  
c/o KidVenture Child Care Center  
31213 Plymouth Road  
Livonia, MI 48150

Re: Delinquent Personal Property Taxes Owed to the City of Livonia

Dear Ms. Hastings,

As you know, the personal property taxes associated with KidVenture Child Care Center are delinquent in the amount of \$1,686.79. Moreover, because repeated efforts by the Livonia City Treasurer to amicably address this persistent problem have failed, please be advised that if full payment is not made by October 15, 2021, I will recommend that the City immediately commence legal action against you.

If you ignore this letter and the City is compelled to file a complaint or post a warrant of distraint and begin the process of auctioning off your personal property, we will be much less willing to work with you to amicably resolve this matter. If you wish to discuss this matter, please contact Treasurer Lynda Scheel at (734) 466-2244 or Julie Alexander at 734-466-2145.

Sincerely,

A handwritten signature in dark ink, appearing to be "Paul A. Bernier", written over a horizontal line.

Paul A. Bernier  
City Attorney

PAB/bks

cc: City Treasurer

**CITY OF LIVONIA  
DELINQUENT TAX NOTICE**

CITY OF LIVONIA  
TREASURER'S OFFICE  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154  
(734) 466-2145

KIDVENTURE CHILD CARE CENTER  
  
31213 PLYMOUTH  
LIVONIA MI 48150

**PROPERTY INFORMATION**

Property Number: 999 00 2020 129  
School Dist: LIVONIA PUBLIC SCHOOLS  
Property Address:

31213 PLYMOUTH  
LIVONIA MI 48150

LEGAL DESCRIPTION:

PERSONAL PROPERTY

PER THE STATE OF MICHIGAN THIS PERSONAL PROPERTY TAX BILL BECAME A LIEN ON DECEMBER 31 OF THE PROCEEDING YEAR. THIS TAX LIEN EXISTS ON THE PERSONAL PROPERTY AND IS "SUPERIOR AND PARAMOUNT TO ALL OTHER CLAIMS, ENCUMBRANCES AND LIENS." PER THE GENERAL PROPERTY TAX ACT.

**DELINQUENT TAXES DUE**

|          | TOTAL DUE  | TOTAL DUE  | TOTAL DUE  |          |
|----------|------------|------------|------------|----------|
|          | IF PAID BY | IF PAID BY | IF PAID BY |          |
| TAX YEAR | TAX AMT    | 10/31/21   | 11/30/21   | 12/31/21 |
| 2020     | 981.48     | 1,131.93   | 1,141.74   | 1,151.56 |

|       |          |          |          |
|-------|----------|----------|----------|
| TOTAL | 1,131.93 | 1,141.74 | 1,151.56 |
|-------|----------|----------|----------|

**TREASURER'S FORMAL DEMAND FOR PAYMENT**

Your personal property taxes are delinquent. The great majority of businesses in Livonia pay their taxes on time. Paying personal property taxes means we all gain from vital city public services such as police and fire protection and public schools. Please pay promptly to avoid additional interest and penalties. Thank you

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

CITY OF LIVONIA  
TREASURER'S OFFICE  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

Delinquent Tax for Property Number:  
999 00 2020 129

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below. Thank You.

Property Address:  
31213 PLYMOUTH  
LIVONIA MI 48150

|                         |          |
|-------------------------|----------|
| Due if paid by 10/31/21 | 1,131.93 |
| Due if paid by 11/30/21 | 1,141.74 |
| Due if paid by 12/31/21 | 1,151.56 |

Make check payable to:  
CITY OF LIVONIA

Amount Remitted: \_\_\_\_\_

KIDVENTURE CHILD CARE CENTER  
  
31213 PLYMOUTH  
LIVONIA MI 48150

## MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, PLEASE PUT YOUR PROPERTY NUMBER ON THE MEMO LINE OF YOUR CHECK. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

## PAYMENT INFORMATION

This tax is due by: 09/14/2021

Pay by mail to: CITY OF LIVONIA  
TREASURER'S OFFICE  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

\*\*Important information on reverse side\*\*

## PROPERTY INFORMATION

Property Assessed To:  
KID VENTURE CHILD CARE CENTER  
31213 PLYMOUTH  
LIVONIA, MI 48150  
MICH BUS TAX COMM PERSONAL EXEMPTION  
Prop #: 999 00 2020 129 School: LIVONIA PUBLIC  
Prop Addr: 31213 PLYMOUTH  
Legal Description:  
PERSONAL PROPERTY

## TAX DETAIL

Taxable Value: 20,000 COMMERCIAL P  
State Equalized Value: 20,000 Class: 251  
PRE/MBT %: 100.0000 DDA1 (1994)

Sent to: PROPERTY OWNER

| DESCRIPTION      | MILLAGE | AMOUNT |
|------------------|---------|--------|
| SCHOOLCRAFT CC   | 2.27000 | 45.40  |
| WAYNE CNTY OPER  | 5.63470 | 112.69 |
| SCHOOL DEBT      | 2.05000 | 41.00  |
| CNTY ISD SPEC ED | 3.35960 | 67.19  |
| STATE EDUCATION  | 6.00000 | 120.00 |
| SCH SINKING FUND | 0.79300 | 15.86  |
| SCHOOL OPERATING | 3.00000 | 60.00  |
| CNTY ISD OPER    | 0.09620 | 1.92   |
| PLY RD DEVP AUTH | 2.00000 | 40.00  |
| WCRESA ENHANCE   | 1.99620 | 39.92  |

|                         |          |               |
|-------------------------|----------|---------------|
| Total Tax               | 27.19970 | 543.98        |
| Administration Fee      |          | 0.00          |
| Interest:               |          | 10.88         |
| <b>TOTAL AMOUNT DUE</b> |          | <b>554.86</b> |
| PREV. PAYMENTS          |          |               |
| <b>BALANCE DUE</b>      |          | <b>554.86</b> |

## OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: OCTOBER 01 - SEPTEMBER 30  
Twn/Cty: DECEMBER 01 - NOVEMBER 30  
School: JULY 01 - JUNE 30  
State: OCTOBER 01 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount

## RETAIN THIS PORTION FOR YOUR RECORDS.

*Amount valid thru 10/31/21*

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

DDA1 (1994)

Sent to: PROPERTY OWNER

Pay this tax to:

CITY OF LIVONIA  
TREASURER'S OFFICE  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR ENTIRE BILL WITH SASE FOR A "STAMPED PAID" RECEIPT

This tax is due by: 09/14/2021

After 09/14/2021 additional interest and fees apply

2021 Summer Tax for Prop #: 999 00 2020 129

TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.  
Property Addr: 31213 PLYMOUTH

(Partial payments are accepted)

Make Check Payable To: CITY OF LIVONIA

TOTAL AMOUNT DUE: 554.86

Amount Remitted: \_\_\_\_\_

Check# \_\_\_\_\_

Cash \_\_\_\_\_

To: KID VENTURE CHILD CARE CENTER  
31213 PLYMOUTH  
LIVONIA MI 48150



**Petition 2021-08-02-16 submitted by Mellodie Hastings**  
requesting waiver use approval pursuant to Section 6.13 of the  
Livonia Vision 21 Zoning Ordinance, to operate a day care nursery  
(Kidventure Child Care Center) at 10531 Farmington Road,  
located on the west side of Farmington Road between  
Orangelawn Avenue and Plymouth Road in the Northeast ¼ of  
Section 33.



**CITY OF LIVONIA, MICHIGAN**  
**APPLICATION FOR WAIVER USE APPROVAL**

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature.

Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 8-20-21 Petition 2021-08-02-16

Site Address: 10531 Farmington Rd Sidwell \_\_\_\_\_ Zoning of Property \_\_\_\_\_  
Livonia MI 48150

Requesting Approval To \_\_\_\_\_

Applicant: Melodie Hastings Business/Company: Kidventure Children's Center

Applicant's Address: 2380 Starkmeyer City: Westland State: MI Zip Code: 48184

Applicant's Phone # (313) 682-5721 Applicant's Email Mel141884@gmail.com

Contact Person: Melodie Hastings Business/Company: Kidventure Children's Center

Contact's Address: 2380 Starkmeyer City: Westland State: MI Zip Code: 48184

Contact's Phone # (313) 682-5721 Contact's Email Mel141884@gmail.com

Please provide the following information:

1) **Site Plan** showing:

- property dimensions, including road right-of-way & building setback lines
- foot print of building(s), including dimensions & square footage
- all easements, protective walls, sidewalks & existing trees
- any significant topographic features (existing or proposed)
- parking layout, including type of surface material, sizes of spaces & aisles
- method used in calculating parking requirement
- location of light standards servicing parking lot & cutout showing type & height
- location of trash receptacle, including description of screening
- location of signs

2) **Detailed Landscape Plan** including:

- listing or labeling of all planted materials as to type and size
- areas to be fully irrigated
- percentage of landscaping provided (15% of total site required)

3) **Building Elevation Plan** depicting:

- architectural quality
- wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
- all visible rooftop mechanical equipment and how they will be screened

4) **General Floor Plan** showing:

- floor layout
- entrances & exits
- restaurants are required to illustrate seating arrangement & capacity

5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us

6) **Legal Description** of the property to be considered (Clearly Printed)

7) **Three (3) completed application forms & three (3) sets of full-size drawings**

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

|                        |                                                                     |                 |
|------------------------|---------------------------------------------------------------------|-----------------|
| <b>FEE COMPUTATION</b> | <u>3291</u> sq. ft. of new construction x \$20.00 per 1,000 sq. ft. | <b>\$600.00</b> |
|                        | (NOTE: Round off to nearest 1,000) + _____                          |                 |
|                        | Total Amount Due                                                    | \$ _____        |

Owner of Property: M.H. NEAL Mohamed Hassan NEAL

Owner's Address: 1797 Alexander Dr. City: Blainfield Hills State: MI Zip Code: 48302

Owner's Phone # (248) 932-1252 Owner's Email mhamdeprodigy.net

Signature of Owner: M.H. NEAL Print Name: M.H. NEAL

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of MI

on this 25<sup>th</sup> day of June 20 21

Signature of Notary David Scaramucci My commission expires 7-10-2026

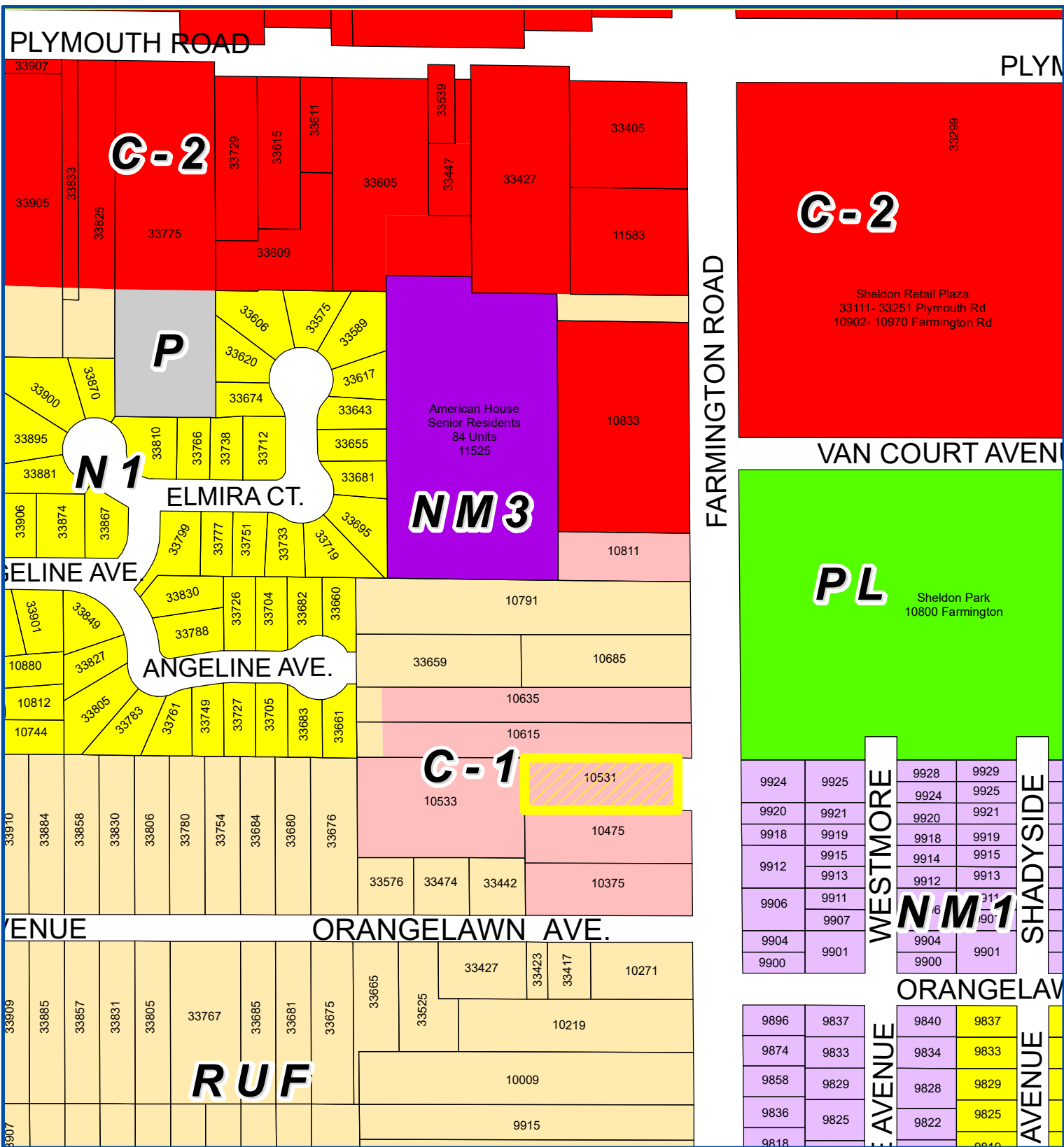
Acting in the County of Wayne

RECEIVED  
AUG 23 2021

CITY OF LIVONIA  
PLANNING COMMISSION

RECEIVED  
OFFICE OF THE CITY CLERK  
2021 AUG 20 PM 4:48





## Address & Zoning Map

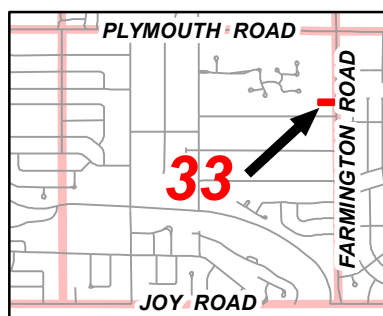
Petition 2021-08-02-16  
 Kidventure Child Care Center  
 10531 Farmington Road  
 to operate a day care nursery



Not to Scale



City of Livonia  
 Planning Department

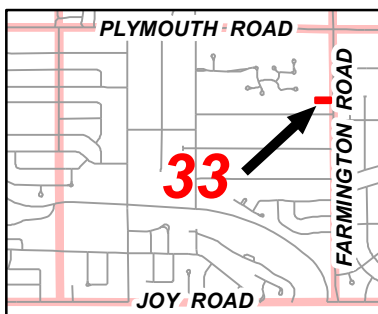






**ORANGELAWN AVE.**

**FARMINGTON ROAD**



## **Aerial Map**

Petition 2021-08-02-16  
Kidventure Child Care Center  
10531 Farmington Road  
to operate a day care nursery



Not to Scale



City of Livonia  
Planning Department



# PLANNING COMMISSION STAFF NOTES

## PUBLIC HEARING

### ITEM 2

**Petition 2021-08-02-16 submitted by Mellodie Hastings** requesting waiver use approval pursuant to Section 6.13 of the Livonia Vision 21 Zoning Ordinance, to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.

#### **September 14, 2021: Study Meeting:**

This petition involves a request to operate a child day care nursery (Kidventure Child Care Center) on property located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road. The subject property is 0.66 acre in area with approximately 100 feet of frontage along Farmington Road by a depth of 286 feet. The site is zoned C-1 (Local Business) and contains a one-story, 4,100 square foot building together with approximately twenty-three (23) off-street parking spaces. This is one of three buildings that was at one time part of a multi-tenant medical office complex known as Orangelawn Professional Center. Originally constructed in 1963, the last recorded tenant in the building was St. Mary Mercy. The recorded owner of the property is Louise Neal Trust. Based on the submitted floor plan, Kidventure Child Care Center would occupy the entire building. Regulations pertaining to child day care nurseries fall under Section 6.13 of the Livonia Vision 21 Zoning Ordinance. Orangelawn Professional Center is surrounded by residential homes.

The Petitioner has applied for a license to the State of Michigan Licensing and Regulatory Affairs (LARA) and is awaiting an inspection to confirm the maximum number of children. The ages would range from infant to 12 years old. The submitted floor plan for the center shows an interior layout that would include a large lobby and reception area, several classrooms, a kitchen, and restrooms. Vehicular access to the site is provided by a single driveway off Farmington Road that runs along the south side of the property and extends further west providing access to an office building at 10533 Farmington Road, located behind the subject site. Public records show that the two (2) properties are under separate ownership.

A special requirement of the Zoning Ordinance pertaining to child day care centers requires that an outdoor play area be provided containing an area not less than 5,000 square feet. The outdoor play area proposed for Kidventure measures approximately 4,275 square feet (75' x 57'), which City Council can approve as a modification to this special requirement. In contrast, the State requires a play area with a minimum of 1,200 square feet. The proposed outdoor play area would occupy the western half of the site in an area currently used for parking. To access the play area, children would have to walk across the parking lot adjacent to the rear of the building. The outdoor play area would be surrounded by a five-foot (5') high chain-link fence and the interior surface area would be covered with a rubber mulch.



## PUBLIC HEARING

Required parking for child day care centers is based on one (1) parking space for each employee plus enough off-street space for the safe and convenient loading and unloading of students. The site plan shows eleven (11) available parking spaces. The petitioner believes the amount of parking is enough, since parents usually drop their kids off quickly and do not stay for an extended period.

The site plan does not show a trash enclosure on the site. Instead, all trash will be disposed of via weekly curbside pickup under the City's contract with GFL.

No exterior building modifications are shown. Under the sign regulations for buildings in a C-1 zoning district, the proposed use is allowed a single wall sign at thirty-six (36) square feet in sign area. There is an existing ground sign, between the subject building and Farmington Road, identifying Orangelawn Professional Center and the three addresses of the buildings of the complex.

### **September 21, 2021: Public Hearing:**

Discussion at the study meeting focused on achieving a better design for the parking lot and outdoor play area so that the traffic flow of parents dropping off their children could be done more efficiently and in a safer manner. Staff is now recommending a one-way maneuvering aisle with angled stalls along the south side of the parking lot. The entrance would be at the east end of the parking lot where vehicles would drop children off near the back door, then continue to the west end of the lot and exit at a new drive opening. An approximate 3,000 square foot play area could be created in the northeast corner of the parking lot, closer to the building and rear entrance. Staff has requested that the Petitioner submit a revised drawing showing the new layout along with details on the fence and surface material for the play area.

**Approving Resolution:** That this request to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road is hereby approved, subject to City Council waiving the minimum size requirement for the outdoor play area and the following conditions:

1. That the Site Plan, as received by the Planning Commission on August 23, 2021., is hereby approved and shall be adhered to.
2. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
3. That no LED lightband or exposed neon shall be permitted on this site, including but not limited to, the building or around the windows.

## PUBLIC HEARING

4. That the entire outdoor play area shall be surrounded by either a five-foot (5') chain-link fence or wooden/plastic privacy fence.
5. That the parking lot shall be repaired, resealed and restriped to the satisfaction of the Inspection Department.
6. That the hours of operation for this childcare facility shall be limited to 6:00 a.m. to 7:00 p.m.
7. The tenant(s) of this building shall not engage in any form of solicitation for business within the public rights-of-way of Farmington Road.
8. That the Petitioner shall enter into a conditional agreement limiting the waiver to this user only, with the provision to extend this waiver use approval to a new user only upon approval of the new user by the City Council.
9. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
10. Pursuant to Section 19.10 of Ordinance No. 543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by the City Council, and unless a building permit is obtained, and construction is commenced, this approval shall be null and void at the expiration of said period.

**Denying Reasons:** That the request to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road 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 Section 6.13 of the Livonia Vision 21 Zoning Ordinance.
2. That the outdoor play area provided is less than the minimum 5,000 square feet required by the Zoning Ordinance.
3. That the location and layout of the site plan, the number of children proposed for this childcare facility, and the traffic generated by the proposed use would have a negative effect upon the neighboring properties.

## **PUBLIC HEARING**

**ITEM 2   Petition 2021-08-02-16 – Kid Venture Childcare Center**

**Page 4**

4. That during peak drop-off and pick-up times the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.
5. That approving this request would allow a use that is inconsistent with the surrounding land uses; and
6. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

S I T E P L A N

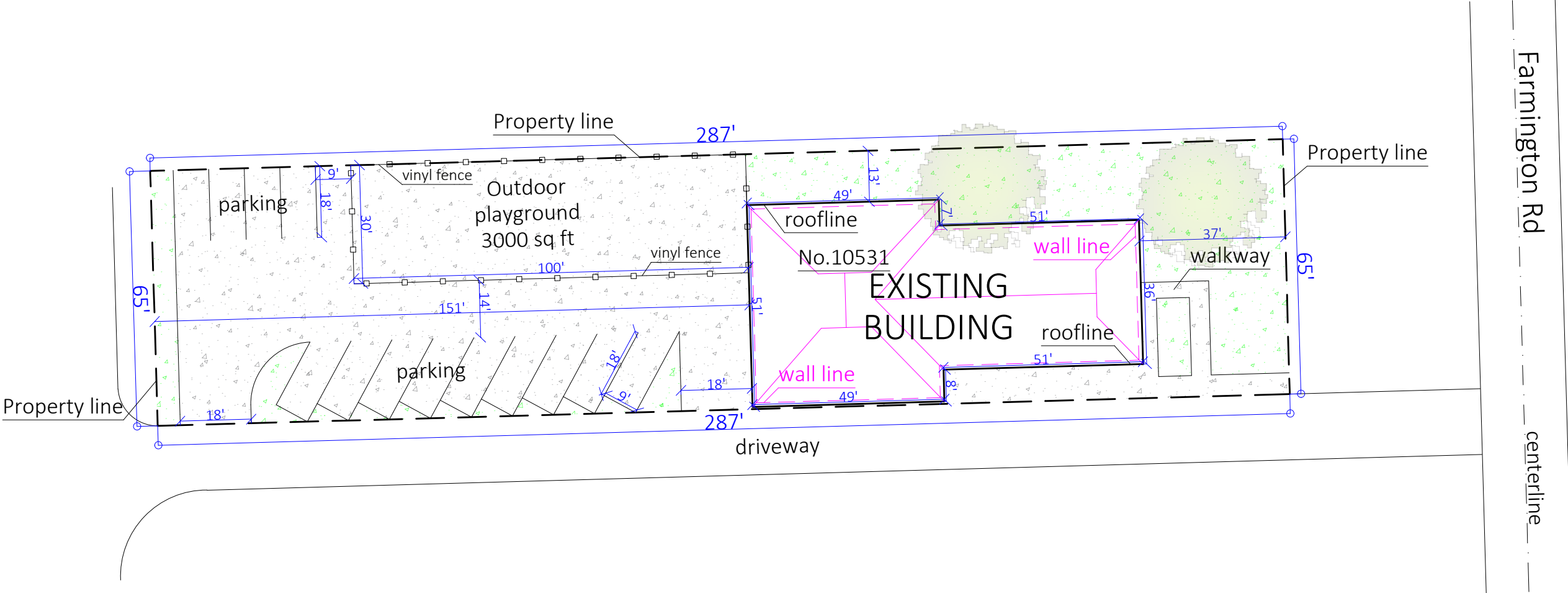
10531 Farmington Rd

Livonia, MI 48150

Parcel ID: 46 129 01 0133 001

Lot area: 0.65 Acres

Plot Size: 11"x17"



Created by:





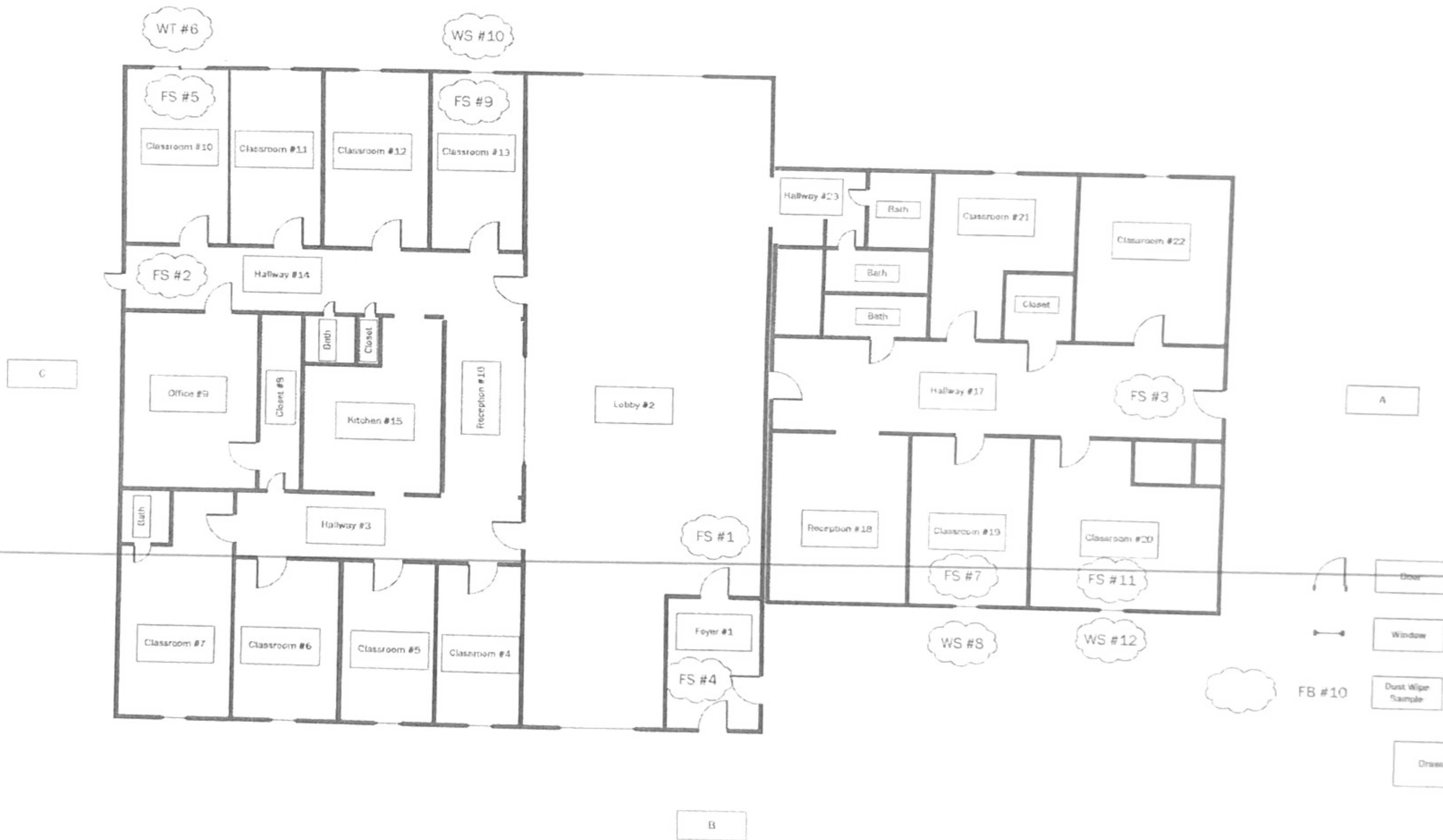
10531 Farmington Road  
Livonia, MI 48150

D

12/11/2020

Floor/Story: 1<sup>st</sup> Floor

Appendix J – Site and Floor Plan















Google





DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.  
CITY ENGINEER

DAVID W. LEAR, P.E.  
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN  
MAYOR

DONALD R ROHRAFF  
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48150  
(734) 466-2571  
FAX: (734) 466-2195

August 30, 2021

Mr. Scott Miller  
Planner IV  
City of Livonia

**Re: Petition 2021-08-02-16 – 10531 Farmington Road**

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the address of **#10531 Farmington Road**.

The existing building is currently serviced by public water main, storm sewer and sanitary sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems. Should changes to the existing services be required, the Owner shall submit revised plans to this office to determine if permits will be required.

It should be noted that the developer may be required to obtain a permit from the Wayne County Department of Public Service, should any work occur within the Farmington Road right-of-way.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608 or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at [dlear@livonia.gov](mailto:dlear@livonia.gov) or [tzilincik@livonia.gov](mailto:tzilincik@livonia.gov).

Sincerely,

David W. Lear, P.E.  
Assistant City Engineer

cc: 2021 Petition File

DEPARTMENT OF PUBLIC SAFETY  
LIVONIA FIRE & RESCUE

DAVE HEAVENER  
FIRE CHIEF



MAUREEN MILLER BROSNAN  
MAYOR

14910 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5419  
734-466-2444  
734-466-2082 fax

**DATE:** August 26th, 2021  
**TO:** Scott O. Miller, Planner IV  
**FROM:** Livonia Fire Prevention Division  
**SUBJECT:** Petition 2021-08-02-16, 10531 Farmington Rd.

This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

*Greg Thomas*

Greg Thomas  
Fire Marshal



DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF POLICE

CURTIS CAID  
CHIEF OF POLICE



MAUREEN MILLER BROSNAN  
MAYOR

15050 FARMINGTON ROAD  
LIVONIA, MICHIGAN 48154-5499  
(734) 466-2470  
FAX: (734) 261-2265

September 15, 2021

RECEIVED  
SEP 17 2021  
CITY OF LIVONIA  
PLANNING COMMISSION

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Re: Petition 2021-08-02-16 - 10531 Farmington Road

Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have no objections to the proposals.

Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE

  
Scott Szczepanski, Sergeant  
Traffic Bureau  
(734) 466-2107

**INSPECTION DEPARTMENT**

BUILDING  
HEATING  
PLUMBING  
ELECTRICAL  
ZONING  
SANITATION  
ENVIRONMENTAL PROTECTION  
ORDINANCE ENFORCEMENT



**MAUREEN MILLER BROSNAN**  
MAYOR

**JEROME A. HANNA**  
DIRECTOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2580  
FAX: (734) 466-2095

Date: September 13, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-08-02-16 – 10531 Farmington Road

Pursuant to your request, the above referenced Petition has been reviewed.

1. This petition is a change of use and would require that the building meet all current Michigan Building Codes including the Michigan Barrier Free Code. This will be addressed further at the time of our plan review if this project moves forward.
2. Signage was not reviewed at this time.

This Department has no further objections to this Petition.

I trust this provides the requested information.

*Jerome Hanna*

Jerome Hanna  
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater  
DIRECTOR OF FINANCE

Connie Kumpula  
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807

September 13, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2021-08-02-16 - 10531 Farmington Road - Kidventure Child Care Center

Dear Mr. Miller,

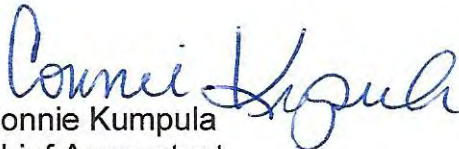
I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

Unpaid water and sewer charges: \$ 227.72

Total Due City of Livonia \$ 227.72

Please contact me if you have any further questions.

Very truly yours,

  
Connie Kumpula  
Chief Accountant

CK: jw

# Transaction Statement

**Service Address**

10531 FARMINGTON  
LIVONIA, MI 48150

**Mailing Address**

KID VENTURE CHILD CARE CENTER  
10531 FARMINGTON  
LIVONIA, MI 48150

**Account Number**

012814700-001

**Amount Due**

\$227.72

**Account Number**

012814700-001

**From - Through**

02/24/2021 - 08/24/2021

**Services**

Water & Sewer - Metered

**Service Address**

10531 FARMINGTON  
LIVONIA, MI 48150

**Beginning Balance**

\$0.00

| Date       | Type    | Amount   | Description         |
|------------|---------|----------|---------------------|
| 04/14/2021 | Bill    | \$95.64  | Due Date 05/10/2021 |
| 05/13/2021 | Penalty | \$9.56   |                     |
| 07/15/2021 | Bill    | \$101.82 | Due Date 08/10/2021 |
| 08/13/2021 | Penalty | \$20.70  |                     |

**Total Due**

\$227.72

# Transaction Statement

**Account Number**

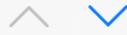
012814700-001



5:54



< Inbox



utilitybill@ci.livonia.mi.us

5:51 PM

To: mell41884@gmail.com >

## Utilities Payment Received

Payment Summary

-----

-

Confirmation #: 101272

Account #: 012814700-001

Date: 9/13/2021 5:51:44 PM

Payment Amount: \$227.72

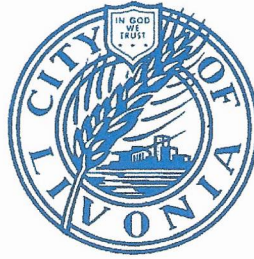
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OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

August 25, 2021

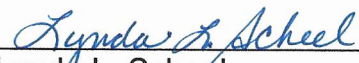
Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2021-08-02-16      10531 Farmington Road

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are taxes due, but they are not delinquent, therefore I have no objections to the proposal.

Sincerely,

  
Lynda L. Scheel  
Treasurer, City of Livonia



August 16, 2021

To Whom It May Concern,

The staff and visitors of Kidventure Childcare Center Inc. have my permission to use parking spaces at 10533 – 10535 Farmington Road, Livonia, MI 48150.

Sincerely,

M.H. Neal, M.D.



# **LICENSING RULES FOR CHILD CARE CENTERS**

Effective December 18, 2019

## **BUREAU OF COMMUNITY AND HEALTH SYSTEMS CHILD CARE LICENSING DIVISION**



[www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)



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## **APPENDICES**

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### **B Contested Case Hearings**

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF COMMUNITY AND HEALTH SYSTEMS

LICENSING CHILD CARE CENTERS

Filed with the secretary of state on December 11, 2019.

These rules take effect December 18, 2019 unless adopted under section 33, 34, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by section 2 of 1973 PA 116, MCL 722.112, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, and 2015-1, MCL 330.3101, 445.2001, 445.2011, 400.226, and 400.227)

R 400.8101, R 400.8104, R 400.8107, R 400.8110, R 400.8113, R 400.8119, R 400.8122, R 400.8125, R 400.8128, R 400.8131, R 400.8134, R 400.8137, R 400.8140, R 400.8143, R 400.8146, R 400.8149, R 400.8152, R 400.8155, R 400.8158, R 400.8161, R 400.8164, R 400.8167, R 400.8170, R 400.8173, R 400.8176, R 400.8179, R 400.8182, R 400.8185, R 400.8188, R 400.8191, R 400.8301, R 400.8305, R 400.8310, R 400.8315, R 400.8320, R 400.8325, R 400.8330, R 400.8335, R 400.8340, R 400.8345, R 400.8350, R 400.8355, R 400.8360, R 400.8365, R 400.8370, R 400.8375, R 400.8380, R 400.8385, R 400.8501, R 400.8505, R 400.8510, R 400.8515, R 400.8520, R 400.8525, R 400.8530, R 400.8535, R 400.8540, R 400.8560, R 400.8565, R 400.8701, R 400.8720, R 400.8730, R 400.8740, R 400.8750, R 400.8760, R 400.8801, R 400.8810, R 400.8820, R 400.8830 and R 400.8840 of the Michigan Administrative Code are amended, and R 400.8102, R 400.8103, R 400.8112, R 400.8112a, and R 400.8112b are added, as follows:

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LICENSING CHILD CARE CENTERS  
PART 1 – PART 5

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PART 1: GENERAL PROVISIONS

PART 2: ENVIRONMENTAL HEALTH

PART 3: FIRE SAFETY

PART 4: TRANSPORTATION

PART 5: SWIMMING

## PART 1. GENERAL PROVISIONS FOR ALL CHILDREN

### **R 400.8101 Definitions; A through I.**

#### Rule 101.

As used in these rules:

- (a) "Accredited college or university" means a college or university that has been accredited by a regional or national institutional accrediting association recognized by the United States Department of Education.
- (b) "Act" means 1973 PA 116, MCL 722.111 to 722.128, regarding child care organizations.
- (c) "Adult" means a person 18 years of age or older.
- (d) "Ages" means all of the following:
  - (i) "Infant" - birth until 1 year of age.
  - (ii) "Toddler" - 1 year of age until 30 months of age.
  - (iii) "Preschooler" - 30 months of age until eligible to attend a grade of kindergarten or higher.
  - (iv) "School-age" - a child who is eligible to attend a grade of kindergarten or higher, but less than 13 years of age. A child is considered a school-age on the first day of the school year in which he or she is eligible.
- (e) "Applicant" means an individual who applies for a license to operate a child care center.
- (f) "CEU" means a continuing education unit awarded by an accredited college or university sponsor of continuing education units or equivalent awarded by the state board of education.
- (g) "Child care aide" means an individual who is 17 years of age, who provides services and participates in child care activities in a child care center, who shall not have unsupervised access or provide unsupervised care or supervision of children, and who has satisfactorily completed at least 1 year of a vocational-occupational child care aide training program approved by the department.
- (h) "Child care administration" means educational courses in child care administration, education administration, or business administration.
- (i) "Child care background check system" means the database maintained by the department to document a comprehensive background check and eligibility determination pursuant to section 5n of the act, MCL 722.115n.
- (j) "Child care center" means that term as defined in section 1(h) of the act, MCL 722.111.
- (k) "Child care staff member" means that term as defined in section 1(a) of the act, MCL 722.111.
- (l) "Child development associate credential" or "CDA" means a credential awarded by the Council for Professional Recognition or a similar credential approved by the department.
- (m) "Child-related field" means 1 of the following:
  - (i) For an early childhood education program director and lead caregiver, academic courses in elementary education, child guidance, child counseling, child psychology, family studies, social work, or special education.
  - (ii) For a school-age program director, academic courses in early childhood education, elementary education, secondary education, special education, physical education and recreation, child development, child guidance, child counseling, child psychology, family studies, social work, human services, or youth development.
- (n) "Communicable disease" means an infectious disease that is transmissible from person to person by direct contact with an infected individual or the individual's discharges, or by indirect means through a vector. Communicable disease includes, but is not limited to, all of the following:
  - (i) Chicken pox.
  - (ii) Hand, foot and mouth disease.
  - (iii) Influenza.
  - (iv) Measles.
  - (v) Mumps.
  - (vi) Pertussis, which is also referred to as whooping cough.
  - (vii) Rubella.
  - (viii) Tuberculosis.
- (o) "Comprehensive background check" means a department review of an individual as required in sections 5n and 5q of the act, MCL 722.115n and 722.115q.



- (p) "Conducive to the welfare of children" means that term as defined in section 5m(13)(b) of the act, MCL 722.115m(13)(b).
- (q) "Continuously employed child care staff member" means an individual who has not been disconnected from the child care background check system for a period of more than 180 days and has continuously resided in Michigan as referenced in section 5n(15) and (16) of the act, MCL 722.115n(15) and (16).
- (r) "Conviction" means that term as defined in section 1(i) of the act, MCL 722.111.
- (s) "Criminal history check" means that term as defined in section 1(j) of the act, MCL 722.111.
- (t) "Degrees and semester hours" means only those degrees and hours from an accredited college or university.
- (u) "Department" means the department of licensing and regulatory affairs.
- (v) "Developmentally appropriate" means age appropriate as well as appropriate to the individual child.
- (w) "Early childhood program director" means the program director of a center serving children of all ages.
- (x) "Easily cleanable" means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.
- (y) "Eligible" means that term as defined in section 1(m) of the act, MCL 722.111.
- (z) "Field trip" means children and personnel leaving the child care center premises for an excursion, trip, or program activity.
- (aa) "First aid kit" means a kit containing, at a minimum, all of the following: sterile gauze pads, assorted sizes, a roll of gauze, adhesive bandages, assorted sizes, adhesive cloth tape, an elastic bandage, tweezers, and scissors. A first aid kit is prohibited from containing any non-prescription or prescription medications as described under R 400.8152.
- (bb) "Group size" means the specified number of children assigned to a child care staff member or team of child care staff members occupying an individual classroom or well-defined space for each group within a larger room. Two or more groups may be combined for collective activities as long as appropriate child-to-staff ratios are maintained in the room or area.
- (cc) "Hours of experience" means experience serving the ages and developmental abilities of children for which the center is licensed.
- (dd) "Immediately available" means a parent or guardian remains onsite at the address of the child care center.
- (ee) "Ineligible" means that term as defined in section 1(n) of the act, MCL 722.111.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8102 Definitions; J through R.**

Rule 102.

As used in these rules:

- (a) "Lead caregiver" means a child care staff member who is responsible for planning and implementing the daily program of activities for a group of children in a child care center.
- (b) "Licensee" means that term as defined in section 1(q) of the act, MCL 722.111.
- (c) "Licensee designee" means that term as defined in section 1(cc) of the act, MCL 722.111.
- (d) "Michigan school age or youth development credential" means a credential issued by the Michigan Afterschool Association or similar credential approved by the department.
- (e) "MiRegistry" is the electronic data system for child care providers that is maintained by the department of education to verify and track employment, training, and educational accomplishments. MiRegistry offers a statewide calendar of online and classroom training opportunities. MiRegistry can be accessed online at <http://www.miregistry.org>.
- (f) "Montessori credential" means a credential issued by the Association Montessori International (AMI), American Montessori Society (AMS), or any Montessori teaching or training institution recognized by the Montessori Accreditation Council for Teacher Education (MACTE) that meets or exceeds 270 hours of academic training.
- (g) "Parent" or "parental" means a child's natural or adoptive parent who is legally responsible for the child or the child's legal guardian.
- (h) "Playspace" means a piece or pieces of age-appropriate toys, play equipment, and materials that 1 child can use independently for 15 minutes.
- (i) "Personnel" means a licensee, licensee designee, child care staff member, and child care aide.

- (j) “Portable crib” means a crib that can be folded or collapsed, without disassembly, to occupy a space less than it occupies when it is used. Products with mesh, fabric, or non-rigid sides, such as a bassinet or play yard, are not considered a portable crib.
- (k) “Program components” means the different services offered by a center. They include, but are not limited to, infant and toddler, preschool, and school-age care and education; nighttime care; food service; swimming; and transportation.
- (l) “Program director” means a licensee or child care staff member who is responsible for the general management of the center and ensures compliance with the act and these rules.
- (m) “Routine transportation” means regularly scheduled travel on the same day of the week, at the same time, to the same destination. Any deviation is non-routine transportation.

History: 2019 AACCS.

#### **R 400.8103 Definitions; S through Z.**

Rule 103.

As used in these rules:

- (a) “Sanitized” means to wipe or spray the surface with a sanitizing solution, let the surface air dry or wipe dry after 2 minutes with a single service towel, or according to the manufacturer’s directions.
- (b) “School” means a building or part of a building that is owned or leased by, or under the control of, a public or private school or school system for the purpose of instruction as required by the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, which is occupied by 6 or more students, and which is used 4 or more hours per day or more than 12 hours per week.
- (c) “School-age child” means that term as defined in section 1(aa) of the act, MCL 722.111.
- (d) “Serious injury” means that term as defined in section 2b of 1973 PA 116, MCL 722.122b.
- (e) “School-age program director” means the program director of a center serving only school-age children.
- (f) “Site supervisor” means an individual who oversees the daily operation of a school age program when a multi-site director has been named. The site supervisor must meet all requirements under R 400.8119.
- (g) “Staff” means any compensated employee of a center.
- (h) “Supervised volunteer” means a person 16 years of age or older, who provides service for a child care center that is not compensated, and who is supervised at all times when children are in care.
- (i) “Unsupervised volunteer” means an individual who is 18 years of age or older, who provides service for a child care center that is not compensated, and who has been determined eligible by the department to be unsupervised with children.
- (j) “Well-defined space” means space designed and used exclusively for a specific group of children.

History: 2019 AACCS.

#### **R 400.8104 Rule variances.**

Rule 104.

- (1) Upon written request of an applicant or licensee, the department may grant a variance from an administrative rule if the alternative proposed provides clear and convincing evidence that the health, welfare, and safety of children is protected.
- (2) The decision of the department, including the conditions under which the variance was granted, must be kept on file at the child care center.
- (3) The granted variance may remain in effect for as long as the licensee continues to comply with the conditions of the variance or may be time-limited.
- (4) Variances must not be granted from statutory requirements.

History: 2013 AACCS; 2019 AACCS.

**5R 400.8107 Applicant qualifications.**

Rule 107.

- (1) An applicant shall meet all of the following qualifications:
  - (a) Be suitable to meet the needs of children.
  - (b) Be able to ensure that the proposed services and facilities are conducive to the welfare of children.
  - (c) Act in a manner that is conducive to the welfare of children.
  - (d) Demonstrate a willingness and ability to comply with the act and these rules.
- (2) An applicant for a license to operate a child care center shall complete, sign, and submit the department's child care application form, along with the fee under section 5m of the act, MCL 722.115m, to the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, P.O. Box 30664, Lansing, MI 48909- 8164.
- (3) If the applicant elects a licensee designee pursuant to section 1(cc) of the act, MCL 722.111, then the applicant shall also complete, sign, and submit the department's child care licensee designee form.
- (4) The department's child care application form and child care licensee designee form are available at no cost on the department's website at [www.michigan.gov/michildcare](http://www.michigan.gov/michildcare). They are also available at no cost by calling the department at (517) 284-9738 or (866) 685-0006. They are also available at no cost at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 W. Ottawa St, Lansing, MI 48933-1070.
- (5) Before issuance of the original license, and before the renewal of a license, an applicant or licensee shall comply with applicable laws and administrative rules.

History: 2013 AACS; 2019 AACS.

**R 400.8110 Applicant; licensee; licensee designee; requirements.**

Rule 110.

- (1) The licensee or licensee designee shall do all of the following:
  - (a) Act in a manner that is conducive to the welfare of children.
  - (b) Comply with sections 5n and 5q of the act, MCL 722.115n and 722.115q, which requires a comprehensive background check.
  - (c) Be responsible for compliance with the act and these rules.
  - (d) Report to the department within 3 business days after any arraignment or conviction of 1 or more of the crimes listed in section 5r of the act, MCL 722.115r, and any subsequent conviction.
- (2) The applicant, licensee, and licensee designee shall have the administrative capability to operate the center in order to provide the services and facilities that are conducive to the welfare of children.
- (3) All of the following must be in a place, accessible, and visible to parents:
  - (a) The current license and, if applicable, the letter extending the license beyond the expiration date.
  - (b) A copy of these rules and a copy of the last page of any variances granted.
  - (c) A notice stating that the center requires a comprehensive background check on its employees and unsupervised volunteers.
- (4) There must be a licensing notebook on the premises that includes all licensing inspection and special investigation reports and related corrective action plans for the last 5 calendar years, and a summary sheet outlining the documents contained in the notebook. The notebook must be in a place accessible to parents and prospective parents at all times during the center's normal hours of operation.
- (5) The actual number and ages of children in care at any time must never exceed the number and ages of children for which the center is licensed.
- (6) The licensee or licensee designee shall maintain accurate records detailing daily arrival and departure times for each child care staff member, child care aide, and volunteer.
- (7) A child shall only be released to persons authorized by the child's parent or guardian.
- (8) A child shall be released to either parent or the child's guardian, unless a court order prohibits release to a particular parent. A copy of the order prohibiting release must be kept on file at the center.
- (9) Within 5 business days, the licensee shall notify the department of the separation of a licensee designee, program director, or a central administrator approved under R 400.8113(12), and a plan for replacement of the individual.

- (10) Written approval from the department must be obtained before making any changes in the terms of the license, including but not limited to, adding use space, changing age groups served, changing program components, changing the capacity of the center, or making changes to a room or well-defined space that will result in a change in capacity of the room or well-defined space.
- (11) The records required by, the act and these rules must be retained for a minimum of 2 calendar years or longer as specified in these rules, and made available to the department upon request.
- (12) The following records must be retained and available to the department:
- (a) The name, address, and telephone number for each child enrolled and each employee for at least 2 years after the individual leaves the center.
  - (b) Staff and volunteer health records, as required by R 400.8128, and documentation of qualifications must be retained until the individual leaves the center.
  - (c) The licensing notebook must be maintained and retained until the license is closed.
- (13) Smoking and vaping must not occur in or during both of the following:
- (a) In the child care center or on real property that is under the control of the center and upon which the center is located.
  - (b) On field trips and in vehicles when children are present.
- (14) A center shall post a notice in a place accessible and visible to parents, staff, and visitors stating that smoking and vaping are prohibited in the center and on the center's property.

History: 2013 AACCS; 2019 AACCS.

**R 400.8112 Comprehensive background check; fingerprinting.**

Rule 112.

- (1) Pursuant to sections 5n and 5q of the act, MCL 722.115n and 722.115q, before an individual has unsupervised contact with children, the department shall determine the individual's eligibility to be any of the following:
- (a) A licensee.
  - (b) A licensee designee.
  - (c) A child care staff member.
  - (d) A child care aide.
  - (e) An unsupervised volunteer.
- (2) An applicant or licensee shall do all of the following:
- (a) Ensure that each individual who requires an eligibility determination under subrule (1) of this rule completes, signs, and submits all of the information required in subrule (5) of this rule, and in subrule (6) of this rule if applicable, on a form prescribed by the department. The forms are available on the department's website for the child care background check system, [www.michigan.gov/ccbc](http://www.michigan.gov/ccbc). The form or forms must be signed and dated prior to the individual's appointment to be fingerprinted.
  - (b) Maintain a copy of the completed and signed form or forms for each individual entered into the child care background check system under the license.
  - (c) Provide to the department, upon request, a copy of the individual's completed and signed form or forms.
  - (d) Establish and activate an account and accurately enroll each individual listed in subrule (1) of this rule in the child care background check system.
  - (e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.
  - (f) Immediately disconnect each individual from the system once he or she is no longer a licensee, licensee designee, child care staff member, child care aide, or an unsupervised volunteer under the license.
- (3) An individual may serve as a child care staff member pending an eligibility determination by the department under sections 5n(8) and 5q of the act, MCL 722.115n and 722.115q, and shall be supervised at all times by the licensee or a child care staff member who has been determined eligible.
- (4) For an individual who is determined ineligible by the department, a licensee shall immediately do all of the following:
- (a) Prohibit the individual from being on the premises of the child care center.
  - (b) Prohibit the individual from having any contact with children in care.



- (c) Disconnect the individual from the child care background check system.
- (5) An individual who requires a comprehensive background check under sections 5n and 5q of the act, MCL 722.115n and 722.115q, shall submit to the department, on a form prescribed by the department, all personally identifiable information necessary to conduct the comprehensive background check, including all of the following:
- (a) Full legal name.
  - (b) All other names used in the past, including any maiden name or alias, the approximate date the other name was used, and the reason for the name change.
  - (c) Suffix, if applicable.
  - (d) Social Security number.
  - (e) Date of birth.
  - (f) Place of birth.
  - (g) Country of citizenship.
  - (h) Height.
  - (i) Weight.
  - (j) Hair color.
  - (k) Eye color.
  - (l) Gender.
  - (m) Race.
  - (n) Current address.
  - (o) If the individual resided outside this state during the last 5 years, then provide each of those addresses.
  - (p) Driver's license identification number and state issuing the license or a state identification number and state issuing it, if available.
  - (q) Phone number.
  - (r) Email address, if available.
  - (s) Any other information deemed reasonably necessary by the department to determine the eligibility of the individual based on a name-based registry match.
- (6) The department shall maintain the confidentiality of all personally identifiable information submitted pursuant to this rule to the extent permitted by law.

History: 2019 AACS.

**R 400.8112a Department; information; eligibility determination.**

Rule 112a.

The department may request information from an applicant, licensee, licensee designee, child care staff member, child care aide, or unsupervised volunteer regarding any of the conditions listed in sections 5n, 5q, 5r, and 11 of the act, MCL 722.115n, 722.115q, 722.115r, and 722.121, and any similar or equivalent conditions that occurred in another state or legal jurisdiction in which the individual resided, on a form prescribed by the department, and limited to information necessary to ascertain whether the individual should be deemed ineligible under the statutory requirements.

History: 2019 AACS.

**R 400.8112b Eligibility determination; individual who resided out of the United States; self-certifying statement.**

Rule 112b.

An individual who requires an eligibility determination under section 5n of the act, MCL 722.115n, and resided out of the United States within the preceding 5 years, shall also, under section 5n(2) of the act, MCL 722.115n(2), complete, sign and submit, on a form prescribed by the department, a self-certifying statement that the individual does not have any of the disqualifying conditions set forth in sections 5n, 5q, 5r, and 11 of the act, MCL 722.115n, 722.115q, 722.115r, and 722.121.

History: 2013 AACS; 2019 AACS.

**R 400.8113 Program director qualifications; responsibilities.**

- (1) Before hiring a new program director, a licensee or licensee designee shall submit a completed BCHS-CC 001 form, titled Child Care Licensing Information Request, and the credentials of the proposed program director to the department for review and approval.
- (2) A program director shall be present in the center in the following manner:
- (a) Full time for programs operating less than 6 continuous hours.
  - (b) At least 50% of the time children are in care but not less than a total of 6 hours per day for programs operating 6 or more continuous hours.
- (3) All program directors are responsible for the general management of the center, including the following minimum responsibilities:
- (a) Developing, implementing, and evaluating program and center policies.
  - (b) Administering day-to-day operations, including being available to address parent, child, and staff issues.
  - (c) Monitoring staff, including annual evaluations.
- (4) If absent from the center, the program director shall designate a child care staff member to be in charge.
- (5) A substitute program director shall be appointed for a program director who has left employment or has a temporary absence that exceeds 30 consecutive workdays until return or replacement. A substitute program director shall at least meet the qualifications of lead caregiver. The department shall be notified when a substitute program director is appointed.
- (6) A program director shall have all of the following qualifications:
- (a) Be at least 21 years of age.
  - (b) Have earned a high school diploma or general equivalency diploma (GED).
- (7) Early childhood program directors shall meet 1 of the following qualifications shown in Table 1:

**TABLE 1**

| TABLE 1<br>Early Childhood Program Director Qualifications |                                                                                  |                                                              |                     |
|------------------------------------------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------|
|                                                            | Education                                                                        | Coursework in Early Childhood Education or Child Development | Hours of Experience |
| (a)                                                        | Bachelor's degree or higher in early childhood education or child development    |                                                              |                     |
| (b)                                                        | Bachelor's degree or higher in a child-related field including →                 | 18 semester hours and →                                      | 480 hours           |
| (c)                                                        | Montessori credential                                                            | 18 semester hours and →                                      | 480 hours           |
| (d)                                                        | Associate's degree in early childhood education or child development including → | 18 semester hours and →                                      | 480 hours           |
| (e)                                                        | Valid child development associate credential with →                              | 18 semester hours and →                                      | 960 hours           |
| (f)                                                        | Sixty semester hours with →                                                      | 18 semester hours and →                                      | 1,920 hours         |

8) School-age program directors shall meet 1 of the following qualifications shown in Table 2:

| TABLE 2<br>School-Age Program Director Qualifications |                                                             |                                     |                     |
|-------------------------------------------------------|-------------------------------------------------------------|-------------------------------------|---------------------|
|                                                       | Education                                                   | Coursework in a Child-Related Field | Hours of Experience |
| (a)                                                   | Bachelor's degree or higher in a child-related field        |                                     |                     |
| (b)                                                   | Montessori credential with                                  | 12 semester hours and               | 480 hours           |
| (c)                                                   | Associate's degree in a child-related field and →           |                                     | 480 hours           |
| (d)                                                   | Valid Michigan school-age youth development credential with | 12 semester hours and →             | 480 hours           |
| (e)                                                   | Valid child development associate credential with →         | 12 semester hours and →             | 480 hours           |
| (f)                                                   | Sixty semester hours with →                                 | 12 semester hours and →             | 720 hours           |
| (g)                                                   | High school diploma or GED with →                           | 6 semester hours and →              | 2,880 hours         |

(9) All program directors shall have at least 2 semester hours or 3.0 CEUs in child care administration or have an administrative credential approved by the department. These semester hours may satisfy a portion of the requirements of subrules (7) and (8) of this rule. The program director may also use 30 hours of administrative training from MiRegistry to meet these requirements.

(10) Any potential program director previously employed as an approved and qualified program director is exempt from meeting subrule (9) of this rule.

(11) An early childhood program director or school age program director employed as a program director for more than 10 years without a break in service is exempt from the requirements in subrules (7) and (9) of this rule.

(12) A program director is exempt from the requirements of subrule (9) of this rule with verification that all duties required by subrule (3)(a) and (c) of this rule are handled by a central administrator, and the central administrator meets the requirements of subrule (9) of this rule. Verification of the duties and education of the central administrator must be made available to the department upon request.

(13) Verification of the education, credentials, and experience of the program director must be kept on file at the center or made available online at MiRegistry.

(14) A program that has only a before school program or an afterschool program, but not both, serving school-aged children may have a program director that meets the qualifications of a site supervisor, as specified in R 400.8119.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8116 Multi-site school-age program director.**

Rule 116.

(1) A school-age program director with a bachelor's degree or higher in a child-related field may oversee up to 3 sites with the following conditions:

(a) Each program routinely operates 6 hours or fewer per day.

(b) The multi-site school-age program director is available to the site supervisor during all hours of program operation.

(2) The multi-site school-age program director shall be at each site a minimum of 1 session per week and maintain written documentation of site visits, including dates and times.

History: 2013 AACCS.

**R 400.8119 Site supervisor; qualifications; responsibilities.**

Rule 119.

- (1) For multi-site school-age programs with a school-age program director responsible for more than 1 center, a site supervisor shall be present at each center during all hours of operation.
- (2) Site supervisors shall meet all of the following requirements:
  - (a) Be at least 19 years of age.
  - (b) Have earned a high school diploma, GED, or equivalent.
  - (c) Have 480 hours of experience working as a child care staff member in a program serving school-age children.
  - (d) Have completed 15 clock hours, 1 semester hour, or 1.5 CEUs of documented school-age training.
- (3) Site supervisors are responsible for the daily operation and implementation of the site program, supervision of the site staff, and overall care and supervision of children.
- (4) Site supervisors shall assist the multi-site school-age program director in all of the following:
  - (a) Developing, implementing, and evaluating program and center policies.
  - (b) Administering day-to-day operations, including being available to address parent, child, and staff issues.
  - (c) Monitoring and overseeing staff.
- (5) Verification of the requirements of subrule (2) must be kept on file at the center.

History: 2013 AACCS; 2019 AACCS.

**R 400.8122 Lead caregiver; qualifications; responsibilities.**

Rule 122.

- (1) Lead caregivers are required only for groups of children who are preschool age and younger.
- (2) At least 1 lead caregiver shall be assigned to each group of children in a self-contained or well-defined space and shall be present and providing care in the assigned group in the following manner:
  - (a) Full time for programs operating less than 6 continuous hours.
  - (b) At least 6 hours per day for programs operating 6 or more continuous hours.
- (3) Lead caregivers shall be responsible for both of the following:
  - (a) Overseeing the planning, implementation, and evaluation of the classroom program and child assessment.
  - (b) Overseeing child care staff members for a specific group of children and overall care and supervision of children.
- (4) Lead caregivers shall have both of the following qualifications:
  - (a) Be at least 19 years of age.
  - (b) Have a high school diploma or GED.



(5) Lead caregivers shall meet 1 of the following qualifications shown in Table 3:

| TABLE 3<br>Lead Caregiver Qualifications |                                                                                                       |                                                                                      |                     |
|------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------|
|                                          | Education                                                                                             | Coursework in Early Childhood Education, Child Development, or a Child-Related Field | Hours of Experience |
| (a)                                      | Bachelor's degree or higher in early childhood education, child development, or a child-related field |                                                                                      |                     |
| (b)                                      | Montessori credential with                                                                            |                                                                                      | 480 hours           |
| (c)                                      | Associate's degree or higher in early childhood education or child development                        |                                                                                      |                     |
| (d)                                      | Valid child development associate credential with →                                                   |                                                                                      | 480 hours           |
| (e)                                      | High school diploma or GED with →                                                                     | 12 semester hours and →                                                              | 960 hours           |
| (f)                                      | High school diploma or GED with →                                                                     | 12 semester hours, 18 CEUs, or a combination to equal 180 clock hours with →         | 1,920 hours         |
| (g)                                      | High school diploma or GED with →                                                                     | 6 semester hours, 9 CEUs, or a combination to equal 90 clock hours with →            | 3,840 hours         |

(6) Lead caregivers qualified under subrule (5), Table 3, row (g) of this rule, have 2 years from date of hire in this position to obtain an additional 6 semester hours, 9 CEUs, or a combination to equal 90 clock hours, or 90 hours from MiRegistry.

(7) Lead caregivers for infants and toddlers shall have 3 semester hours, 4.5 CEUs, or 45 hours of MiRegistry approved infant and toddler development and care practices within 6 months of hire. These semester hours or CEUs may satisfy a portion of the requirements of subrule (6) of this rule.

(8) A substitute for a lead caregiver shall be appointed for a lead caregiver who has left employment or has a temporary absence that exceeds 30 consecutive workdays until return or replacement. A substitute lead caregiver has 90 days to meet the qualifications of a lead caregiver.

(9) Verification of the education, credentials, and experience of each lead caregiver shall be kept on file at the center or at MiRegistry.

History: 2013 AACCS; 2019 AACCS.

**R 400.8125 Staff; volunteer; requirements.**

Rule 125.

- (1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
- (2) All staff and volunteers shall act in a manner that is conducive to the welfare of children.
- (3) All supervised volunteers shall receive a public sex offender registry (PSOR) clearance before having any contact with a child in care. A copy of this clearance must be kept on file at the center.
- (4) A licensee shall have a written policy regarding screening and supervision of staff and volunteers, including volunteers who are parents of a child in care. The policy must include a statement that any individual registered on the public sex offender registry (PSOR) is prohibited from having contact with any child in care.
- (5) A written statement must be signed and dated by staff and volunteers at the time of hiring or before volunteering indicating all of the following information:
  - (a) The individual is aware that abuse and neglect of children is against the law.
  - (b) The individual has been informed of the center's policies on child abuse and neglect.
  - (c) The individual knows that all staff and volunteers are required by law to immediately report suspected abuse and neglect to children's protective services.

History: 2013 AACS; 2019 AACS.

**R 400.8128 Staff; volunteer; tuberculosis.**

Rule 128.

A center shall keep on file at the center evidence to verify that each child care staff member and each volunteer who has contact with children at least 4 hours per week for more than 2 consecutive weeks is free from communicable tuberculosis (TB). Verification of TB status is required within 1 year before employment or volunteering.

History: 2013 AACS; 2019 AACS.

**R 400.8131 Professional development requirements.**

Rule 131.

- (1) The center shall provide an orientation about the center's policies and practices and these administrative rules for all personnel hired after the effective date of these rules and before unsupervised contact with children.
- (2) Child care staff members shall have training that includes information about prevention of sudden infant death syndrome and use of safe sleep practices before caring for infants and toddlers.
- (3) Before caring for children, all child care staff members and unsupervised volunteers who work directly with children shall be trained on prevention of shaken baby syndrome, abusive head trauma and child maltreatment, and recognition and reporting of child abuse and neglect.
- (4) Before unsupervised contact with children, all child care staff members who work directly with children shall complete prevention and control of infectious disease training, including immunizations.
- (5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry:
  - (a) Administration of medication.
  - (b) Prevention of and response to emergencies due to food and allergic reactions.
  - (c) Building and physical premises safety.
  - (d) Emergency preparedness and response planning.
  - (e) Handling and storage of hazardous materials and appropriate disposal of bio-contaminants.
  - (f) Precautions in transporting children, if applicable.
  - (g) Child development.
- (6) All child care staff members who work directly with children shall complete 16 clock hours of professional development annually on topics relevant to job responsibilities that include, but are not limited to, any of the following subjects:
  - (a) Child development and learning.
  - (b) Health, safety, and nutrition.

- (c) Family and community collaboration.
- (d) Program management.
- (e) Teaching and learning.
- (f) Observation, documentation, and assessment.
- (g) Interactions and guidance.
- (h) Child care center administrative rules.

(7) A center may count CPR and first aid training for up to 2 hours of the annual professional development hours in the year taken. Staff may use hours from MiRegistry to meet the professional development requirements in subrule (6) of this rule.

(8) An on-going professional development plan must be developed and implemented to include all the training and professional development required by these rules.

(9) On-line trainings and correspondence courses must have an assessment of learning.

(10) All child care staff members who work directly with children are required to be trained in first aid and pediatric, child, and adult cardiopulmonary resuscitation (CPR) within 90 days of being hired. Prior to issuing a license to operate a child care center, and prior to the renewal of a license, the department shall verify that at least 50% of the child care staff members who work directly with children are currently certified in first aid and pediatric, child, and adult CPR. Each of these child care staff member's first aid and CPR certificates must be valid and retained on file in the center.

(11) Verification of all professional development required by this rule must be kept on file at the center or online at MiRegistry. Verification must be issued from the training organization or trainer and include the date of the course, the name of the training organization or trainer, the topic covered, and the number of clock hours. Training hours from MiRegistry also meet this rule.

(12) When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 months of the notice.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8134 Hand washing.**

Rule 134.

(1) As used in this rule, "hand washing" means to cleanse the hands with soap and warm running water for at least 20 seconds.

(2) All staff and volunteers shall wash their hands at all of the following times:

- (a) Prior to starting the workday at the center.
- (b) Prior to care of children.
- (c) Before preparing and serving food and feeding children.
- (d) Before giving medication.
- (e) After each diapering.
- (f) After using the toilet or helping a child use the toilet.
- (g) After handling bodily fluids.
- (h) After handling animals and pets and cleaning cages.
- (i) After handling garbage.
- (j) When soiled.

(3) Staff and volunteers shall ensure that children wash their hands at all of the following times:

- (a) Before meals, snacks, or food preparation experiences.
- (b) After toileting or diapering.
- (c) After handling animals and pets.
- (d) When soiled.

(4) Guidelines for hand washing must be posted in food preparation areas, in toilet rooms, and by all hand washing sinks.

(5) Staff may wash children's hands with non-toxic disposable wipes in the following situations:

- (a) When the child is too heavy to hold for hand washing.

- (b) When the child cannot stand safely at the sink.
  - (c) When the child is not developmentally ready to hold his or her head.
  - (d) When the child has a special need, so the child is not able to wash his or her own hands.
- (6) When soap and running water are not available during an outing, hand sanitizers, or single-use wipes may be used as a temporary measure.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8137 Diapering; toileting.**

Rule 137.

- (1) Except as provided in subrule (2) of this rule, diapering must occur in a designated diapering area that complies with all of the following:
- (a) Is physically separated from food preparation and food service.
  - (b) Is within close proximity to a sink that is used exclusively for hand washing.
  - (c) Has non-absorbent, smooth, easily cleanable surfaces in good repair.
  - (d) Is of sturdy construction with railings or barriers to prevent falls.
  - (e) Is an elevated diapering table or similar structure.
  - (f) Is washed, rinsed, and sanitized after each use.
- (2) Children 1 year of age and older may be changed in a bathroom standing up or on a nonabsorbent, easily sanitized surface, with a changing pad between the child and the surface.
- (3) Diapering supplies must be within easy reach of the designated diapering area.
- (4) A plastic-lined, tightly covered container must be used exclusively for disposable diapers and training pants and diapering supplies. The container must be emptied and sanitized at the end of each day.
- (5) Only single-use disposable wipes or other single-use cleaning cloths must be used to clean a child during the diapering or toileting process.
- (6) Diapers and training pants must be checked frequently and changed when wet or soiled.
- (7) Guidelines for diapering must be posted in diapering areas.
- (8) Disposable gloves, if used for diapering, must only be used once for a specific child and be removed and disposed of in a safe and sanitary manner immediately after each diaper change.
- (9) The following apply when cloth diapers or training pants are used:
- (a) Each cloth diaper must be covered with an outer waterproof covering. Outer coverings must be removed as a singular unit with wet or soiled diapers and with wet or soiled training pants, if used.
  - (b) Diapers, training pants, and outer coverings must not be reused until washed and sanitized.
  - (c) Rinsing the contents must not occur at the center.
  - (d) Soiled diapers must be placed in a plastic-lined, covered container, wet bag, or other waterproof container, and used only for that child's soiled diapers.
  - (e) Soiled diapers or training pants must be stored and handled in a manner that will not contaminate any other items and must not be accessible to children.
  - (f) Soiled diapers or training pants must be removed from the center every day by the child's parent.
  - (g) A child's supply of clean diapers or training pants may only be used for that child.
- (10) Toilet learning or training must be planned cooperatively between the child's regular caregivers and the child's parent so the toilet routine established is consistent between the center and the child's home.
- (11) Equipment used for toilet learning or training must be provided. All of the following equipment is acceptable for toilet learning or training:
- (a) Adult-sized toilets with safe and easily cleanable modified toilet seats and step aids.
  - (b) Child-sized toilets.
  - (c) Non-flushing toilets or potty chairs, if they are all of the following:
    - (i) Made of a material that is easily cleanable.
    - (ii) Used only in a bathroom area.
    - (iii) Used over a surface that is impervious to moisture.
    - (iv) Washed, rinsed, and sanitized after each use.

History: 2013 AACCS; 2019 AACCS.



**R 400.8140 Discipline.****Rule 140.**

- (1) Positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation must be used.
- (2) All of the following means of punishment are prohibited:
  - (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.
  - (b) Placing any substances in a child's mouth, including but not limited to, soap, hot sauce, or vinegar.
  - (c) Restricting a child's movement by binding or tying him or her.
  - (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.
  - (e) Depriving a child of meals, snacks, rest, or necessary toilet use.
  - (f) Excluding a child from outdoor play or other gross motor activities.
  - (g) Excluding a child from daily learning experiences.
  - (h) Confining a child in an enclosed area, such as a closet, locked room, box, or similar enclosure.
  - (i) Time out must not be used for children under 3 years of age.
- (3) Non-severe and developmentally appropriate discipline or restraint may be used when reasonably necessary, based on a child's development, to prevent a child from harming himself or herself or to prevent a child from harming other persons or property, excluding those forms of punishment prohibited by subrule (2) of this rule.
- (4) A written policy must be developed and implemented regarding the age appropriate, non-severe discipline of children. The policy must be provided to staff and parents.

History: 2013 AACCS; 2019 AACCS.

**R 400.8143 Children's records.****Rule 143.**

- (1) At the time of a child's initial attendance, a center shall obtain a child information card, using a form provided by the department or a comparable substitute, that is completed and signed by the child's parent. The center shall keep it on file and accessible in the center.
- (2) Child information cards must be reviewed and updated by parents at least annually and when the center becomes aware of changes.
- (3) For children under school-age, at the time of a child's initial attendance, a center shall obtain, keep on file, and make accessible in the center 1 of the following:
  - (a) A certificate of immunization showing a minimum of 1 dose of each immunizing agent specified by the department of health and human services (DHHS).
  - (b) A copy of a waiver addressed to DHHS and signed by the parent stating immunizations are not being administered due to religious, medical, or other reasons.
- (4) When a child under school-age whose immunizations were not up-to-date at the time of enrollment has been in attendance for 4 months, an updated certificate showing completion of all additional immunization requirements as specified by DHHS must be kept on file, unless there is a signed statement by a licensed health care provider stating immunizations are in progress.
- (5) A center shall report to DHHS, by October 1 of each year and using the method established by the DHHS, immunizations for all children enrolled, under section 9211(2) of the public health code, 1978 PA 368, MCL 333.9211(2).
- (6) Within 30 days of a child's initial attendance, a center shall obtain, keep on file, and make accessible in the center a record of a physical evaluation of the child that notes any restrictions and is signed by a physician or the physician's designee. An electronic record from a physician's office will be accepted. The physical evaluation must be performed within 1 of the following time limits:
  - (a) For an infant, within the preceding 3 months.
  - (b) For toddlers, within the preceding 6 months.
  - (c) For preschoolers, within the preceding 12 months.
- (7) Physical evaluations must be updated as follows:
  - (a) Yearly for infants and toddlers.
  - (b) Every 2 years for preschoolers.

(8) Upon enrollment and annually thereafter, a center shall obtain and keep on file at the center a signed statement from a school-age child's parent confirming all of the following:

- (a) The child is in good health with activity restrictions noted.
- (b) The child's immunizations are up-to-date.
- (c) The immunization record or appropriate waiver is on file with the child's school.

(9) A center shall ensure that, if a parent objects to a physical examination or medical treatment on religious grounds, then the parent provides a signed statement annually that the child is in good health and that the parent assumes responsibility for the child's state of health while at the center.

(10) A center that enrolls a homeless child pursuant to the section 722 of the McKinney-Vento homeless education assistance improvements act of 2001, as amended by section 9102 of the every student succeeds act, 42 USC 11432, shall not be cited for noncompliance when a homeless child is unable to produce health and immunization records. The licensee shall file any documentation of referring a child to the local educational agency liaison for homeless children and youths.

(11) A center shall maintain an accurate record of daily attendance at the center that includes each child's first and last name and each child's arrival and departure time. Electronic records may be used. If electronic attendance records are used, then they must be available to the department at the time of an inspection. If the electronic attendance records are not available during an on-site inspection, then the center is in violation of this rule.

(12) A parent's written permission for the child's participation in field trips must be obtained at the time of enrollment or before each field trip, and kept on file at the center.

(13) Parents shall be notified before each field trip.

History: 2013 AACS; 2019 AACS.

#### **R 400.8146 Information provided to parents.**

Rule 146.

(1) A center shall provide a written information packet to each parent enrolling a child that includes at least all of the following:

- (a) Criteria for admission and withdrawal.
- (b) Schedule of operation, denoting hours, days, and holidays during which the center is open, and services are provided.
- (c) Fee policy.
- (d) Discipline policy.
- (e) Food service policy.
- (f) Program philosophy.
- (g) Typical daily routine.
- (h) Parent notification plan for accidents, injuries, incidents, and illnesses.
- (i) Transportation policy, if applicable.
- (j) Medication policy.
- (k) Exclusion policy for child illnesses.
- (l) Notice of the availability of the center's licensing notebook. The notice must include all of the following:

- (i) The licensing notebook contains all the licensing inspection and special investigation reports and related corrective action plans for the last 5 years.
- (ii) The licensing notebook is available to parents during regular business hours.
- (iii) Licensing inspection reports, special investigation reports, and corrective action plans from at least the past 3 years are available on the department's child care licensing website at [www.michigan.gov/michildcare](http://www.michigan.gov/michildcare). The website address must be in bold print.

- (m) The website where parents can access these rules is [www.michigan.gov/michildcare](http://www.michigan.gov/michildcare).

(2) Written documentation that the parent received the written information packet, as required by subrule (1) of this rule, must be kept on file at the center.

(3) For infants and toddlers, a center shall provide parents with a written daily record that includes at least the following information:

- (a) Food intake time, type of food, and amount eaten.

- (b) Sleeping patterns indicating when and how long the child slept.
  - (c) Elimination patterns, including bowel movements, consistency, and frequency.
  - (d) Developmental milestones.
  - (e) Changes in the child's usual behaviors.
- (4) Parents of children with special needs may request a written daily record that includes at least the information required by subrule (3) of this rule.

History: 2013 AACCS; 2019 AACCS.

**R 400.8149 Parent permission for transportation.**

Rule 149.

- (1) A center shall obtain a parent's written permission annually for routine transportation.
- (2) A center shall obtain a parent's written permission for any non-routine transportation before each trip.
- (3) Permission for all transportation must be kept on file at the center.

History: 2013 AACCS; 2019 AACCS.

**R 400.8152 Medication; administrative procedures.**

Rule 152.

- (1) Medication, prescription or nonprescription, must be given to a child by a child care staff member only.
- (2) A child care staff member shall give or apply medication, prescription or nonprescription, only with prior written permission from a parent.
- (3) All medication must be in its original container, stored according to instructions, and clearly labeled for a named child, including all nonprescription topical medications described in subrule (8) of this rule.
- (4) Prescription medication must have the pharmacy label indicating the physician's name, child's first and last name, instructions, name and strength of the medication, and must be given according to those instructions.
- (5) A child care staff member shall keep all medication out of the reach of children and shall return it to the child's parent or destroy it when the parent determines it is no longer needed or it has expired.
- (6) A child care staff member shall give or apply any prescription or nonprescription medication according to the directions on the original container, unless otherwise authorized by a written order of the child's physician.
- (7) A child care staff member shall not add medication to a child's bottle, beverage, or food unless indicated on the prescription label.
- (8) Topical nonprescription medication, including but not limited to diapering cream, triple antibiotic, sunscreen, and insect repellent, requires written parental authorization annually.
- (9) A center shall maintain a record as to the time and the amount of medication given or applied, with the exception of medications described in subrule (8) of this rule, on a form provided by the department or a comparable substitute approved by the department. One form per medication is required. The signature of the child care staff member administering the medication must be included.

History: 2013 AACCS; 2019 AACCS.

**R 400.8155 Child accidents and incidents; child and staff illness.**

Rule 155.

- (1) A center shall have a written plan for how and when a parent is notified when personnel observe any of the following:
  - (a) Changes in a child's health.
  - (b) A child experiences an accident, injury, or incident.
  - (c) A child is too ill to remain in the group.
- (2) A center shall ensure that a child who is too ill to remain in the group is placed in a separate area and is cared for and supervised until the parent arrives.
- (3) Items and facilities used by an ill child or adult must not be used by any other individual until washed, rinsed, and sanitized.

- (4) If a center becomes aware that a staff member, volunteer, or child in care has contracted a communicable disease, then the center shall notify parents and provide all of the following information:
- (a) The name of the communicable disease the children were exposed to.
  - (b) The symptoms of the disease.
  - (c) Prevention measures as recommended by the U.S. Centers for Disease Control and Prevention (CDC) at the following website: <https://www.cdc.gov/DiseasesConditions>.
- (5) A center shall have a written policy detailing when children, staff, and volunteers will be excluded from the center due to illness.

History: 2013 AACS; 2019 AACS.

**R 400.8158 Incident, accident, injury, illness, death, fire reporting.**

Rule 158.

- (1) In the event of the death of a child in care, a licensee, licensee designee, or program director shall do both of the following:
- (a) Immediately report it, in-person or via phone, directly to the child's parent.
  - (b) Report it to the department within 24 hours, via phone.
- (2) A licensee, licensee designee, or program director shall report to the child's parent and the department, directly or via phone, fax, or email, within 24 hours of the occurrence of any of the following:
- (a) A child is lost or left unsupervised.
  - (b) An incident involving an allegation of inappropriate contact.
  - (c) A fire on the premises of the center that requires the use of fire suppression equipment or results in loss of life or property.
  - (d) The center is evacuated for any reason.
- (3) A licensee, licensee designee, or program director shall report to the department, via phone, fax, or email, within 24 hours of notification by a parent that a child received medical treatment or was hospitalized for an injury, accident, or medical condition that occurred while the child was in care.
- (4) A licensee, licensee designee, or program director shall submit a written report to the department of the occurrences outlined in subrules (1), (2), and (3) of this rule, in a format provided by the department, within 72 hours of the verbal report to the department.
- (5) A licensee, licensee designee, or program director shall keep a copy of the report on file at the center.

History: 2013 AACS; 2019 AACS.

**R 400.8161 Emergency procedures.**

Rule 161.

- (1) Written procedures for the care of children and staff for each of the following emergencies must be developed and implemented:
- (a) Fire.
  - (b) Tornado.
  - (c) Other natural or man-made disasters.
  - (d) Serious accident, illness, or injury.
  - (e) Crisis management including, but not limited to, intruders, active shooters, bomb threats, and other man-made events.
- (2) The written procedures must include all of the following:
- (a) A plan for evacuation.
  - (b) A plan for safely moving children to a relocation site.
  - (c) A plan for shelter-in-place.
  - (d) A plan for lockdown.
  - (e) A plan for contacting parents and reuniting families.
  - (f) A plan for how each child with special needs will be accommodated during each type of emergency.
  - (g) A plan for how infants and toddlers will be accommodated during each type of emergency.



- (h) A plan for how children with chronic medical conditions will be accommodated during each type of emergency.
- (3) The plans required by subrule (1)(a) to (d) of this rule must be posted in a place visible to staff and parents.
- (4) The crisis management plan required by subrule (2) of this rule must be maintained in a place known and easily accessible to all personnel.
- (5) A fire drill program, consisting of at least 1 fire drill quarterly, must be established and implemented.
- (6) A tornado drill program, consisting of at least 2 tornado drills between the months of March through November, must be established and implemented.
- (7) A written log indicating the date and time of fire and tornado drills must be kept on file at the center.
- (8) Each child care staff member shall be trained at least twice a year on his or her duties and responsibilities for all emergency procedures referenced in subrule (1) of this rule.
- (9) If cribs are used in emergency evacuations, then all doors within the means of egress must be wide enough to readily accommodate the crib evacuation.

History: 2013 AACS; 2019 AACS.

#### **R 400.8164 Telephone service.**

Rule 164.

- (1) An operable phone must be available and accessible in the building during the hours the center is in operation.
- (2) During the hours the center is in operation, a phone number known to the public and available to parents to provide immediate access to the center must be provided.
- (3) Emergency phone numbers, including 911, fire, police, and the poison control center, and the facility's physical address and 2 main cross streets, must be conspicuously posted in a place visible to staff.

History: 2013 AACS; 2019 AACS.

#### **R 400.8167 Indoor space.**

Rule 167.

- (1) The required square footage of indoor space per child must be at least the following:
  - (a) Fifty square feet for infants and toddlers.
  - (b) Thirty-five square feet for preschoolers and school-agers.
- (2) The following indoor space is excluded from the required square footage:
  - (a) Hallways.
  - (b) Bathrooms.
  - (c) Reception and office areas.
  - (d) Kitchens.
  - (e) Storage areas and closets.
  - (f) Areas used exclusively for resting, sleeping, or eating, except for infants and toddlers.
- (3) A center shall provide a floor plan of all child use areas to the department at initial licensure and before making structural changes or adding any child use space. Only space that has received prior approval for child use by the department may be used for child care.

History: 2013 AACS; 2019 AACS.

#### **R 400.8170 Outdoor play area.**

Rule 170.

- (1) As used in this rule:
  - (a) "Certified playground safety inspector" means an individual certified by the National Playground Safety Institute or the National Program for Playground Safety to conduct playground safety inspections.
  - (b) "Natural playground" means an outdoor play area that blends natural materials, features, and vegetation.
- (2) The outdoor play area is considered an outdoor classroom and an extension of the learning environment.

- (3) A center operating with children in attendance for 3 or more continuous hours per day shall provide daily outdoor play, unless prevented by inclement weather or other weather conditions that could result in children becoming overheated or excessively chilled.
- (4) A center operating with children in attendance for 3 or more continuous hours a day shall have an outdoor play area that has at least 1,200 square feet. More than 1,200 square feet of outdoor play area may be required when the minimum amount is not adequate for the number of children for which the center is licensed.
- (5) If outdoor space is not available adjacent to the center, then a center may use a park or other outdoor facility. The outdoor space must meet all of the following requirements:
- (a) The area must be easily accessible by a safe walking route.
  - (b) The play area must be inspected before each use to ensure that no hazards are present.
  - (c) The location of the alternative outdoor play area must be specified in writing to the department.
- (6) There must be a shaded area to protect children from excessive sun exposure, when necessary.
- (7) The outdoor play area must be in a safe location.
- (8) The outdoor play area must be protected from hazards, when necessary, by a fence or natural barrier that is at least 48 inches in height.
- (9) Children shall only use age-appropriate equipment.
- (10) An outdoor play area and any equipment located on the center's premises must be maintained in a safe condition and inspected daily before use to ensure that no hazards are present.
- (11) The playground equipment, use zones, and surfacing in the outdoor play area must be inspected by a certified playground safety inspector and an approval granted for playground equipment and areas used before issuance of an original license, upon request of the department, and before using any newly added playground equipment. The center shall provide documentation of the inspection to the department upon request and shall keep it on file at the center.
- (12) School-age centers operating in school buildings approved by the Michigan department of education are exempt from subrule (11) of this rule, provided the licensee informs parents, in writing at the time of enrollment, if the center plans to use a public school's outdoor play area and equipment that do not comply with subrule (11) of this rule.
- (13) All pieces of playground equipment that have an elevated playing or climbing surface, regardless of the height of the playing or climbing surface, must be surrounded by a shock absorbing surface and meet the guidelines defined by the Consumer Product Safety Commission (CPSC) Handbook for Public Playground Safety, which is available at no cost at [www.cpsc.gov](http://www.cpsc.gov). This handbook is also available for inspection, and distribution at no cost, at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933. The shock absorbing surface material may be either unitary or the loose-fill type. An exception to this subrule is provided for natural playgrounds.
- (14) Shock-absorbing surfacing materials are not required for equipment that requires a child to be standing or sitting on the ground during play.
- (15) Loose-fill surfacing material must not be installed over concrete or asphalt.
- (16) The depth of the loose-fill surface material must be restored to its required depth when it has moved or becomes otherwise compromised.
- (17) If children's wheeled vehicles and pull toys are used, then a suitable surface must be provided for their use.
- (18) Materials used on a natural playground must not be in the use zones for other playground equipment.
- (19) The elevated playing surface of materials used on a natural playground must not exceed 30 inches.
- (20) Materials used on a natural playground with elevated playing surfaces must not be installed over concrete or asphalt.
- (21) Surfacing materials are not required under elevated playing surfaces on a natural playground.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8173 Equipment.**

##### **Rule 173.**

- (1) A center shall not use equipment, materials, and furnishings recalled or identified by the United States Consumer Product Safety Commission (CPSC) as being hazardous. This information is available free of charge at the CPSC website, [www.cpsc.gov](http://www.cpsc.gov).

- (2) The current list of unsafe children's products that is provided by the department must be conspicuously posted in the center, as required by section 15 of the children's product safety act, 2000 PA 219, MCL 722.1065.
- (3) Materials that have a warning label indicating they are toxic for children, or to keep out of reach of children, must not be used by children.
- (4) Play equipment, materials, and furniture, must be all of the following:
  - (a) Appropriate to the developmental needs and interests of children as required by R 400.8179(2).
  - (b) Safe, clean, and in good repair.
  - (c) Child-sized or appropriately adapted for a child's use.
  - (d) Easily accessible to the children.
- (5) A center shall provide a minimum of 3 playspaces per child multiplied by the number of children the center is licensed to serve.
- (6) A minimum of 2 playspaces must be accessible per child in attendance on any given day during child-initiated activity time.
- (7) Children shall have access to equipment and materials in the following areas on a daily basis:
  - (a) Large and small muscle activity.
  - (b) Sensory exploration.
  - (c) Social interaction and dramatic play.
  - (d) Discovery and exploration.
  - (e) Early math and science experiences.
  - (f) Creative experiences through art, music, and literature.
- (8) A current and accurate equipment inventory must be provided to the department before issuance of the original license and updated and made available at each renewal.
- (9) A first aid kit must be readily accessible to staff and securely stored in the center.
- (10) A rocking chair or other comfortable, adult-sized seating must be provided for 50% of the child care staff members on duty who are providing infant and toddler care.
- (11) Trampolines and bounce houses must not be used by children in care at the child care center.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8176 Sleeping equipment.**

Rule 176.

- (1) All bedding and sleeping equipment must be appropriate for the child, clean, comfortable, safe, and in good repair.
- (2) Heavy objects that could fall on a child, such as shelving and televisions, must not be above sleeping equipment.
- (3) A crib or porta-crib must be provided for all infants in care.
- (4) A crib, porta-crib, cot, or mat, and a sheet or blanket of appropriate size must be provided for all toddlers and preschoolers under 3 years of age in care.
- (5) A cot or a mat and a sheet or blanket of appropriate size must be provided as follows:
  - (a) For all preschoolers 3 years of age and older in care for 5 or more continuous hours.
  - (b) For any child in care who regularly naps.
  - (c) Upon a parent's request for any child in care.
- (6) Car seats, infant seats, swings, bassinets, and play yards are not approved sleeping equipment.
- (7) Documentation from the child's health care provider is required if a child has a health issue or special need that requires the child to sleep in something other than a crib or porta-crib for infants or toddlers, or cot or mat for toddlers. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner, including an end date.
- (8) Swaddling with a sleep sack swaddle attachment or swaddle wrap is allowed only for infants up to 2 months of age. If a child has a health issue or special need that requires the child use a swaddle attachment or swaddle wrap after the child is 2 months of age, documentation from the health provider is required. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner, including an end date.
- (9) A center shall not use stacking cribs.

- (10) Cribs and porta-cribs must comply with the federal product safety standards issued by the United States Consumer Product Safety Commission, which are available at no cost at the commission's website, [www.cpsc.gov](http://www.cpsc.gov). These standards are also available for inspection or distribution at no cost from the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933.
- (11) A crib or porta-crib must have a firm, tight-fitting waterproof mattress.
- (12) A tightly fitted bottom sheet must cover the crib or porta-crib mattress with no additional padding placed between the sheet and mattress.
- (13) Soft objects, bumper pads, stuffed toys, blankets, quilts, comforters, and other objects that could smother a child must not be placed in, or within reach of, a crib or porta-crib with a resting or sleeping infant.
- (14) Blankets must not be draped over cribs or porta-cribs when in use.
- (15) Cots and mats must be constructed of a fabric or plastic that is easily cleanable.
- (16) All sleeping equipment and bedding must be washed, rinsed, and sanitized when soiled, between uses by different children, and at least once a week regardless of use by different children.
- (17) When sleeping equipment and bedding are stored, both of the following apply:
- (a) Sleeping surfaces shall not come in contact with other sleeping surfaces.
  - (b) Bedding must not come in contact with other bedding.
- (18) All occupied cribs, porta-cribs, cots, and mats must be placed in such a manner that there is a free and direct means of egress and must be spaced as follows:
- (a) Cribs and porta-cribs must be at least 2 feet apart. Cribs or porta-cribs with solid-panel ends may be placed end-to-end.
  - (b) Cots and mats must be at least 18 inches apart.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8179 Program.**

Rule 179.

- (1) As used in this rule:
- (a) "Confining equipment" means equipment used to assist in caring for infants, including but is not limited to, swings, stationary activity centers, infant seats, and molded seats.
  - (b) "Media" means use of electronic devices with a screen, including but not limited to: televisions, computers, tablets, multi-touch screens, interactive white boards, mobile devices, cameras, movie players, e-book readers, and electronic game consoles.
  - (c) "Interactive media" means media designed to facilitate active and creative use by children and to encourage social engagement with other children and adults.
  - (d) "Non-interactive media" means media that is used passively by children.
- (2) A center shall implement a program plan that includes daily learning experiences appropriate to the developmental level of the children. Experiences must be designed to develop all of the following:
- (a) Physical development.
  - (b) Social development.
  - (c) Emotional development.
  - (d) Cognitive development.
- (3) The program must be planned to provide a flexible balance of all of the following experiences:
- (a) Quiet and active.
  - (b) Individual and group.
  - (c) Large and small muscle.
  - (d) Child initiated, and staff initiated.
- (4) Developmentally appropriate experiences must be designed so that throughout the day each child has opportunities to do all of the following:
- (a) Practice social interaction skills.
  - (b) Use materials and take part in activities that encourage creativity.
  - (c) Learn new ideas and skills.
  - (d) Participate in imaginative play.



- (e) Participate in developmentally appropriate language and literacy experiences.
  - (f) Participate in early math and science experiences.
  - (g) Be physically active.
- (5) A school-age program must supplement the areas of development not regularly provided for during the school day.
- (6) A typical daily routine must be posted in a place visible to parents.
- (7) When awake, use of confining equipment for infants must be minimized, not to exceed 30 minutes at a time.
- (8) Tummy time is required daily for all infants under 12 months of age, and must meet all of the following requirements:
- (a) Infants shall be directly supervised at all times while engaged in tummy time.
  - (b) Infants shall be healthy, awake, and alert during tummy time. If an infant falls asleep, the infant must be immediately moved to a safe sleeping space.
  - (c) During tummy time, infants shall not be placed on or near soft surfaces, including but not limited to cushions, pillows, or padded mats.
  - (d) A parent may request in writing an exemption for their infant from tummy time. The request must be kept in the child's file.
- (9) Use of media is prohibited for children under 2 years of age.
- (10) When media are used with children 2 years of age and older, all of the following apply:
- (a) Activities must be developmentally appropriate.
  - (b) Interactive media must be used to support learning and to expand children's access to content, and be suitable to the age of the child in terms of content and length of use per session.
  - (c) Media with violent or adult content are prohibited while children are in care.
  - (d) Use of non-interactive media must not exceed 2 hours per week per child.
  - (e) When media are available for children's use, other activities must also be available to children.
- (11) An exception to the requirements of subrule (10)(d) of this rule may be made under the following conditions:
- (a) School-age children using computers and any other electronic devices for academic and educational purposes.
  - (b) Children using assistive and adaptive technology.
- (12) For children with special needs, care must be provided according to the child's needs as identified by parents, medical personnel, or other relevant professionals.
- (13) Parents may visit the center during hours of operation for the purpose of observing their children.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8182 Ratio and group size requirements.**

Rule 182.

- (1) At least 2 adults, 1 of whom is a child care staff member, shall be present at all times when at least 3 children between the ages of birth and 3 years of age are present. A second child care staff member is required when needed to comply with subrule (3) of this rule.
- (2) At least 2 adults, 1 of whom is a child care staff member, shall be present at all times when 7 or more children over 3 years of age are present. A second child care staff member is required when needed to comply with subrule (3) of this rule.

(3) In each room or well-defined space, the maximum group size and ratio of child care staff members to children, including children related to a staff member or the licensee, must be as shown in Table 4:

| TABLE 4<br>Child Care Staff Member to Child Ratios |                                                     |                                        |                    |
|----------------------------------------------------|-----------------------------------------------------|----------------------------------------|--------------------|
|                                                    | Age                                                 | Child Care Staff Member to Child Ratio | Maximum Group Size |
| (a)                                                | Infants and toddlers, birth until 30 months of age  | 1 to 4                                 | 12                 |
| (b)                                                | Preschoolers, 30 months of age until 3 years of age | 1 to 8                                 | 16                 |
| (c)                                                | Preschoolers, 3 years of age until 4 years of age   | 1 to 10                                | Not applicable     |
| (d)                                                | Preschoolers, 4 years of age until school-age       | 1 to 12                                | Not applicable     |
| (e)                                                | School-agers                                        | 1 to 18                                | Not applicable     |

(4) Children who have reached 33 months of age may, when developmentally appropriate, be enrolled in a 3-year-old classroom with written parental permission. The ratio listed in subrule (3)(c) of this rule applies.

(5) Children who have reached 45 months of age may, when developmentally appropriate, be enrolled in a 4-year-old classroom with written parental permission. The ratio listed in subrule (3)(d) of this rule applies.

(6) Children who have reached 57 months of age but who are not considered a school-ager may, when developmentally appropriate, be enrolled in a school-age classroom with written parental permission. The ratio listed in subrule (3)(e) of this rule applies.

(7) If there are children of mixed ages in the same room or well-defined space, then the ratio and group size is determined by the age of the youngest child, unless each group of children is clearly separated and the appropriate child care staff member-to-child ratios and group sizes, if applicable, for each age group are maintained.

(8) An exception to the requirements of subrule (3) of this rule may be made when the center is transporting children and is in compliance with R 400.8760(1) and (2).

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8185 Primary care.**

Rule 185.

(1) As used in this rule, “primary caregiver” means the child care staff member to whom the care of a specific infant or toddler is assigned. The primary caregiver is responsible for direct care, verbal and physical interactions, primary responses to the child’s physical and emotional needs, and continued interaction with the child’s parents regarding the child’s experiences.

(2) The center shall implement a primary care system so that each infant and toddler has a primary caregiver.

(3) Each infant and toddler shall have not more than 4 primary caregivers in a week. For centers operating less than 24 hours a day, an exception may occur during the first hour after the center opens and the hour before closing.

(4) Information regarding a child’s food, health, and temperament must be shared daily between primary caregivers when more than 1 primary caregiver is assigned to any infant or toddler.

(5) Primary caregiving assignments must be documented and provided to parents.

(6) An exception to this rule may be made when the center is transporting children and is in compliance with R 400.8760(1) and (2).

History: 2013 AACCS; 2019 AACCS.

**R 400.8188 Sleeping, resting, and supervision.**

Rule 188.

- (1) Children under 3 years of age shall be provided opportunities to rest regardless of the number of hours in care.
- (2) A center shall permit children under 18 months of age to sleep on demand.
- (3) Infants shall rest or sleep alone in cribs or porta-cribs.
- (4) Infants shall be placed on their backs for resting and sleeping.
- (5) Infants unable to roll from their stomachs to their backs and from their backs to their stomachs shall be placed on their backs when found face down.
- (6) When infants can easily turn over from their stomachs to their backs and from their backs to their stomachs, they shall be initially placed on their backs, but shall be allowed to adopt whatever position they prefer for sleep.
- (7) For an infant who cannot rest or sleep on her or his back due to disability or illness, written instructions, signed by the infant's licensed health care provider, detailing an alternative safe sleep position or other special sleeping arrangements for the infant must be followed and kept on file at the center. The instructions must include an end date.
- (8) A sleeping infant's breathing, sleep position, and bedding must be monitored frequently for possible signs of distress.
- (9) An infant's head must remain uncovered during sleep.
- (10) Toddlers shall rest or sleep alone in cribs, porta-cribs, or on mats or cots.
- (11) Infants and toddlers who fall asleep in a space that is not approved for sleeping shall be moved to approved sleep equipment appropriate for their age and size.
- (12) Naptime or quiet time must be provided when children under school-age are in attendance 5 or more continuous hours per day.
- (13) For children under school age who do not sleep at rest time, quiet activities must be provided such as reading books or putting puzzles together.
- (14) Resting or sleeping areas must have adequate soft lighting to allow the child care staff member to assess children.
- (15) Video surveillance equipment and baby monitors must not be used in place of subrule (8) of this rule and R 400.8125(1).

History: 2013 AACCS; 2019 AACCS.

**R 400.8191 Nighttime care.**

Rule 191.

- (1) If a child is in care between the hours of 11 p.m. and 5 a.m., a separate area, away from sleeping children, where the child can engage in quiet activities must be available.
- (2) If a child is in care for more than 1 hour between the hours of 11 p.m. and 5 a.m., a bed and mattress, with a waterproof covering, of a size appropriate to the age of the child shall be available.

History: 2013 AACCS; 2019 AACCS.

**PART 2. ENVIRONMENTAL HEALTH****R 400.8301 Definitions.**

Rule 301. As used in this part:

- (a) "Bulk foods" means larger quantities of food that are used over time, such as flour, sugar, noodles, and rice. Food that is used up in a week or less, such as crackers, are not considered bulk foods.
- (b) "Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and bacterial solutions, and other conditions-of-use environment.
- (c) "Food grade surface" means a surface that is easily cleanable and made from a material that will not migrate into, contaminate, or taint the food.
- (d) "Food service equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils, used in the operation of a center.

- (e) “Food” means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.
- (f) “Food-contact surface” means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back onto surfaces normally in contact with food.
- (g) “Packaged” means bottled, canned, in a carton, or securely wrapped.
- (h) “Potentially hazardous food” means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacean, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.
- (i) “Ready to eat food” means food that does not require cooking and that will not be cooked before being served.
- (j) “Sealed” means free of cracks or other openings that permit the entry or passage of moisture.
- (k) “Single-service articles” means those food service articles intended for 1-time, 1-person use and then discarded.
- (l) “Tableware” means multi-use eating and drinking utensils.
- (m) “Utensil” means any implement used in the storage, preparation, transportation, or service of food.

History: 2013 AACS; 2019 AACS.

#### **R 400.8305 Plan review; approval; inspections.**

Rule 305.

- (1) All local health department requirements regarding plan reviews and specifications must be followed. Written confirmation that this has occurred must be submitted to the department.
- (2) An inspection must be conducted by the local health department, and an approval granted indicating compliance with all of the rules in this part, except R 400.8330, 400.8335, and 400.8340, at all of the following times:
  - (a) Before issuance of an original license.
  - (b) Every 2 years, at the time of renewal, if the center has a private well or septic.
  - (c) Every 2 years, at the time of renewal, if the center provides food service where the food is prepared and served on-site, unless the kitchen is currently licensed to provide food service.
  - (d) Prior to adding a food service program.
  - (e) Prior to adding an infant or toddler program.
  - (f) When requested by the department.

History: 2013 AACS; 2019 AACS.

#### **R 400.8310 Food preparation areas.**

Rule 310.

- (1) Food contact surfaces must be smooth, nontoxic, easily cleanable, durable, corrosion resistant, and nonabsorbent.
- (2) Carpeting is prohibited in food preparation areas.
- (3) Mechanical ventilation to the outside is required for all commercial cooking equipment, which includes but is not limited to, stoves, ranges, ovens, and griddles.
- (4) If residential hood ventilation is used, then cooking equipment must be limited to residential stove and oven equipment.
- (5) Mechanical ventilation to the outside may be required if a problem is evidenced.
- (6) The use of deep fryers is prohibited.
- (7) Live animals are prohibited in food preparation and eating areas.
- (8) When the only food preparation is for feeding infants and toddlers, there must be a sink that is used exclusively for food preparation and clean up.

History: 2013 AACS; 2019 AACS.



**R 400.8315 Food and equipment storage.****Rule 315.**

- (1) Each refrigerator must have an accurate working thermometer indicating a temperature of 41 degrees Fahrenheit or below.
- (2) All artificial lighting fixtures located over, by, or within food storage, preparation, and service areas, or where utensils and equipment are cleaned and stored, must be properly shielded.
- (3) Unpackaged bulk foods must be stored in clean covered containers, dated, and labeled as to the contents.
- (4) Food not subject to further washing or cooking before serving must be stored in a way that protects it from cross-contamination from food requiring washing or cooking.
- (5) Packaged food must not be stored in contact with water or undrained ice.
- (6) Poisonous or toxic materials must not be stored with food, food service equipment, utensils, or single-service articles.
- (7) Food, food service equipment, and utensils must not be located under exposed or unprotected sewer lines, open stairwells, or other sources of contamination. Automatic fire protection sprinkler heads are the exception.
- (8) The storage of food, food service equipment, or utensils in toilet rooms is prohibited.
- (9) Food and utensils must be stored in a cabinet or a shelf above the floor.
- (10) All food service equipment must be above the floor, moveable, or be properly sealed to the floor.
- (11) Meals that are transported must be prepared in commercial kitchens and delivered in carriers approved by the local health department.

History: 2013 AACCS; 2019 AACCS.

**R 400.8320 Food preparation.****Rule 320.**

- (1) Food must be in sound condition, free from spoilage, filth, or other contamination and be safe for human consumption.
- (2) Food must be prepared on food grade surfaces that have been washed, rinsed, and sanitized.
- (3) Raw fruits and vegetables must be thoroughly washed before being cooked or served.
- (4) Staff shall minimize bare-hand contact with foods that will be cooked.
- (5) Ready to eat foods must not be prepared or served using bare hands.
- (6) Food must be cooked to heat all parts of the food to the safe temperature as identified in the document titled Safe Minimum Cooking Temperatures, published by the U.S. Food Safety Working Group. This document is adopted by reference in this rule and is available at no cost on the Foodsafety.gov website, <https://www.foodsafety.gov/keep/charts/mintemp.html>. It is also available for inspection and distribution at no cost from the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933.
- (7) Potentially hazardous foods must be thawed using 1 of the following methods:
  - (a) In the refrigerator at a temperature not to exceed 41 degrees Fahrenheit.
  - (b) Completely submerging the item under cold water, at a temperature of 70 degrees Fahrenheit or below, that is running fast enough to float off loose ice particles.
  - (c) In a microwave oven for either of the following:
    - (i) The food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process.
    - (ii) The entire cooking process takes place in the microwave oven.
  - (d) As part of the conventional cooking process.
- (8) The temperature of potentially hazardous foods must be 41 degrees Fahrenheit or below, or 135 degrees Fahrenheit or above, at all times, except during necessary periods of preparation.
- (9) Potentially hazardous foods that have been cooked and then refrigerated or frozen must be reheated rapidly to 165 degrees Fahrenheit or higher throughout before being served or before being placed in a hot food storage facility.
- (10) Accurate metal stem-type food thermometers must be used to assure the attainment and maintenance of proper internal cooking, holding, reheating, or refrigeration temperatures of all potentially hazardous foods.
- (11) On field trips, all foods must be protected from contamination at all times as required by this rule.

(12) In the absence of proper hand washing facilities on field trips, individuals preparing and serving food shall wear sanitary disposable food service gloves.

History: 2013 AACS; 2019 AACS.

**R 400.8325 Sanitization.**

Rule 325.

- (1) All tableware, utensils, food contact surfaces, and food service equipment must be thoroughly washed, rinsed, and sanitized after each use. Multipurpose tables must be thoroughly washed, rinsed, and sanitized before and after they are used for meals or snacks.
- (2) Enamelware utensils are prohibited.
- (3) Reuse of single service articles is prohibited.
- (4) Multi-use tableware and utensils must be washed, rinsed, and sanitized using 1 of the following methods:
  - (a) A commercial dishwasher.
  - (b) A residential dishwasher with sanitizing capability.
  - (c) A 3-compartment sink and adequate drain boards.
  - (d) A 2-compartment sink for washing and rinsing, a third container suitable for complete submersion for sanitizing, and adequate drain boards.
- (5) If the manual washing method is used, as referenced in subrule (4)(c) and (d) of this rule, all of the following must be done:
  - (a) Rinse and scrape all utensils and tableware before washing.
  - (b) Thoroughly wash in detergent and water.
  - (c) Rinse in clear water.
  - (d) Sanitize using 1 of the following methods:
    - (i) Immersion for at least 30 seconds in clean, hot water of at least 170 degrees Fahrenheit.
    - (ii) Immersion for at least 1 minute in a solution containing between 50 and 100 parts per million of chlorine or comparable sanitizing agent at a temperature of at least 75 degrees Fahrenheit. A test kit or other device that measures parts per million concentration of the solution must be used when a chemical is used for sanitizing.
  - (e) Air dry.
- (6) Sponges must not be used in a food service operation.

History: 2013 AACS; 2019 AACS.

**R 400.8330 Food services and nutrition generally.**

Rule 330.

- (1) Snacks and meals must be provided by the center, except when 1 of the following circumstances occurs:
  - (a) A majority of the children are in attendance less than 2.5 hours.
  - (b) Food is provided by a parent.
- (2) A written agreement must be kept on file at the center if the parent has agreed to provide formula, milk, or food. The center shall provide an adequate amount of formula, milk, or food if the parent does not.
- (3) Beverages and food must be appropriate for the child's individual nutritional requirements, developmental stages, and special dietary needs, including cultural preferences.
- (4) A center shall ensure a child who has special dietary needs is provided with snacks and meals in accordance with the child's needs and with the instructions of the child's parent or licensed health care provider.
- (5) A center shall provide adequate staff so that food service activities do not detract from direct care and supervision of children.
- (6) A center shall make water available to drink throughout the day to children 1 year of age and older.
- (7) Infants and toddlers shall be fed on demand.
- (8) A child shall be served meals and snacks in accordance with the following schedule:
  - (a) Two and a half hours to 4 hours of operation: a minimum of 1 snack.
  - (b) Four hours to 6 hours of operation: a minimum of 1 meal and 1 snack.
  - (c) Seven hours to 10 hours of operation: a minimum of 1 meal and 2 snacks or 2 meals and 1 snack.

- (d) Eleven hours or more of operation: a minimum of 2 meals and 2 snacks.
- (9) A center shall not deprive a child of a snack or meal if the child is in attendance at the time when the snack or meal is served.
- (10) Menus must be planned in advance, dated, and posted in a place visible to parents. Food substitutions must be noted on the menus the day the substitution occurs.
- (11) A center shall not serve infants and toddlers or allow them to eat foods that could easily cause choking, including but not limited to, popcorn, seeds, nuts, hard candy and uncut round foods such as whole grapes and hot dogs.
- (12) Cereal must not be added to a bottle or beverage container without written parental permission.
- (13) If food, bottles, or beverage containers are warmed, then the warming must be done in a safe, appropriate manner.
- (14) Warming bottles and beverage containers in a microwave oven or a crockpot is prohibited.
- (15) Bottle warmers must be placed where children cannot access them or reach the cords for them.
- (16) Bottle warmers must be shut off when not in use. A child care staff member shall not hold a child while removing a bottle from the heating device.
- (17) Warmed food, bottles, and beverage containers must be shaken or stirred to distribute the heat, and the temperature must be tested before feeding.
- (18) The contents of a bottle or beverage container must be discarded if any of the following apply:
- (a) The contents appear to be unsanitary.
  - (b) The bottle or beverage container has been used for feeding for a period that exceeds 1 hour from the beginning of the feeding.
  - (c) The bottle or beverage container requiring refrigeration has been unrefrigerated for 1 hour or more.
- (19) Formula and milk, including breast milk, left in a bottle or beverage container after a feeding must not be reused.
- (20) Bottle propping is prohibited.
- (21) When feeding, child care staff members shall hold infants, except when infants resist being held and are able to hold their bottle.
- (22) Infants or toddlers shall not have bottles, beverage containers, or food in sleeping equipment.
- (23) Children shall not have beverage containers or food while they are walking around or playing.
- (24) Child care staff members shall foster and facilitate toddlers' independence, language, and social interactions by doing all of the following:
- (a) Encouraging self-feeding.
  - (b) Serving appropriate portion sizes.
  - (c) Sitting with toddlers during meal times.
- (25) Breastfeeding must be supported and accommodated.
- (26) A designated place must be set aside for use by mothers who are breastfeeding.

History: 2013 AACCS; 2019 AACCS.

**R 400.8335 Food services and nutrition; provided by center.**

Rule 335.

- (1) Food and beverages provided by a center must be of sufficient quantity and nutritional quality to provide for the dietary needs of each child according to the minimum meal requirements of the child and adult care food program (CACFP), as administered by the Michigan department of education, based on 7 CFR part 226, 1-1-18 edition, (2018) of the United States Department of Agriculture, Food and Nutrition Service, CACFP, and is hereby adopted by reference. A copy can be obtained at no cost from CACFP at <http://www.fns.usda.gov/cacfp/meals-and-snacks>. In addition, a copy is available for inspection and distribution at no cost at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933.
- (2) Solid foods must be introduced to an infant according to the parent's or licensed health care provider's instructions.
- (3) Infants shall only be served formula to drink unless written authorization is provided by the child's licensed health care provider.

- (4) Children 12 months of age until 2 years of age shall be served whole homogenized Vitamin D-fortified cow's milk, except as provided in R 400.8330(4).
- (5) Formula must be commercially prepared and ready-to-feed.
- (6) All fluid milk and fluid milk products must be pasteurized and meet the grade "A" quality standards.
- (7) Milk must be served from 1 of the following:
  - (a) A commercially filled container stored in a mechanically refrigerated bulk milk dispenser.
  - (b) A commercially filled container not to exceed 1 gallon.
  - (c) A sanitized container only if poured directly from the original container.
- (8) All of the following apply to milk:
  - (a) Containers must be labeled with the date opened.
  - (b) Milk must be served within 7 days of opening.
  - (c) Milk must not be served if the contents appear to be unsanitary or have been unrefrigerated for a period exceeding 1 hour.
  - (d) Milk must not be combined with the contents of other partially filled containers.
- (9) Contents remaining in single-service containers of milk shall must be discarded at the end of the snack or meal time.
- (10) All containers of ready-to-feed formula, once opened, must be labeled with the date and time of opening, refrigerated, and used within 48 hours or be discarded.
- (11) Prepared bottles and beverage containers of milk and formula must be refrigerated and labeled with the child's first and last name, date, and time of preparation.
- (12) Contents of unused bottles of formula must be discarded, along with any bottle liners, after 48 hours.
- (13) All liners, nipples, formula, milk, and other materials used in bottle preparation must be prepared, handled, and stored in a sanitary manner.
- (14) Reusable nipples and bottles must be washed, rinsed, and sanitized before reuse.
- (15) Bottle liners and disposable nipples must be for single use only, by an individual child, and discarded with any remaining formula or milk after use.
- (16) Commercially packaged baby food must be served from a dish, not directly from a factory-sealed container, unless the entire container will be served to only 1 child and will be discarded at the end of the feeding period.
- (17) Uneaten food that remains on a dish from which a child has been fed must be discarded.
- (18) Food that has been served and handled by the consumer of the food, may not be served again, unless it is in the original, unopened wrapper.
- (19) Home canned products are prohibited.

History: 2013 AACS; 2019 AACS.

**R 400.8340 Food services and nutrition; provided by parents.**

Rule 340.

- (1) As used in this rule:
  - (a) "Same-day supply" means for use during a single day.
  - (b) "Multi-day supply" means for use over a multiple day period, up to 7 days.
- (2) Breast milk, formula, milk, or other beverages provided in a same-day supply must be furnished daily in either of the following:
  - (a) Clean, sanitary, ready-to-feed bottles or beverage containers.
  - (b) A clean, sanitary, beverage container. The beverage must be poured into a clean, sanitary bottle or beverage container before each feeding.
- (3) Breast milk, formula, milk, other beverages, and food furnished in a same-day supply s must be covered and labeled with the child's first and last name and the date.
- (4) Any food or beverages furnished in a same-day supply must be returned to the parent at the end of the day or discarded.
- (5) Milk, other beverages, and non-perishable food items may be furnished in a multi-day supply in an unopened commercial container.
- (6) Breast milk may be supplied in a multi-day supply in a clean, sanitized container kept in the refrigerator for up to 4 days or kept in the freezer for no more than 2 weeks.



- (7) Milk and other beverages furnished in a multi-day supply must be labeled with the child's first and last name and the date of opening and be returned to the parent or discarded 7 days after opening.
- (8) Non-perishable food items furnished in a multi-day supply must be labeled with the date of opening and when applicable, the first and last name of the child for whom its use is intended.
- (9) Beverages and food must be fed only to the child for whom the item is labeled.
- (10) Breast milk, formula, and milk must be refrigerated until used.
- (11) Other perishable beverages and food items must be refrigerated or otherwise kept at a safe temperature until used. Fresh, whole fruits and vegetables may be unrefrigerated for up to 3 calendar days in a clearly labeled and dated container.

History: 2013 AACCS; 2019 AACCS.

**R 400.8345 Water supply; plumbing.**

Rule 345.

- (1) The water system must comply with the requirements of the local health department.
- (2) Plumbing must be designed, constructed, installed, and maintained to prevent cross-connection with the water system.
- (3) Sinks, lavatories, drinking fountains, and other water outlets must be supplied with safe water sufficient in quantity and pressure to meet conditions of peak demand.
- (4) All plumbing fixtures and water and waste pipes must be properly installed and maintained in good working condition.
- (5) Each water heater must be equipped with a thermostatic temperature control and a pressure relief valve, both of which must be in good working condition.

History: 2013 AACCS; 2019 AACCS.

**R 400.8350 Toilets; hand washing sinks.**

Rule 350.

- (1) A center shall provide toilet and hand washing sinks as follows:
  - (a) A center operating with children in attendance less than 5 continuous hours a day shall provide at least 1 toilet and 1 hand washing sink for every 20 children or fraction thereof.
  - (b) A center operating with children in attendance 5 or more continuous hours a day shall provide at least 1 toilet and 1 hand washing sink for every 15 children or fraction thereof.
- (2) After December 6, 2006, any center that is new, adds an infant and toddler component, or increases the licensed infant and toddler capacity shall have a diapering area with a readily accessible, designated hand washing sink.
- (3) After December 6, 2006, a separate hand washing sink is required in the kitchen for all of the following:
  - (a) A new center with a food service component.
  - (b) A center with a food service component that remodels the kitchen.
  - (c) Any center that adds a food service component.
- (4) Hand washing sinks for children must be accessible to children by platform or installed at children's level.
- (5) Hand washing sinks must have warm running water not to exceed 120 degrees Fahrenheit.
- (6) Soap and single service towels or other approved hand drying devices must be provided near hand washing sinks.
- (7) Toilet rooms for school-age children must provide for privacy.

History: 2013 AACCS; 2019 AACCS.

**R 400.8355 Sewage disposal.**

Rule 350.

- (1) Sewage and other water-carried wastes must be disposed of through a municipal or private sewer system.
- (2) Private sewer and septic systems must be designed and operated to safely dispose of all wastewater generated, be adequate in size for the projected use, and meet the criteria of the local health department.

History: 2013 AACS; 2019 AACS.

**R 400.8360 Garbage and refuse.**

Rule 360.

- (1) All garbage must be removed from the center daily.
- (2) Garbage containers must be washed when soiled.
- (3) Garbage stored outside must be in sealed plastic bags in watertight containers with tight-fitting covers or in a covered dumpster.
- (4) Outside garbage and refuse must be picked up or removed at a minimum of once a week.

History: 2013 AACS; 2019 AACS.

**R 400.8365 Heating; temperature.**

Rule 365.

- (1) The temperature in child use areas must be maintained at a safe and comfortable level so that children in care do not become overheated or chilled.
- (2) The indoor temperature must be at least 65 degrees Fahrenheit in child use areas at a point 2 feet above the floor.
- (3) If temperatures exceed 82 degrees Fahrenheit, then a center shall take measures to cool the children.

History: 2013 AACS; 2019 AACS.

**R 400.8370 Light, ventilation, and screening.**

Rule 370.

- (1) The total ventilation area in every habitable room, as provided by openable windows, must be not less than 4½% of the floor area, unless central air conditioning is provided.
- (2) If ventilation is dependent on a mechanical system, then the system must be on at all times while the building is occupied and shall comply with the ventilation requirements of the applicable mechanical code of the authority having jurisdiction.
- (3) Windows and doors used for ventilation must be supplied with screening of not less than 16 mesh, which must be kept in good repair. This subrule does not apply to child care programs operating in school buildings.

History: 2013 AACS; 2019 AACS.

**R 400.8375 Premises.**

Rule 375.

- (1) The center shall be located on land that provides good natural drainage or that is properly drained.
- (2) Stairs, walkways, ramps, landings, and porches must meet all of the following requirements:
  - (a) If elevated, have barriers to prevent falls and handrails designed and constructed for use by children.
  - (b) Be maintained in a safe condition relative to the accumulation of water, ice, or snow and have nonslip surfacing.
  - (c) Landings must be located outside exit doors where steps or stairs are necessary and be at least as wide as the swing of the door.
  - (d) Stairway steps must be not more than 8 inches in height, with a minimum tread depth of 9 inches.
  - (e) If ramps are used, then they must have a minimum rise-to-run ratio of 1-to-12.

History: 2013 AACS; 2019 AACS.

**R 400.8380 Maintenance of premises.**

Rule 380.

- (1) The premises must be maintained in a clean and safe condition and must not pose a threat to health or safety.
- (2) The premises must be maintained so as to eliminate and prevent rodent and insect harborage.
- (3) Roofs, exterior walls, doors, skylights, and windows must be weathertight and watertight and kept in sound condition and good repair.
- (4) Floors, interior walls, and ceilings must be kept in sound condition, good repair, and maintained in a clean condition.
- (5) There must be no flaking or deteriorating paint on interior and exterior surfaces or on equipment accessible to children.
- (6) All toilet room floor surfaces must be easily cleanable and constructed and maintained so as to be impervious to water.
- (7) Light fixtures, vent covers, wall-mounted fans, and similar equipment attached to walls and ceilings must be easily cleanable and maintained in good repair.
- (8) A lead hazard risk assessment must be completed by a certified lead risk assessor on all centers built before 1978. Any lead hazards identified must be addressed as noted in the lead hazard risk assessment report before issuance of the original license. The results of the assessment must be kept on file at the center. Centers that operate in a school building serving only school-age children are exempt from the requirements in this rule.
- (9) A center shall adopt and implement an integrated pest management policy as required by section 8316 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8316.

History: 2013 AACCS; 2019 AACCS.

**R 400.8385 Poisonous or toxic materials.**

Rule 385.

Containers of poisonous or toxic materials must be clearly labeled for easy identification of contents and stored out of reach of children.

History: 2013 AACCS; 2019 AACCS.

**PART 3. FIRE SAFETY****R 400.8501 National Fire Protection Association standards; adoption by reference.**

Rule 501.

The following National Fire Protection Association (NFPA) standards, as displayed in Table 5, are adopted by reference in these rules. Copies of the adopted standards are available for inspection and may be purchased at the NFPA website [www.nfpa.org](http://www.nfpa.org), or from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9109, Quincy, Massachusetts 02269-9101. The cost of single copies of each standard at the time of the adoption of these rules is indicated after the title. They are also available for inspection at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933.

| TABLE 5<br>National Fire Protection Association Standards |                                                                                                                                  |         |          |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------|----------|
| Standard                                                  | Title                                                                                                                            | Edition | Cost     |
| NFPA-10                                                   | Standard for Portable Fire Extinguishers                                                                                         | 2018    | \$54.00  |
| NFPA-13                                                   | Standard for the Installation of Sprinkler Systems                                                                               | 2019    | \$110.00 |
| NFPA- 25                                                  | Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems                                      | 2017    | \$63.50  |
| NFPA-72                                                   | National Fire Alarm Code and Signaling Code                                                                                      | 2019    | \$102.50 |
| NFPA-80                                                   | Standard for Fire Doors and Other Opening Protectives                                                                            | 2019    | \$54.00  |
| NFPA-251                                                  | Standard Methods of Fire Resistance of Building Construction and Materials                                                       | 2006    | \$49.00  |
| NFPA-265                                                  | Standard Methods of Fire Tests for Evaluation Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls | 2019    | \$50.50  |
| NFPA-701                                                  | Standard Methods of Fire Tests for Flame Propagation of Textiles and Films                                                       | 2015    | \$42.00  |

History: 2013 AACS; 2019 AACS.

#### **R 400.8505 Definitions.**

Rule 505.

As used in this part:

- (a) “Basement” means a story of a building or structure having  $\frac{1}{2}$  or more of its clear height below average grade for at least 50% of the perimeter.
- (b) “Combustible” means materials will ignite and burn when subjected to a fire or excessive heat.
- (c) “Conversion” means to alter the use of an existing building or room to a center.
- (d) “Existing building” means a structure or part of a structure not currently used as a center.
- (e) “Existing licensed center” means a center that was licensed December 7, 2006 and whose license continues uninterrupted.
- (f) “Exit” means a way of departure from the interior of a building or structure to the open air outside at ground level.
- (g) “Fire alarm” means a device used to alert the occupants of the building of fire or smoke conditions. The device shall be audible in all parts of the building used as a center.
- (h) “Fire alarm system” means an approved electrical closed circuit, self supervised local system for sounding an alarm. The system is comprised of a central panel, manual pull stations near all outside exits, audible electric signal devices, and, where warranted, a remote trouble annunciator. All system components shall be listed by a nationally recognized testing laboratory and installed in accordance with NFPA-72.
- (i) “Fire door assembly” means a side-hinged, labeled fire door and labeled frame constructed and installed in compliance with NFPA-80.
- (j) “Fire-resistance rating” means the time for an element in a building to maintain its particular fire resistance properties in accordance with NFPA-251.
- (k) “Fire-resistive construction” means a building having walls, ceilings, floors, partitions, and roof of non-combustible materials having a minimum fire-resistance rating of 1 hour. This subdivision does not prohibit finished wood floors, doors, and windows with assorted frames and trim.
- (l) “Flameproof materials” means materials that will not propagate flame under the test conditions of NFPA-701. Flameproof materials are usually combustible materials with the addition of some treatment or coating to modify their burning properties.
- (m) “Flammable” means materials capable of being readily ignitable from common sources of heat or at a temperature of 600 degrees Fahrenheit, 316 degrees Celsius, or less.



- (n) "Hazard area" means those parts of a center building housing a commercial kitchen, heating plant, fire-fueled water heater, incinerator, or an area posing a higher degree of hazard than the general occupancy of the building.
- (o) "Heating plant room" means a room or area housing fuel-fired equipment.
- (p) "Interior finish" means the exposed interior surface materials of walls, fixed or movable partitions, and ceilings. This includes drywall, masonry, or wood substructure and surfacing materials such as paneling, tile, or other interior finish material and any surfacing materials, such as paint or wallpaper, applied thereto. Interior finish includes materials affixed to the building structure as distinguished from decorations or furnishings.
- (q) "Means of egress" means a minimum of 36 inch wide continuous and unobstructed path of exit travel from any point in a building to the outside at grade.
- (r) "New construction" means a created structure, addition, replacement, or alteration of structural components, such as walls.
- (s) "Noncombustible" means materials that will not ignite and burn when subjected to fire.
- (t) "Protected ordinary construction" means all of the following types of construction:
  - (i) Roofs and floors and their supports having a minimum of 1-hour fire-resistance rating.
  - (ii) Exterior bearing walls or bearing portions of exterior walls are of noncombustible or limited combustible materials and have a minimum of 1-hour fire-resistance rating and stability under fire conditions.
  - (iii) Nonbearing exterior walls are of noncombustible or limited combustible materials.
  - (iv) Roofs, floors, and interior framing are wholly or partly made of wood of smaller dimension than required for heavy timber construction.
- (u) "Standard partition construction" means a substantial smoke-tight assembly consisting of walls, in conjunction with ceilings at which they terminate, that are covered on both sides with minimum standard lath and plaster or ½-inch drywall over 2"x4" studs. Doorways in these walls are protected with minimum 1¾-inch flush solid core wood doors or 20-minute labeled fire-rated doors and equipped with approved self-closing devices and positive latching hardware. One or more glass panes are permitted in these walls and doors if each individual glass panel is fixed pane and not larger than 1,296 square inches of ¼-inch wired glass with no linear dimension longer than 54 inches, or fire-rated safety glass, of any size, listed with a minimum fire rating of 45 minutes and installed as listed. In some cases, drywall or plaster is also necessary to protect the underside of stairs.
- (v) "Textile material" means having a napped, tufted, looped, woven, non-woven, or similar surface.
- (w) "Wired glass" means glass not less than ¼-inch thick, reinforced with wire mesh, number 24 gauge or heavier, with spacing not greater than 1 square inch.
- (x) "Wood frame construction" means that type of construction in which exterior walls, bearing walls and partitions, and floor and roof constructions and their supports are made of wood or other combustible material.

History: 2013 AACCS; 2019 AACCS.

#### **R 400.8510 Plans and specifications; submission; approval; inspections.**

Rule 5010.

- (1) A complete set of plans and specifications of any proposed center or proposed addition, alteration, or remodeling to an existing center shall be submitted to the department for review and approval. If the total cost of the project is \$15,000.00 or more, including labor and materials, the plans shall bear the seal of a registered architect or engineer.
- (2) Written approval shall be obtained from the department before initiating any construction.
- (3) A fire safety inspection shall be conducted by the bureau of fire services or a department-approved qualified fire inspector, and an approval granted, before issuance of the original license and every 4 years thereafter, at the time of renewal.
- (4) If a boiler is used, then it shall be inspected, and a certificate provided, as required by the boiler division, department of licensing and regulatory affairs.
- (5) Fuel-fired furnaces shall be inspected by a licensed mechanical contractor before issuance of an original license and every 2 years at renewal.
- (6) Fuel-fired water heaters shall be inspected by a licensed mechanical contractor or a licensed plumbing contractor before issuance of an original license and every 2 years at renewal.

(7) New furnace and water heater installations shall be inspected and approved by the local mechanical inspecting authority at the time of installation.

History: 2013 AACS; 2019 AACS.

**R 400.8515 Construction.**

Rule 515.

- (1) If child occupancy is limited to the first or main floor, then the building may be of wood frame construction.
- (2) If child occupancy is on the second floor, then all of the following are required:
  - (a) The building shall be of protected ordinary construction.
  - (b) All required stairways and vertical openings shall be enclosed by walls, in conjunction with openings therein, and ceilings at which they terminate that meet the requirements of standard partition construction to provide a protected means of egress to the outside with proper termination to grade.
  - (c) All door openings contained in subdivision (b) of this subrule shall meet all of the following requirements:
    - (i) Be protected with 1¾-inch flush solid core wood doors or 20-minute labeled fire-rated doors.
    - (ii) Be installed in fully stopped smoke-tight, substantial frames.
    - (iii) Be equipped with approved self-closing devices and non-locking-against-egress positive latching hardware.
- (3) If child occupancy is above the second floor, then both of the following are required:
  - (a) The building shall be of 1-hour fire-resistive construction.
  - (b) All required stairways and other vertical openings shall be enclosed by a minimum 1-hour fire-resistive construction to provide a protected means of egress to the outside with proper termination to grade.
- (4) If any portion of a basement is used for more than 30 children, then 1 of the following provisions is required:
  - (a) Two enclosed stairways of 1-hour fire-resistant construction shall discharge directly to the outside with proper termination to grade, and all openings in the stairways shall be protected by a minimum of 45-minute rated fire doors and frame assemblies. "B" labeled fire doors are acceptable.
  - (b) One approved exit from the occupied room or use area shall discharge directly to the outside with proper termination to grade. Travel distance from any point in this room or area to this exit shall be less than 50 feet.
  - (c) Two exits comprised of any combination of subdivisions (a) and (b) of this subrule.
- (5) If basement occupancy is limited to not more than 30 children, then all of the following apply:
  - (a) One of the exits required by subrule (4) of this rule shall discharge directly to the outside with proper termination to grade, or through a 1-hour fire-resistive enclosure.
  - (b) The second exit may terminate at the first floor level with an approved floor separation, meeting the requirements of standard partition construction between the basement and the first floor.
  - (c) For new construction and conversions, the separation shall be located at the first floor with travel distance from the door to an approved exit not to exceed 100 feet.
- (6) All vertical openings and stairways that are not required shall be constructed and arranged with effective fire and smoke separation under the requirements of standard partition construction. All door openings shall be as follows:
  - (a) Protected with 1¾-inch flush solid core wood doors or 20-minute labeled fire-rated doors.
  - (b) Installed in fully stopped smoke-tight substantial frames.
  - (c) Equipped with approved self-closing devices and non-locking-against-egress positive latching hardware.

History: 2013 AACS; 2019 AACS.

**R 400.8520 Interior finishes.**

Rule 520.

(1) The classifications of interior finishes for flame spread and smoke development, as displayed in Table 6, shall be used as follows:

| TABLE 6                                                  |              |                 |
|----------------------------------------------------------|--------------|-----------------|
| FLAME SPREAD AND SMOKE DEVELOPMENT FOR INTERIOR FINISHES |              |                 |
| Class                                                    | Flame Spread | Smoke Developed |
| A or I                                                   | 0-25         | 0-450           |
| B or II                                                  | 26-75        | 0-450           |
| C or III                                                 | 76-200       | 0-450           |

(2) Basic materials in a means of egress and basement use occupancies shall be class A or I or B or II.

(3) Basic materials in all other areas shall be class C or III.

(4) Interior finish material more hazardous than class C or III is prohibited in child use areas.

(5) If an approved automatic sprinkler system is installed and maintained in accordance with NFPA-13 and NFPA-25, then class C or III interior wall and ceiling finish materials are permitted in any location where class B or II is required and class B or II interior wall and ceiling finish materials are permitted in any location where class A or I is required.

(6) In an existing licensed center or conversion, existing interior finishes that do not comply with the classifications in subrule (1) of this rule may have their surfaces protected with an approved fire-retardant coating to meet the classifications for interior finishes. The coatings shall be applied to interior finishes that are attached to or furred out not more than 1 inch from a noncombustible backing and applied according to manufacturer's recommendations. Documentation shall be provided as required by the department.

(7) Interior finish materials of classes B or II and C or III that are less than 1/4 inch in thickness shall be applied directly against a noncombustible backing or be furred out not more than 1 inch unless, the tests under which such material has been classed were made without a backer.

(8) Centers licensed before December 7, 2006 may retain previously approved fire retardant coated interior finishes.

(9) Textile materials having a class A or I rating and used as an interior finish are permitted as follows:

(a) On walls or ceilings of rooms or areas protected by an automatic sprinkler system approved by the department.

(b) On room partitions that are less than ¾ of the floor-to-ceiling height not to exceed 8 feet in height.

(c) To extend up to 4 feet above the finished floor on ceiling-height walls and ceiling-height partitions.

(d) Textile materials are permitted on walls and partitions where tested in accordance with and meeting the standards of NFPA-265. If compliance is achieved by application of a flame-proofing product in accordance with NFPA-701, documentation shall be provided as required by the department.

(10) Drapery material may be used for stage curtains, room dividers, and similar uses if the material has been tested and approved in accordance with NFPA-701.

(11) Drapery material applied to surfaces of a facility as an interior finish shall meet the requirements of subrule (9) of this rule.

(12) All vinyl and wooden wall dividers shall meet the interior finish requirements of subrules (1), (2), and (3) of this rule, as applicable.

(13) Bulletin boards shall meet the interior finish requirements of subrules (2) and (3) of this rule.

(14) Combustible materials and decorations may be displayed on walls, not to exceed 20% of each wall in each room. Combustible materials and decorations suspended from or near the ceiling are prohibited.

History: 2013 AACS; 2019 AACS.

## **R 400.8525 Exits.**

### **Rule 525.**

- (1) Except as referenced in R 400.8515(4)(b) and subdivision (c) of this subrule each occupied floor shall have not less than 2 approved exits directly to the outside with proper termination to grade, remote from each other by 50% of the longest dimension of the floor or area served, and occupied rooms within the center shall be located between means of egress, unless a first floor, self-contained, occupied room has an approved exit direct to the outside with proper termination to grade with a maximum travel distance of 50 feet from the most remote point in the room to the exit.
- (2) Travel distance to an exit shall be as follows:
- (a) For infants and toddlers, travel shall be 50 feet or less from the door of the occupied room to the exit.
  - (b) For preschoolers and school-agers, travel shall be 100 feet or less from the door of the occupied room to the exit.
  - (c) Buildings having complete automatic sprinkler protection may increase their travel distances by 50 feet.
  - (d) Those areas approved before July 1, 2000 are exempt from the requirements of this rule.
- (3) For all centers initially licensed after December 6, 2006, programs with infants and toddlers shall have exits with proper termination and within 30 inches of grade or exits properly ramped to grade.
- (4) Exit doors and all doors in the means of egress shall be side-hinged and equipped with knob, lever-type, non-locking-against-egress, or panic-type hardware.
- (5) Exit doors and doors in rooms occupied by 21 or more children shall swing in the direction of egress.
- (6) Means of egress shall be maintained in an unobstructed, easily traveled condition at all times that the center is in operation. Means of egress shall not be exposed to inherent hazards of the building, including the heating plant, flammable storage, commercial kitchen, or other similar conditions.
- (7) In new construction, additions, remodeling, and conversions, there shall be a floor or landing on each side of an exit door. The floor or landing shall be at the same elevation on each side of the door, except for variations in elevation due to differences in finish materials, which shall not exceed ½ inch.
- (8) In conversions, landings shall have a width not less than the width of the stairway or the width of the door, whichever is greater. Landings shall have a length not less than the width of the door.
- (9) In new construction, additions, and remodeling, landings shall comply with the latch-side clearance requirements of sections 404.2.3 to 404.2.3.5 of the International Code Council/American National Standards Institute (ICC/ANSI) standard A117.1, Accessible and Usable Buildings and Facilities which is adopted by reference in this International Code Council at [www.iccsafe.org](http://www.iccsafe.org) or 1-800-786-4452 at a cost of \$47.50. They are also available for inspection at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933.
- (10) For new construction, additions and remodeling, an exit door shall be not less than 36 inches wide. Doors to multiple-use bathrooms shall not be less than 32 inches wide.
- (11) For the conversion of an existing building, exterior exit doors shall be not less than 36 inches wide. Other use room doors shall be not less than 28 inches wide. Single-use toilet room doors shall not be less than 24 inches wide. Any remodeled door openings, other than the door swing, shall comply with subrule (10) of this rule.
- (12) Centers licensed before December 7, 2006 may retain previously approved door widths.
- (13) Exterior exits shall be marked or denoted by an approved exit sign. All exit signs shall be distinctive in color and provide contrast with decorations, interior finish, or other signs. Each exit sign shall have the word "EXIT" in plain, legible letters not less than 6 inches high, on a background of contrasting color, with strokes not less than ¾-inch wide. The word "EXIT" shall have letters that are not less than 2 inches wide, except the letter "I".
- (14) Exit signs shall be internally or externally illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes, in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment, or an on-site generator.
- (15) When nighttime care is provided, the center shall have exits with proper termination and within 30 inches of grade or exits properly ramped to grade.
- (16) When nighttime care is provided, exit signs shall be illuminated, and emergency lighting provided at exits.

History: 2013 AACCS; 2019 AACCS.



## **R 400.8530 Hazard Areas.**

### **Rule 530.**

- (1) Hazard areas shall be separated from the parts of the building used as a center in the following manner:
  - (a) In centers licensed before June 4, 1980, areas used for the storage of combustibles and other hazard areas will continue to be approved if they are enclosed with a minimum ¾-hour fire resistive construction and doorways to the areas are protected with a minimum 1¾-inch flush solid core wood or 20-minute labeled fire-rated doors equipped with approved self-closing devices and positive latching hardware.
  - (b) In centers licensed between June 4, 1980 and July 1, 2000, areas used for the storage of combustibles and other hazards will continue to be approved if they are enclosed by 1 of the following:
    - (i) Where the area used for the storage of combustibles exceeds 100 square feet, by construction having a minimum 1-hour fire resistance rating, openings in the separation shall be protected with a minimum of 45-minute rated fire door and frame assembly, including an approved self-closing device and positive latching hardware. “B” labeled doors are acceptable.
    - (ii) Where the area used for the storage of combustibles does not exceed 100 square feet, by construction having a minimum ¾-hour fire resistance rating, all door openings shall be protected by minimum 1¾-inch flush solid core wood doors or 20-minute labeled fire-rated doors hung in substantial frames and equipped with approved self-closing devices and positive latching hardware.
  - (c) In centers licensed after July 1, 2000, areas used for the storage of combustibles and other hazards will continue to be approved if they are enclosed by 1 of the following:
    - (i) Where the area used for the storage of combustibles exceeds 100 square feet, by construction having a minimum 1-hour fire resistance rating, openings in the separation shall be protected with a minimum of 45 minute-rated fire door and frame assembly, including an approved self-closing device and positive latching hardware. “B” labeled doors are acceptable.
    - (ii) Where the area used for the storage of combustibles does not exceed 100 square feet, by construction having a minimum 1-hour fire resistance rating. All door openings shall be protected by minimum 1¾ inch flush solid core wood doors or 20-minute labeled fire-rated doors in substantial frames and equipped with approved self-closing devices and positive latching hardware.
- (2) Where a kitchen with commercial cooking equipment exposes a required means of egress or child use area, it shall be separated from the remainder of the building with minimum 1-hour fire resistive construction, including a minimum of 45-minute rated fire door and frame assemblies in all common openings. Kitchens having commercial cooking equipment protected by an approved automatic kitchen hood suppression system are exempt from this requirement. “B” labeled doors are acceptable.
- (3) The use of an incinerator is prohibited.
- (4) Heating shall be by a central heating plant or an approved permanently installed electrical heating system. If heating is provided by a central heating plant and located on the same floor that is used for child occupancy, it shall be installed in an enclosure providing not less than a 1-hour fire-resistive separation, including a minimum of 45-minute rated fire door and frame assembly equipped with an approved self-closing device and positive latching hardware in any interior door opening. Door openings for heat plant enclosures not located on the same floor that is used for child occupancy may have 1¾-inch flush solid wood core doors or 20-minute labeled fire-rated doors having positive latching hardware and an approved self-closing device. Air for proper combustion, a minimum of 1 square inch per 4,000 BTUs input, shall be provided directly from the outside through a permanently opened louver or metal duct. “B” labeled doors are acceptable.
- (5) In centers licensed before December 7, 2006, a properly installed heating plant located in a basement that is not used for child occupancy does not require additional protection where there is a qualified fire separation and with at least a 1¾-inch flush solid core wood doors or 20-minute labeled fire-rated doors hung in a substantial frame and equipped with an approved self-closing device and positive latching hardware in all stairway openings.
- (6) Any fuel-fired water heater or other similar equipment shall be located according to subrule (4) or (5) of this rule, as applicable.
- (7) Where electric heating is used, it shall be Underwriters’ Laboratories, Inc. (UL) listed, permanent, fixed-type electrical heating such as recognized panel or baseboard fixed-type. Electric heating that complies with this requirement may be installed in any location.

- (8) Auxiliary heating units, such as portable combustion or electrical types, are prohibited.
- (9) The center shall not store flammable materials, including fuels, pressurized cans, cleaning fluids and supplies, polishes, and matches, in heat plant enclosures. These items may be stored outside of child use areas in metal cabinets or storage facilities accessible only to authorized personnel.
- (10) The center shall not store combustible materials within the central heating plant or fuel-fired water heater rooms or in basements containing fuel-fired heating equipment, without a proper fire separation.
- (11) The center shall not permit flammable gases, gasoline, or gasoline-powered equipment in the part of a building that is used as a center or in other parts of the building from which there is a door, window, or other opening into the center, unless that part of the building is separated from the remainder of the building by minimum 2-hour fire resistive construction.
- (12) If commercial-type laundry equipment is installed, then the equipment shall be enclosed to provide a 1-hour resistance to fire, including a minimum of 45-minute rated fire door and frame assembly in an interior door opening that would expose the center. "B" labeled doors are acceptable.
- (13) Dryer vents shall be metal and vented completely to the exterior.
- (14) The department does not require fire dampers in ¾-hour and 1-hour fire-resistive enclosures.
- (15) All appliances and equipment in the center shall be installed and maintained in accordance with their manufacturer's specifications.
- (16) Centers shall be kept free of all conditions that constitute fire safety hazards.

History: 2013 AACS; 2019 AACS.

#### **R 400.8535 Fire alarm.**

Rule 535.

- (1) In any building used as a center, an approved fire alarm, either electrical or manual, shall be installed.
- (2) In centers of more than 4 child-occupied rooms, excluding bathrooms, or in centers licensed for more than 60 children, an approved fire alarm system shall be installed and maintained in compliance with NFPA-72.
- (3) In new construction, conversions, remodeling, or newly licensed centers, the trouble signal for required fire alarm systems shall be located in an area normally occupied by child care staff members.

History: 2013 AACS; 2019 AACS.

#### **R 400.8540 Smoke detectors; carbon monoxide detectors.**

Rule 540.

- (1) All child care centers shall, at a minimum, be equipped with approved single station smoke detectors covering all use areas and their means of egress. These smoke detectors shall be located and spaced according to NFPA-72.
- (2) Centers with any fuel-fired heating systems shall have a carbon monoxide detector, listed by a nationally recognized testing laboratory, on all levels approved for child care and in each use area covered by a different furnace zone.
- (3) Centers shall properly install and maintain all detectors in operable condition in accordance with manufacturer's recommendations.

History: 2013 AACS; 2019 AACS.

#### **R 400.8545 Fire extinguishers.**

Rule 545.

- (1) Multipurpose fire extinguishers, having ratings of not less than 2A10BC, shall be installed in or adjacent to the kitchen or cooking area and in or adjacent to the door of the heating plant room.
- (2) The requirement of having additional multipurpose fire extinguishers with ratings of not less than 2A-10BC shall be determined by the department or a department-approved qualified fire inspector and shall be based on the capacity of the center and on other conditions in the facility.
- (3) Fire extinguishers shall be properly mounted, inspected, and maintained in accordance with NFPA-10. The fire extinguisher shall bear a tag indicating the last date of inspection or service and the initials of the person who performed the inspection or service.

History: 2013 AACS.

**R 400.8550 Electrical service.**

Rule 550.

- (1) The electrical service shall be maintained in a safe condition.
- (2) For new construction and additions, electrical systems and service shall be inspected and approved by the electrical inspecting authority having jurisdiction. A copy of the certificate of approval shall be maintained at the center at all times.
- (3) When warranted, conversions of existing buildings and existing rooms to child care use, as well as existing licensed centers, may require an electrical inspection.
- (4) Extension cords, listed by a nationally recognized testing laboratory, and used in accordance with all manufacturer's recommendations, may be used on a temporary basis, and for short periods of time.
- (5) All electrical outlets in child use areas for children who are not yet school-age shall be made inaccessible to children.
- (6) All electrical outlets in approved child use space located within 6 feet of a sink or other water source shall be protected by a ground-fault circuit interrupter (GFCI).
- (7) Power strips shall be equipped with surge protectors and shall not be longer than 6 feet or be connected to another power strip.

History: 2013 AACS.

**R 400.8555 Open-flame devices; candles.**

Rule 555.

All open-flame devices, candles, and incense are prohibited, except for religious celebrations.

History: 2013 AACS.

**R 400.8560 Multiple occupancy.**

Rule 560.

- (1) Multiple occupancy of a building may qualify for licensure if the entire building does not present a life safety hazard. A center currently licensed in such a building may continue as long as such occupancies do not change in character.
- (2) A building, part of which is used for hazardous operations or for occupancy that is unpredictable, such as taverns, garages, repair shops, and industrial operations, are not permitted for center use. However, an exception may be made for a vocational education center approved by the department.

History: 2013 AACS; 2019 AACS.

**R 400.8565 Fire safety; exemptions for public and nonpublic school buildings.**

Rule 565.

The rules with respect to fire prevention and fire safety do not apply to a center established and operated by an intermediate school board, the board of a local school district, or by the board or governing body of a state-approved nonpublic school, or by a person or entity with whom a school contracts for services, if the center is located in a school building that is approved by the state fire marshal or other similar authority for school purposes.

History: 2013 AACS; 2019 AACS.

#### PART 4. TRANSPORTATION

##### **R 400.8701. Definitions.**

Rule 701.

As used in this part:

- (a) “Manufacturer’s rated seating capacity” means the number of places or spaces provided by the manufacturer of a vehicle for the driver and passengers to sit while the vehicle is in motion.
- (b) “Motor vehicle” means a self-propelled device in which persons are or may be transported upon a highway, built on an automobile or truck chassis specifically designed by the manufacturer to transport passengers, or specially modified to transport handicapped passengers, and that meets the safety equipment requirements of sections 683 to 711 of the Michigan vehicle code, 1949 PA 300, MCL 257.683 to 257.711.
- (c) “Multifunction school activity bus” means that term as described in section 7 of the pupil transportation act, 1990 PA 187, MCL 257.1807.
- (d) “Safety belt” means an automobile lap belt or lap-shoulder belt combination designed to restrain and protect a passenger or driver of a vehicle from injury.
- (e) “School bus” means that term as defined in section 7 of the pupil transportation act, 1990 PA 187, MCL 257.1807.
- (f) “School transportation” means transportation provided by a public, non-public, or private school.
- (g) “Transportation” means the conveyance of children by means of a motor vehicle to or from a center and to and from all activities planned for children by or through the center.
- (h) “Transportation component” means when a center uses center owned vehicles, vehicles of staff or volunteers, or other private or contracted transportation to transport children for any reason. Transportation component does not include either of the following:
  - (i) Transportation is not a component of the child care program if a child care center uses public transportation or public or private school transportation; however, certain transportation rules still apply.
  - (ii) If a child care center contracts with, or is established and operated by an intermediate school district, the board of a local school district, or by the board or governing body of a state-approved nonpublic school, then the school is responsible for the health and safety of children during transportation, and transportation is not considered a component of the child care program. If this paragraph applies, a child care center is not required to complete a comprehensive background check on the transportation staff through the Child Care Background Check System.
- (i) “Volunteer motor vehicle” means a motor vehicle not owned by, leased by, or registered to the center or principle or employee of the center.

History: 2013 AACCS; 2019 AACCS.

##### **R 400.8710 Transportation.**

Rule 710.

- (1) If transportation other than public transportation or school transportation is provided, contracted, or sponsored by the center, all rules in this part apply.
- (2) If public transportation or school transportation is used, then only R 400.8760, 400.8770, and 400.8149 apply.
- (3) If a parent makes a private arrangement for the transportation of his or her child, not including arrangements made with the center, the rules in this part do not apply.

History: 2013 AACCS.

##### **R 400.8720 All motor vehicles.**

Rule 720.

- (1) All motor vehicles must be in safe operating condition.
- (2) All motor vehicles, except multifunction school activity buses and school buses inspected by the department of state police as indicated in subrule (3) of this rule, must be inspected annually by a licensed mechanic. A copy of the inspection must be kept on file at the center. Volunteer vehicles are not required to be inspected.
- (3) Centers that use multifunction school activity buses and school buses must do all of the following:



- (a) Contact the department of state police to determine if an annual inspection by the department of state police is required under section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839.
- (b) If directed by the department of state police, obtain an annual inspection by the department of state police. A copy of the inspection must be kept on file at the center.
- (4) A statement verifying that all motor vehicles, including volunteer vehicles, are in compliance with Michigan vehicle code safety equipment requirements, as defined in sections 683 to 711 of the Michigan vehicle code, 1949 PA 300, MCL 257.683 to 257.711, must be kept on file at the center.
- (5) The use of passenger vans with a rated seating capacity of 11 or more, including volunteer vehicles, is prohibited.
- (6) Multifunction school activity buses used for transporting children between the child care center and school must comply with all minimum safety specifications, except color, identification, and alternating flashing lights, as defined in the pupil transportation act, 1990 PA 187, MCL 257.1801 to 257.1877.
- (7) Motor vehicle seats used by children, staff, and volunteers must not face sideways.
- (8) A truck must not be used to transport children, except in the cab.
- (9) There must be no loose or heavy objects in the passenger compartment of any motor vehicle.

History: 2013 AACS; 2019 AACS.

#### **R 400.8730 Safety equipment in motor vehicles.**

Rule 730.

- (1) All motor vehicles used to transport children must carry all the following safety equipment:
  - (a) Three bidirectional emergency reflective triangles properly cased and securely stored in the motor vehicle.
  - (b) A first aid kit securely stored in an accessible location in the driver compartment.
- (2) Any motor vehicle with a manufacturer's rated seating capacity of more than 10 occupants used to transport children must carry both of the following additional safety equipment:
  - (a) Not less than 3 15-minute flares or an approved battery-operated substitute properly cased and securely stored in the driver's compartment.
  - (b) Fire extinguisher of dry chemical type rated not less than 2A-10BC mounted in an accessible place in the driver's compartment. The fire extinguisher must be inspected and maintained in accordance with NFPA-10. The fire extinguisher must bear a tag indicating the last date of inspection or service and the initials of the person who performed the inspection or service.
- (3) Volunteer motor vehicles are exempt from subrule (1)(a) of this rule.

History: 2013 AACS; 2019 AACS.

#### **R 400.8740 Manufacturer's rated seating capacity; restraint devices; safety belts.**

Rule 740.

- (1) Each child transported shall be seated according to the manufacturer's rated seating capacity and properly restrained by a passenger restraint device as required by sections 710d and 710e of 1949 PA 300, MCL 257.710d and 257.710e.
- (2) Passenger restraint devices, as required by subrule (1) of this rule, are not required for children transported on a school bus or a multifunction school activity bus.
- (3) Each restraint device must be properly anchored to the vehicle seat and used according to the manufacturer's specifications. Allowing 2 or more children to share a seat belt or restraint device is prohibited.
- (4) The driver of a motor vehicle and all adult passengers shall be seated according to the manufacturer's rated seating capacity and properly restrained by safety belts when the motor vehicle is in motion.
- (5) All safety belts and restraint devices used while transporting children and adults must be in good working condition.

History: 2013 AACS; 2019 AACS.

**R 400.8750 Motor vehicle operator.**

Rule 750.

- (1) The driver of any motor vehicle transporting children shall comply with all of the following:
  - (a) Be at least 18 years of age.
  - (b) Possess a valid operator or chauffeur's license with the appropriate endorsement as required by chapter III of the Michigan vehicle code, 1949 PA 300, MCL 257.301 to 257.329.
  - (c) Have a personal driving record with not more than 6 active points as determined by the secretary of state.
  - (d) Have proof of valid automobile insurance and registration.
  - (e) Be familiar with the contents of the first aid kit.
  - (f) Be familiar with the operation of the fire extinguisher, if a fire extinguisher is required.
- (2) All of the following documents must be kept on file at the center:
  - (a) A copy of each driver's driving record, except for drivers of volunteer motor vehicles, obtained from the secretary of state at least once a year.
  - (b) A self-certifying statement that all volunteer drivers comply with subrule (1) of this rule.
  - (c) A copy of a valid driver's license for each driver.
- (3) Drivers shall be provided with a copy of the child information card or comparable substitute for each child being transported in their motor vehicles.

History: 2013 AACCS; 2019 AACCS.

**R 400.8760 Staff and volunteer-to-child ratio and supervision in transit.**

Rule 760.

- (1) The ratio of staff and volunteers-to-children in transit, including children related to a staff member, volunteer, licensee, or driver, must be based on the following provisions:
  - (a) For infants and toddlers, there must be 1 staff member or volunteer for 4 children. The driver does not count in the staff and volunteer-to-child ratio.
  - (b) For preschoolers under 3 years of age, there must be 1 staff member or volunteer for 8 children. The driver does not count in the staff and volunteer-to-child ratio.
  - (c) For 3-year-olds, there must be 1 staff member or volunteer for 10 children. The driver may be counted in the staff or volunteer-to-child ratio.
  - (d) For 4-year-olds, there must be 1 staff member or volunteer for 12 children. The driver may be counted in the staff or volunteer-to-child ratio.
  - (e) For school-agers, there must be 1 staff member or volunteer for 18 children. The driver may count in the staff or volunteer-to-child ratio. This requirement does not apply when school-age children are transported to and from school on school transportation or are using public transportation.
  - (f) An additional staff member or volunteer is not required if only 1 child under 36 months of age is transported.
- (2) To count in the staff member or volunteer-to-child ratios, staff members or volunteers shall be all of the following:
  - (a) At least 16 years of age.
  - (b) Seated with the children.
  - (c) Responsible for the supervision of the children.
- (3) When children are entering or leaving the motor vehicle, the following safety precautions must be taken:
  - (a) The accompanying staff member, volunteer, or driver shall ensure that the children are received by a staff member, parent, or other person as designated by the parent.
  - (b) Children shall enter and leave the motor vehicle from the curbside unless the vehicle is in a protected parking area or driveway.
- (4) Children shall not be left unattended in a motor vehicle.
- (5) When children under school-age are entering or leaving the motor vehicle, the children shall be carried or helped into and out of the motor vehicle.

History: 2013 AACCS; 2019 AACCS.

**R 400.8770 Time limitation on child transit.**

Rule 770.

For children under school-age, transportation routes shall be planned so that a child is not in the motor vehicle longer than 1 continuous hour.

History: 2013 AACCS.

**PART 5. SWIMMING**

**R 400.8801 Definitions.**

Rule 801.

As used in this part:

(a) "Lifeguard" means a person who meets the following criteria:

(i) Possesses an appropriate and current life guard training and certification by the American Red Cross, YWCA, YMCA, or equivalent in 1 of the following:

(A) Basic lifeguard for pool only.

(B) Full life guarding for pool and all other water activities.

(ii) Is dressed suitably to act in an emergency.

(iii) Is providing constant supervision.

(b) "Public swimming pool" means that term as defined in section 12521 of the public health code, 1978 PA 368, MCL 333.12521.

History: 2013 AACCS; 2019 AACCS.

**R 400.8810 Swimming; child care staff member-to-child ratio.**

Rule 810.

(1) Written parental permission regarding their child's participation in swimming activities must be kept on file at the center.

(2) A lifeguard shall be on duty at all swimming activities and shall not be included in the child care staff member-to-child ratio.

(3) For children under 3 years of age, there shall be an in-the-water ratio of 1 child care staff member to 1 child.

(4) For all non-swimmers 3 years of age and older, there shall be an in-the-water ratio of 1 child care staff member to 4 children when the water level is at the child's chest height or lower. When the water level is above the child's chest height, there shall be an in-the-water ratio of 1 child care staff member to 1 child.

(5) For swimmers 3 years of age and older, there shall be an in-the-water child care staff member-to-child ratio as required by R 400.8182(3).

History: 2013 AACCS; 2019 MAACS.

**R 400.8820 Swimming activity supervision.**

Rule 820.

All child care staff members counted in the child care staff member-to-child ratio shall be both of the following:

(a) Actively engaged in providing direct care, supervision, and guidance.

(b) Physically able to assist children quickly.

History: 2013 AACCS; 2019 AACCS.

**R 400.8830 Instructional swim.**

Rule 830.

- (1) Instructional swim must be conducted under the supervision of a qualified water safety instructor (WSI), who is certified by the American Red Cross, in an organization such as the YMCA or YWCA, and where instructional swim is part of the organized program.
- (2) The child care staff member-to-child ratio under R 400.8182(3) must be maintained. The instructor shall not be included in the ratio.

History: 2013 AACCS; 2019 AACCS.

**R 400.8840 Swimming activity area.**

Rule 840.

- (1) All swimming areas must be maintained in a clean and safe condition.
- (2) A public pool used for swimming must be inspected by the local health department and issued a license by the department of environmental quality.
- (3) The water at a public or private beach must not be used if deemed unsafe by the local health department.
- (4) A working phone must be accessible on the premises.
- (5) All of the following safety equipment must be readily accessible:
  - (a) First aid kit.
  - (b) Rescue pole or throwing rope and ring buoy.
  - (c) Signaling device.
- (6) The use of hot tubs and private wading pools is prohibited.

History: 2013 AACCS; 2019 AACCS.



## APPENDIX A

### PROMULGATION PROCESS/SUGGESTED CHANGES

The promulgation process is lengthy. This is due, in part, to the Department's desire to develop rules that are clear, reasonable, necessary, fair and enforceable. Serious consideration is given to the recommendations of the Ad Hoc Committee, licensees, child care organizations, interested citizens, parents, and staff.

In the interest of continuing to serve the public by considering its wishes, the Department welcomes any comments or suggestions that you feel will help improve future revisions of these regulations. Your comments will be reviewed when changes in the rules are being considered. 1973 PA 116 requires the Department to conduct a review of the rules every other year and a major review by an Ad Hoc Committee every five years.

You are invited to send your comments to:

Division Director  
Child Care Licensing Division  
Michigan Department of Licensing and Regulatory Affairs  
PO BOX 30664  
Lansing, MI 48909  
[www.michigan.gov/michildcare](http://www.michigan.gov/michildcare)

In forwarding comments or suggestions, please use an outline similar to the one below. Send to the Division Director for the Department's consideration and review.

|                          |                |
|--------------------------|----------------|
| Rule Number              | Subrule Number |
| SUGGESTED CHANGE:        |                |
| REASON FOR CHANGE:       |                |
| Signature                | Date           |
| Print Name               |                |
| Address (Number, Street) |                |
| City, State, Zip Code    |                |

## **APPENDIX B**

### **CONTESTED CASE HEARINGS**

(By authority conferred on the director of the department of consumer and industry services by section 2 of Act No. 116 of the Public Acts of 1973, as amended, section 10 of Act No. 218 of the Public Acts of 1979, as amended, and Executive Reorganization Order No. 1996-1, being §§722.112, 400.710, and 330.3101 of the Michigan Compiled Laws)

#### **R 400.1600 Definitions.**

Rule 1. (1) As used in these rules:

- (a) "Act" means Act No. 116 of the Public Acts of 1973, as amended, being §722.111 et seq. of the Michigan Compiled Laws.
- (b) "Act No. 218" means Act No. 218 of the Public Acts of 1979, as amended, being §400.701 et seq. of the Michigan Compiled Laws.
- (c) "Noncompliance" means a violation of the act or act 218, an administrative rule promulgated under the act or act 218, or the terms of a license or a certificate of registration.
- (d) "Substantial noncompliance" means repeated violations of the act or act 218 or an administrative rule promulgated under the act or act 218, or noncompliance with the act or act 218, or a rule promulgated under the act or act 218, or the terms of a license or a certificate of registration that jeopardizes the health, safety, care, treatment, maintenance, or supervision of individuals receiving services or, in the case of an applicant, individuals who may receive services.
- (e) "Willful noncompliance" means, after receiving a copy of the act or act 218, the rules promulgated under the act or act 218 and, for a license, a copy of the terms of a license or a certificate of registration, an applicant or licensee knew or had reason to know that his or her conduct was a violation of the act or act 218, rules promulgated under the act or act 218, or the terms of a license or a certificate of registration.

(2) Except as provided in subrule (1) of this rule, a term defined in Act No. 306 of the Public Acts of 1969, as amended, being §§24.201 et seq. of the Michigan Compiled Laws, shall have the same meaning when used in these rules.

(3) The definitions in this rule apply to matters under the act and act 218 for the contested case hearings.

History: 1998-2000 AACSL



LARA is an equal opportunity employer/program.

BCAL-PUB-8 (Rev. 12-19)

**From:** [Louise Neal](#)  
**To:** [Planning](#)  
**Subject:** Mellodie Hastings Petition for Daycare Nursery  
**Date:** Monday, September 20, 2021 12:33:54 AM

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Dear City of Livonia Planning Commission,

I have no objection to Mellodie Hastings' petition requesting approval to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road.

Regards,

Louise Neal  
1797 Alexander Drive  
Bloomfield Hills, MI 48302



**From:** [Mhnealmd](#)  
**To:** [Planning](#)  
**Subject:** Public Hearing for Mellodie Hastings  
**Date:** Sunday, September 19, 2021 11:33:41 PM

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Dear City of Livonia Planning Commission,

I am asking for approval of Mellodie Hastings' request to operate a day care nursery (Kidventure Child Care Center) at [10531 Farmington Road](#).

Thank you,

MH Neal MD  
[10533 Farmington Road](#)  
[Livonia, MI 48150](#)

**From:** [Sandra Neal](#)  
**To:** [Planning](#)  
**Subject:** Public Hearing for Petition Submitted by Mellodie Hastings  
**Date:** Sunday, September 19, 2021 11:03:18 PM

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Dear City of Livonia Planning Commission,

I am writing to ask that you please grant Mellodie Hastings permission to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road.

Sincerely,

Sandra Neal, MD  
10533 Farmington Road  
Livonia, MI. 48150

# **UNAPPROVED MINUTES**

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## **MINUTES OF THE 1,176<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, September 21, 2021, the City Planning Commission of the City of Livonia held its 1,176<sup>th</sup> Public Hearings and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:   David Bongero           Sam Caramagno           Glen Long  
                          Betsy McCue           Carol Smiley           Peter Ventura  
                          Ian Wilshaw

Members absent:   None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #2   PETITION 2021-08-02-16                   Kidventure Child Care**

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2021-08-02-16 submitted by Mellodie Hastings requesting waiver use approval pursuant to Section 6.13 of the Livonia Vision 21 Zoning Ordinance, to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33.

Mr. Taormina: This is a request to operate a daycare center on property that is located on the west side of Farmington Road south of Plymouth Road. The zoning of the property is C-1 (Local Business). The parcel size is roughly 0.6 acres with 100 feet of frontage on Farmington Road and parcel depth of 286 feet. The site contains a one-story office building that measures roughly 4,100 square feet in size. It includes 23 off-street parking spaces currently. This is one of three buildings that is part of a multi-tenant medical office complex, known as Orangelawn Professional Center. The subject building was constructed in 1963. The regulations pertaining to daycare nurseries fall under Section 6.13 of the zoning ordinance. The petitioner has applied to the State of Michigan for a license to operate a childcare center and is awaiting an inspection to confirm the maximum number of children that will be allowed at the facility. The ages would range from infant to 12 years. Based on the submitted floor plan, Kidventure would occupy the entire building. The interior layout, which is shown here, includes a large lobby area, as well as a reception, several classrooms, kitchen, and restrooms. The site is accessible by a single driveway that extends from Farmington Road. This driveway runs along the south side of the property and extends further west, providing access to the building at the rear which is 10533 Farmington Road. The petitioner has informed us that the properties operate under a cross-access and parking agreement. In fact, we received correspondence from the property owner verifying that. In terms of an outdoor play area, the zoning ordinance requires an area of no less than 5,000 square feet. In contrast, the State requires a minimum of 1,200 square feet. The proposed play area shown on the plans measures roughly 3,000 square feet. So, it is between the State requirements, and the City requirement. The reduction from the City's requirement is something that can be waived by City Council. The outdoor play area is shown occupying a portion of the parking lot behind the building and would be surrounded by an obscuring vinyl fence. In your packets, there is new information regarding what the fence would look like. In terms of parking for childcare centers, the requirement is one space for each employee plus enough off-street space for the safe and convenient loading and unloading of students. The revised plan shows 14 parking spaces with a one-way circulation pattern. You may recall from the previous plan, there were 11 parking spaces and all 90-degree parking. What has changed with this plan is the play area is shown in the northeast portion of the parking lot directly behind the building. There would be a single driveway that would be located in the southeast corner of the building, so when vehicles come in off of Farmington Road, they would pull in this driveway here. They would then have the chance to offload or pickup the children closest to the door which is behind the building. They would then proceed along this drive aisle.



This is a one-way circulation and then exit out at the southwest corner of the site and then have the ability of turn left and then proceed out on to Farmington Road. There are nine angled parking spaces located along the south side of the property and there are an additional four or five parking spaces located here in the northwest corner. That is the most significant change from the plan that you reviewed at the study meeting. There are no trash enclosures shown on the site plan. All trash would be disposed of via curbside pickup. There are no exterior building modifications shown. The site would be allowed one wall sign with a maximum of 36 square feet in area. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated August 30, 2021, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The parcel is assigned the address of #10531 Farmington Road. The existing building is currently serviced by public water main, storm sewer and sanitary sewer. The submitted drawings do not indicate any modifications to the existing leads, and we do not believe there will be any further impacts to the existing systems. Should changes to the existing services be required, the Owner shall submit revised plans to this office to determine if permits will be required. It should be noted that the developer may be required to obtain a permit from the Wayne County Department of Public Service, should any work occur within the Farmington Road right-of-way."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated August 26, 2021, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address. We have no objections to this proposal."* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated September 15, 2021, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Scott Szczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated September 13, 2021, which reads as follows: *"Pursuant to your request, the above referenced Petition has been reviewed. This petition is a change of use and would require that the building meet all current Michigan Building Codes including the Michigan Barrier Free Code. This will be*

*addressed further at the time of our plan review if this project moves forward. Signage was not reviewed at this time. This Department has no further objections to this Petition.*" The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated September 13, 2021, which reads as follows: " *I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia: Unpaid water and sewer charges: \$227.72 Total Due the City of Livonia: \$227.72*" The letter is signed by Connie Kumpula, Chief Accountant. We did receive confirmation that payment was received for that charge. The next letter is from the Treasurer's Department, dated August 25 , 2021, which reads as follows: "*In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are taxes due, but they are not delinquent, therefore I have no objections to the proposal.*" The letter is signed by Lynda Scheel, Treasurer. We had some correspondence come in. The first one is dated August 16, 2021, it reads: "To Whom it May Concern, The staff and visitors of Kidventure Childcare Center, Inc., have my permission to use parking spaces at 10533 through 10535 Farmington Road, Livonia, Mi 48150. Sincerely, MH Neal, MD. Next we have email correspondence dated September 19, 2021 and it reads: "Dear City of Livonia Planning Commission, I am writing to ask that you please grant Mellodie Hastings permission to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road. ", signed Sandra Neal, MD, 10533 Farmington Road. The next email reads as follows: "Dear City of Livonia Planning Commission, I am asking for approval of Mellodie Hastings' request to operate a day care nursery (Kidventure Child Care Center) at [10531 Farmington Road](#).", signed by MH Neal, MD, 10533 Farmington Road. The last email reads as follows: "Dear City of Livonia Planning Commission, I have no objection to Mellodie Hastings' petition requesting approval to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road.", signed Louise Neal, 1797 Alexander Drive, Bloomfield Hills, MI. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director?

Mr. Caramagno: Mark, I noticed there are 9-foot-wide parking spots here on the plan. What is normal? What do we normally ask for?

Mr. Taormina: Those would typically be 10 feet wide and since those will be providing parking for both staff and patrons or customers of the

facility, we would ask that those be 10 feet as opposed to 9-feet. The result could be the loss of one parking space. We sometimes allow 9-feet for employee parking, but in this case most of those parking spaces would be used for both employees and parents, so we would ask that the ones closest to the building be 10-feet-wide. What this plan doesn't show, and they will have to accommodate either way, is barrier free parking. She will have to provide at least one barrier free parking space. Probably that first space closest to the building.

Mr. Caramagno: Okay, thanks. I figured that getting kids in and out of cars, those that don't get dropped off at the door, you have to have access to get a child in and out of a car, plus there is cross parking you said, they can park anywhere on this property, right, you said?

Mr. Taormina: That is correct. What we were able to confirm is that the property immediately to the west and which has surplus parking, subject to cross-access and parking agreement. So, customers or employees would be able to park in the adjacent parking lot and hence, parking should not be an issue.

Mr. Caramagno: Okay, so parking shouldn't be an issue. Thank you.

Mr. Wilshaw: Thank you, Mr. Caramagno. Any other questions for our planning staff?

Mr. Bongero: Forgive me, I wasn't at the study meeting last week, so they are proposing an outdoor play area of 3,000 square feet, but what is required is 5,000?

Mr. Taormina: The city requires 5,000 square feet. The State requires 1,200 square feet.

Mr. Bongero: Oh, okay. So, this goes to Council.

Mr. Taormina: Yes. Council would have to consider this and does have the ability to modify that requirement.

Mr. Bongero: Okay, thank you.

Mr. Wilshaw: Thank you, Mr. Bongero/ Any other questions? If not, our petitioner I believe is in the audience. If you would like to come forward, you can come speak to your petition. Good evening. If you could start with your name and address for our record.

## **UNAPPROVED MINUTES**

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Mellodie Hastings, 2380 Stockmeyer Blvd., Westland, MI 48186.

Mr. Wilshaw: Is there anything else you would like to add that Mr. Taormina has not already covered.

Ms. Hastings: I think he did a great job. We are looking to bring affordable childcare to the Livonia area because that is kind of our goal and I think that is about it.

Mr. Wilshaw: Okay, great. If there is nothing else you would like to present, we can see if there is any questions for you from any of the commissioners.

Ms. Smiley: I have a couple questions. Ms. Hastings, could you...have had any experience with childcare?

Ms. Hastings: Yes.

Ms. Smiley: Can you tell us about that?

Ms. Hastings: So, I have...well, we both have, because we are partners,...

Ms. Smiley: Can you give us your name and address?

Angelique Armstrong, 17238 Garfield, Redford, MI 48240.

Ms. Hastings: We have had a previous childcare center and we had that childcare center for about two years. Prior to that I worked in multiple childcare centers as a childcare provider. I also received my CDA for certification to be a program director for childcare and that is about my experience.

Ms. Smiley: So, you have a CA endorsement, and you have two years' experience and that was a licensed childcare center, right? I assume. What ages are you taking?

Ms. Hastings: Two months to 12 years.

Ms. Smiley: Two months to 12 years, wow.

Ms. Hastings: Like before and after school care for the school age.

Ms. Smiley: Do you have like transportation to the elementary buildings or...



## **UNAPPROVED MINUTES**

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- Ms. Hastings: I do have my own transportation that I have, but we are licensed to do...or will be licensed to do transportation, but I am using my own personal transportation as of now.
- Ms. Smiley: But they could also come by bus?
- Ms. Hastings: Yeah. Only like say drop off (inaudible)
- Ms. Smiley: Your hours of operation are going to be?
- Ms. Hastings: 6:00 a.m. to 6:30 p.m.
- Ms. Smiley: 6 to 6:30?
- Ms. Hastings: Yes.
- Ms. Smiley: Long days.
- Ms. Hastings: I know.
- Ms. Smiley: Okay, and the State will mandate what kind of ratios you would have.
- Ms. Hastings: Yes. They have to come out and do their own inspection along with multiple other inspections. Yes, they do the ratio and the square footage of rooms of how many you can have things like that.
- Ms. Smiley: Do you anticipate any problems with that size of your outdoor play?
- Ms. Hastings: I am sorry. Can you repeat that?
- Ms. Smiley: Do you anticipate any problems with your outside outdoor play area? It is bigger than what the State mandates so you should be...
- Ms. Hastings: Yeah, yeah, yeah. That should be perfect. We don't plan to have park equipment anyway. Just, you know, bikes and portable slides and things like that, that can go out do some hoola hooping and some jump roping and running around. Just let out some energy.
- Ms. Smiley: Great. Thank you.
- Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions for our petitioner?

## **UNAPPROVED MINUTES**

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- Mr. Bongero: Just a couple questions. How many employees will you have at the site?
- Ms. Hastings: I plan to have...because we have four classrooms, I plan to have two teachers in each class, so that is about eight.
- Mr. Bongero: That's good. Um, where this playground is proposed, there is a concrete privacy wall that exists on that property. I was out there today just checking it out. I have seen it around the city before, it has vertical steel channels and the fence itself is concrete slabs, probably eight by eight and four inches thick. One or two of the sections are failing. So, I think you need to be aware that that needs to be secured because each slab probably weighs at least a couple thousand pounds. There is a picture. I had a picture, but it is giving way. I think that you should...that should be something you need to address.
- Ms. Hastings: Oh, okay. Can I see the picture?
- Mr. Bongero: Yeah. I think...Mark, do you have it?
- Mr. Taormina: I do. Give me a sec and I will show what those are.
- Mr. Bongero: But it is butting up right where your playground is.
- Ms. Hastings: Okay. It is good to know. Thank you.
- Mr. Bongero: Yeah.
- Mr. Wilshaw: While Mark works on getting those pictures up, is there any other questions from any of our commissioners?
- Mr. Caramagno: I have a question. How do you access that playground? Is there going to be a door coming from the building or are you going to have to come out of the building into the lot and then into the playground?
- Ms. Hastings: We would probably come out the door and then enter like the door to the gate to get in is what I pictured, but if it can be different when I talk to the people that are going to install it and that would be good so that it can already be wrapped around the door, but I guess it would have to be separate because when the parents come in they won't have to go in the gate, they can just go in the door. Probably come out the door and then go in another gated door.

Mr. Caramagno: Okay.

Ms. Hastings: Is what I vision.

Mr. Caramagno: What is the flooring for the playground? What do you do? That is asphalt there, so what do you do with that? Tell me a little bit about what you do there.

Ms. Hastings: I am considering putting in a turf. Either, depending on what is best as far as budget, like the green turf kind of like on the football field or I was also looking at kind of a rubber...I had a picture of it. It is like a rubber...what is it....like a rubber mesh.

Mr. Caramagno: So, it won't be asphalt. It would be either rubber mat or artificial turf there?

Ms. Hastings: Yeah. Something soft. They fall a lot I don't want them hurting themselves. Then grass...you can't ride your bike on the grass so...something flat yet safe. Oh, I see the metal ones you were talking about?

Mr. Bongero: Yeah, if you look to that right corner, it is pulling apart and the bottom corner is broken too.

Ms. Hastings: Okay. I will look into that.

Mr. Bongero: Look right there. See that crack right there? I would at least secure it.

Ms. Hastings: Like get it sealed or something?

Mr. Bongero: Maybe from the other side.

Ms. Hastings: Okay.

Mr. Taormina: If I may.

Mr. Wilshaw: Mr. Taormina.

Mr. Taormina: I am wondering if that would be part of the State's inspection when they look at the play area.

Mr. Bongero: The play area is right next to that.

Mr. Taormina: So, that is something that maybe you will have to work with the landlord to get repaired.

## **UNAPPROVED MINUTES**

10

Ms. Hastings: Okay.

Mr. Caramagno: Nice catch, Dave.

Mr. Bongero: You guys keep me around for a reason.

Ms. Smiley: I have one more question. What is your security plan for drop-off and pick-up of children?

Ms. Hastings: Well, we plan to meet the parents and they sign and just drop off to us and then we escort them to their classroom.

Ms. Smiley: So, the parent escorts them to and from the classroom?

Ms. Hastings: The parent will escort them to the door, and we will have them sign them in and staff will escort them to the classroom.

Ms. Smiley: To keep someone who is not a parent out of there, what is the plan there?

Ms. Hastings: We will definitely have a buzzer. I have to buzz them in for them to get in.

Ms. Smiley: Okay, good. Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions? All good questions so far. Anyone else? If not, is there anyone in the audience wishing to speak on this item. There doesn't appear to be anyone else. Is there anything else, Ms. Hastings, that you would like to add before we make our decision?

Ms. Hastings: No. We just hope you guys accept our petition and we are looking forward to providing affordable childcare within the Livonia area. We won't let you guys down.

Mr. Wilshaw: Okay, very good. One quick question from me. One of the pictures that was sent to us was of the vinyl fence that you are thinking of. There were two pictures, one appears to be a white or grey fence and the other one almost appears to be blue. I don't know if that is just the camera that made it look that way.

Ms. Hastings: They were both white. I was just looking at something...you see how that one there is kind of like less you can see in and the other one is kind of like more you can see in...I was just...it will be either be between something of those two. It will be white.



Mr. Wilshaw: Okay, I was just more concerned about the color and if it was going to be a bright blue or not. Very good, thank you. If there is no other questions or comments from anyone in the audience or the commission, I will close the public hearing and a motion would be in order.

On a motion by McCue, seconded by Venturea, and unanimously adopted, it was

**#09-49-2021** **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on September 21, 2021, on Petition 2021-08-02-16 submitted by Mellodie Hastings requesting waiver use approval pursuant to Section 6.13 of the Livonia Vision 21 Zoning Ordinance, to operate a day care nursery (Kidventure Child Care Center) at 10531 Farmington Road, located on the west side of Farmington Road between Orangelawn Avenue and Plymouth Road in the Northeast ¼ of Section 33, the Planning Commission does hereby recommend to the City Council that Petition 2021-08-02-16 be approved subject to the following conditions:

1. That the Site Plan, as received by the Planning Commission on September 20, 2021., is hereby approved and shall be adhered to.
2. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.
3. That no LED lightband or exposed neon shall be permitted on this site, including but not limited to, the building or around the windows.
4. That the entire outdoor play area shall be surrounded by a vinyl privacy fence.
5. That the existing concrete protective wall along the north property line shall be repaired to the satisfaction of the Inspection Department
6. All parking spaces, except the required handicapped spaces, shall be doubled striped at ten feet (10') wide by twenty feet (20') in length as required.
7. That the parking lot shall be repaired, resealed and restriped to the satisfaction of the Inspection Department.

8. That the hours of operation for this childcare facility shall be limited to 6:00 a.m. to 7:00 p.m.
9. The tenant(s) of this building shall not engage in any form of solicitation for business within the public rights-of-way of Farmington Road.
10. That the Petitioner shall enter into a conditional agreement limiting the waiver to this user only, with the provision to extend this waiver use approval to a new user only upon approval of the new user by the City Council.
11. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and,
12. Pursuant to Section 13.13 of Livonia Vision 21 Zoning Ordinance, this approval is valid for a period of one year only from the date of approval by the City Council, and unless a building permit is obtained, and construction is commenced, this approval shall be null and void at the expiration of said period.

***FURTHER RESOLVED***, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

**CITY OF LIVONIA – CITY COUNCIL  
MINUTES OF STUDY MEETING HELD NOVEMBER 8, 2021**

13

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 8:00 p.m. by President Kathleen McIntyre. Present: Laura Toy, Scott Bahr, Brandon McCullough, Rob Donovic, Jim Jolly and President Kathleen McIntyre. Absent: Cathy White.

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, Don Rohraff, Director of Public Works; Denise Maier, Director of Human Resources; and Sara Kasprowicz, Manager of Council Office.

12. SIGN PETITION: Planning Commission, re: Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast  $\frac{1}{4}$  of Section 21.

President McIntyre presented the New Data for this Agenda item.

Mark Taormina, Director of Planning and Economic Development, presented this request to Council. He stated this is a sign request and it involves the former YMCA building, the name given for the project and for the facility is the Livonia Athletic District. The owners have been undertaking substantial renovations to the interior of that building getting it ready for occupancy on a phased approach. But what they're requesting this evening really pertains only to signage. And there's a number of signs to help identify the building and the various users, again, this will be a multi-tenant facility. But the main purpose is really to advertise the Livonia Athletic District and for that purpose they're proposing a series of signs along the east elevation of the building. This is the side of the building facing Stark Road and that's just a lower view, if you will, you can see where Livonia Athletic District would be identified as a main identification sign here on the south portion of the building. This logo that is centrally located on the building, that's something that the Planning Commission has actually asked that they reduce the size of that down to 36-square feet. There are some vinyl logos or emblems, if you will, placed on some of the windows, these are roughly about 7-square feet each. And then when you turn the corner of the building and look at the north elevation, an additional sign, this is further west on the building, again, advertising Livonia Athletic District. This is closer to where the main entrance for the building is, which is located here. And then there's a multi-tenant sign which will probably not be visible or legible to passersby on Stark Road but it does qualify as a sign nonetheless, that, too, is on the north side of the building. So, altogether they are requesting a number of signs. This is a residential zoned property so they are limited, very strictly limited on the amount of signage, so all of this would have to reviewed and approved by the Zoning Board of Appeals, but it does require Council approval as well. The issue with the awnings kind of came up late in the building review and inspection

process and we had actually signed off on those features very early in the review of the exterior building modifications, we view these awnings as an architectural feature and not as signage. We went over that again with the Building Department when this issue came up last week. And what those are, are just a series of mesh panels, metal mesh panels that are located in a couple of places along the front of the building that are back lit, so we felt again that that didn't really constitute signage, it was actually an architectural feature and could be reviewed as such and approved as such.

Councilmember McCullough asked the signs that are facing the east, how are those illuminated?

Taormina replied the original concept was to paint those on the brick, the Planning Commission objected to that. So these are now going to be aluminum type signs, let me see if I have an example what that looks like. I apologize, I don't. We did get an example of that provided to us and those would be lit, I think with sconces on the building or I think it's ground lighting, so it will not be eternally illuminated, they're aluminum paneled signs.

McCullough stated overall I think it brings the building that's been there for quite a long time and again, I know the Petitioner is standing right here, but what an investment to come into the community. What was the original size of the – 36-square feet, that was the LED?

Taormina replied the logo originally was 121-square feet. They came back at 68-square feet and the Planning Commission has approved 36-square feet so it's a substantial reduction from the original proposal.

McCullough said and that one would be ground lit, correct, and Taormina replied that too, would be ground lit, yes. The only exception is going to be the multi-tenant sign located on the north side of the building.

McCullough stated my main concern is the east because that's where they do have the residential that's abutting it and Taormina replied correct.

Vice President Bahr stated I was just reviewing the Planning Commission meeting minutes here and I haven't gotten through all of them yet, so maybe this is in here. For the YMCA they had a monument sign, if I recall correctly, right, and Taormina replied right. Bahr then asked if that's being removed and Taormina stated I believe that's the intent. Bahr said isn't it typical for us to ask for a monument sign in lieu of the signage on the building for something like this and Taormina replied not always. The YMCA had limited wall signage and they may have attempted for signage in the past but was either rejected. I know that when they came to us some years ago for the monument sign, they wanted a much larger sign and they ended up with a rather small monument sign on that site.

Bahr said I agree with you that the monument sign was probably too small but I thought, I don't know exactly what our rules are, but I thought throughout the City we



try to push people towards the monument signs versus the building signs and I guess I'm trying to understand why this would be different. It seems like an appropriate sized monument sign would serve the purpose nicely without dealing with some of the issues that the Planning Commission appears to have raised, which again I haven't finished reading all the minutes.

Taormina stated yes, it could help, you know the YMCA was such a destination location, I think they probably didn't have the issues that this is likely to have in terms of identification and visibility. So, the monument sign would help but could also see the need for some wall signs in addition.

Bahr said you talk about the visibility, I saw in the Planning Commission meetings, I actually found it humorous that they said they're competing with the St. Joe's Sports Dome, I'm sorry, you're not competing with the St. Joe's Sports Dome for eyeballs. Nobody is driving down the road and I see the dome, but they're not even close. I just feel, you know this is, it's not on a major road. Anybody that's going there is either going there already because they know they're going there, or they're driving by it at 25 to 30 miles an hour, I think it's 25 on that road, and it's a prominent building, I just don't see the need to do a waiver apart from what Livonia has done in the past for the signage on the size of this building, to me it seems like a monument sign would be adequate.

Taormina stated again, the monument sign is small for it to be the only sign for this use I would suggest or offer that, I'll give you my personal opinion.

Bahr said I appreciate that, like I said we have Outback Steakhouse on Middlebelt Road which is incredibly busy and all they have is a monument sign. That's just one that comes to mind, we can think of a lot of other places that it works fine, I'm just struggling to see the need for all this building signage.

Councilmember Jolly stated in terms of just sharing my opinion in regard to this, I understand what Mr. Bahr is saying. I think this might be an opportunity, though, to kind of refresh and kind of rebrand an older building to be more modern. I like the idea of the metal signage. I think with as big as the building is, I would also worry about making the sign too small because it is an opportunity to kind of bring a little life into an older brick building that's been there forever. So I'll offer an approving.

Councilmember Donovic stated along the lines of what Mr. Jolly said, I think this is an awesome opportunity. You have a building that's been there for a very long time, that's been struggling for a very long time but offers so much opportunity and potential to Livonia. So, with that being said, I understand some of the decisions in the past for signage and what not, but this is a very modern, sleek design that I see other communities doing. I think it's going to be really cool. I'm not a fan of the ground lighting, I do think that's kind of a cheap way to really capture what this signage, the way I envision in my mind would have been much better as back lit, so I think it should be back lit, as opposed to just the ground lighting, to really capture what this can offer. But regardless I'm really excited about the signage and the kind of modern designs in

the future what this site is going to offer. We've had the chance to tour it and I know there's some other ideas out there that I think are just going to continue to make this area more of a destination and I don't think that the typical marquee sign will be adequate at this location. I think taking advantage of the newer designs, the newer modern appeals that I've seen other modern developments take advantage of, I think this will be great for this location.

Councilmember Jolly said just to add on, just to kind of rebut, in terms of the type of signage that they have provided in the package here, I don't see how that would be back lit, they're like metal signage, they would be affixed to the building. So, maybe is it possible that you would provide the lighting for these metal signs from above so it's not on the ground or would that have any kind of impact in terms of what you're trying to do there? The light coming from below does have the potential to become to perhaps be altered from where you would like to have it shine, correct. Would you be open to lighting it from above or what are the challenges here?

Joseph de Verteuil, 14255 Stark Road, petitioner, came to the podium. He stated in terms of the lighting package, I wasn't part of the group that put it together. We have a development group, architectural and graphic design group that put together. In terms of how the functionality would work, I really wouldn't be the expert to answer that question but we can propose it to our architectural and graphic design group.

Jolly said why don't we keep this on the Regular and then come back to us with that kind of information. I'd like to just see if you could follow up and see if it was possible to light it from above in a way that would be appropriate or if that's not possible, explain to us why that's not possible. Thank you.

Vice President Bahr offered a denying resolution.

Councilmember Donovic stated he also would like to clarify that he would still approve it with the ground lighting. I understand what my colleagues are saying, maybe it is impossible, that is my personal preference but I understand the difficulties. I think that the petitioner has gone above and beyond trying to work with the City and trying to have a good middle ground, I think we've accomplished that. I'm not going to be held up on the lighting, so to speak, I'm not the expert in lighting and the signage. I think what you propose is really sleek and really modern, but with that being said, that was just a personal preference but I do like it either way. Thanks, Madam President.

Councilmember McCullough said I guess the question, if there's an approving and a denying, Councilman Jolly did bring up the fact we'll leave the size out there. I would, we have the ability as Council to approve bigger, correct, Mr. Taormina>

Taormina replied you could recommend larger signs, it's still going to be subject to the Zoning Board of Appeals.

McCullough stated I would at least throw in there the 59 square feet that's listed in the packet if we're going to go for it. Councilman Jolly does bring up a good point, you do

have a lot, the baseball, the hockey program that happens right across the street and I'm not a businessman but if you're seeing that, you're going to see the sign from there and it might draw in some attraction. To touch base on the ground lights, that elevation is a little higher than the residential across the street, I would recommend keeping the ground lights because if not you're going to be in a situation where you'd have to shield it and the luminosity could hit into the windows, just my opinion. So, if I may just add the 59-square feet.

Jolly accepted the amendment.

Taormina replied just a clarification on which sign you're talking about, the 59-square feet, the logo sign on the front of the building, so rather than 36-square feet you're suggesting 59? The revised sign was 68-square feet.

McCullough said let's go with the 68-square feet, I'm reading something different in here.

The Petitioner stated they would have no problem accepting the 68-square feet, it goes back to the original plan.

DIRECTION:

- 1) APPROVING
- 2) DENYING

REGULAR



## LETTER TO THE LIVONIA CITY COUNCIL

11.

Planning  
October 20, 2021

### MEETING DATE

November 8, 2021

### PREPARED BY

Stephanie Reece, Program Supervisor,

### AGENDA ITEM

SIGN PETITION: Planning Commission, re: Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

### BACKGROUND

### RECOMMENDATION

At the 1,177th Public Hearing and Regular Meeting held by the City Planning Commission on October 19, 2021, the following resolution was adopted:

#10-58-2021 RESOLVED, That the City Planning Commission does hereby recommend City Council that Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21, be approved subject to the following conditions:

1. That the Sign Plan identified as A/2.01, dated September 10, 2021, prepared by submitted by Five-Eights, is hereby approved and shall be adhered to, except that the "LAD" sign on the east elevation of the building shall not exceed 36 square feet in area.
2. That the Lighting Plan identified as 1 of 1, dated August 18, 2021, prepared by Visual, is hereby approved and shall be adhered to.
3. That this approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess number and area of signs and any conditions related thereto; and
4. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Long, Smiley, Bongero, Wilshaw

NAYS: Ventura



ABSENT: McCue, Caramagno  
ABSTAIN: None

## FISCAL CONSIDERATION

## ATTACHMENTS

1. 2021-08-SN-02\_LAD\_E-COUNCIL Pkt
2. 2021-08-SN-02 Additional signage

## APPROVED BY



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Mark Taormina, Planning and Economic Development  
Director

Date: October 20, 2021



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Maureen Miller Brosnan, Mayor

Date: October 21, 2021

**From:** [Jonathan Hartzell](#)  
**To:** [Kasprowicz, Sara](#)  
**Cc:** [Taormina, Mark](#)  
**Subject:** Re: City Council Study Meeting of 11/08/2021, Item 12, must attend  
**Date:** Wednesday, November 3, 2021 12:37:17 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[21-004 - LIVONIA ATHLETIC DISTRICT - REVISED SIGN DRAWINGS - 21-1005 \(1\).pdf](#)

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Sara,

im attaching the revised set that was presented at the previous meeting, it shows all the details.

On Wed, Nov 3, 2021 at 12:26 PM Kasprowicz, Sara <[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)> wrote:

No worries. This information will be submitted as New Data under your item. I will submit this to Council for their review, which will also include Mark Taormina to also keep him updated on the additional information. You will be able to discuss this along with any other details during the discussion of your item on Monday.

See you then,

Sara

**Sara Kasprowicz**  
Program Supervisor  
City of Livonia | City Council Office  
(734) 466-2250  
[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)  
[www.livonia.gov](http://www.livonia.gov)

---

**From:** Jonathan Hartzell <[jon@detroitrisingdevelopment.com](mailto:jon@detroitrisingdevelopment.com)>  
**Sent:** Wednesday, November 3, 2021 12:19 PM  
**To:** Kasprowicz, Sara <[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)>  
**Cc:** Taormina, Mark <[mtaormina@livonia.gov](mailto:mtaormina@livonia.gov)>  
**Subject:** Re: City Council Study Meeting of 11/08/2021, Item 12, must attend

Sara,

Speaking with Scott from Planning today, he had concerns that our entry awnings may be purview to City council review. They are in the prints, but he said I should reach out to you or Maralyn. Can we get on a call today?

Attached are screen shots of the locations he had concern with. The awnings will be illuminated with backlit metal mesh.

On Wed, Nov 3, 2021 at 10:09 AM Kasprowicz, Sara <[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)> wrote:

The agenda for the City Council Study Meeting of 11/08/2021 is attached, your item is #12.

The Study meeting will be held in the City Hall Auditorium, beginning at approximately 8pm, or shortly after the 7pm Regular meeting, if it goes beyond 8pm.

It is highly recommended that you or a representative attend this meeting to speak on your item regarding Petition 2021-08-SN-02, when it is discussed by Council.

Thank you,

Sara



**Sara Kasprowicz**  
Program Supervisor  
City of Livonia | City Council Office  
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--

Jonathan Hartzell

Detroit Rising Development

Director of Development

248-854-8005

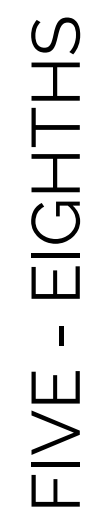


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Jonathan Hartzell  
Detroit Rising Development  
Director of Development  
248-854-8005







2321 WOLCOTT STREET  
FERNDALE - MI - 48220

313 - 936 - 0835  
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT

14255 STARK RD - LIVONIA - MICHIGAN - 48154

ELEVATIONS / EXTERIOR

# CONSTRUCTION DRAWINGS - PHASE 1

SHEET 13 OF 20



PROJECT ISSUE DATE:  
09 / 10 / 2021

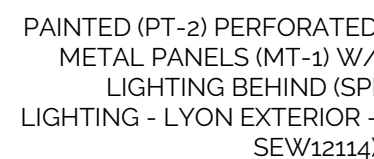
A/  
2.01



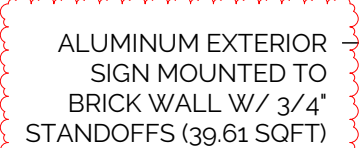
|                          |   |
|--------------------------|---|
| ELEVATION / RAMP RAILING | 9 |
| $1/4" = 1'-0"$           |   |



EXTERIOR ELEVATION / EAST (ENTRY) 3/16" = 1'-0" 3



EXTERIOR ELEVATION / NORTH 2  
3/16" = 1'-0"



VINYL GRAPHICS ON  
SPANDREL GLASS  
(WHITE VINYL)  
(26.83 SQFT TOTAL)

ALUMINUM EXTERIOR SIGN  
MOUNTED TO BRICK WALL W/  
3/4" STANDOFFS (64.63 SQFT)

COMBINED SQUARE FOOTAGE OF SIGNAGE ON NORTH AND EAST FACADES = 244 SF

WOOD BLADE SIGN  
(0.95 SQFT)

NEW AWNING TO HIGHLIGHT SEPARATE  
ENTRANCE FOR RT TENANTS

PAINT (E) CEMENTITIOUS SIDING  
PANELS (PT-2)

- DIRECTIONAL LANDSCAPE LIGHTS AT GRADE TO —  
ILLUMINATE SIGNAGE (REFER TO PHOTOMETRIC PLAN)

## LOW PLANTING AS AT WINDOWS

PERFORATED METAL PANELS W/  
LIGHTING BEHIND (SPI LIGHTING -  
LYON EXTERIOR - SEW12114)

EXTERIOR ELEVATION / EAST (STARK RD) 1  
 $3/16" = 1'-0"$



ECOSENSE

OVERVIEW • SPECIFICATIONS • ORDERING

INTERIOR + EXTERIOR | F080 SINGLE

| DATE | PROJECT | FIRM | TYPE |
|------|---------|------|------|
|------|---------|------|------|

RISE IS A SYSTEM OF BEAUTIFULLY DESIGNED OUTDOOR RATED LUMINAIRES THAT PROVIDE EFFICIENT AND POWERFUL LIGHT USING THE LATEST IN LED TECHNOLOGY. RISE F080 SINGLE IS A POWERFUL AND COMPACT LED LIGHT FIXTURE, DELIVERING UP TO 1170 LUMENS, THAT CAN BE USED IN SPOT, ACCENT, LANDSCAPE AND FLOODLIGHT APPLICATIONS. ITS UNIQUE MACRO™ LOCK FEATURE ALLOWS FOR FULL 180 DEGREE TILT AND 360 DEGREE PAN AIMABILITY USING ONLY ONE TWIST.

FEATURES:

- POWERFUL CBCP
- EXTREMELY COMPACT
- POWERFUL OUTPUT UP TO 1170 LUMENS
- MACRO™ LOCK - 180° TILT AND 360° PAN
- 12 UNIQUE BEAM ANGLES
- MULTIVOLT (110V-277V)
- 8 CCTS: 2200K THROUGH 6500K
- 80+ AND 90+ CRI
- DIMMABLE TO 5%
- IP66 RATED



| FIXTURE MODEL | FIXTURE CONFIG.  | POWER/ LUMEN OUTPUT*                                      | CCT/ COLOR                                                                                                                                                        | CRI                                                                                      | BEAM ANGLE                                                                                                                                                                                                                                                                                                                                    | FINISHES                                                          | ACCESSORIES                                                                             | WIRING AND MOUNTING                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------|------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| F080          | 1S - Single Head | LO - Low Output<br>MO - Medium Output<br>HO - High Output | 22 - 2200K<br>25 - 2500K<br>27 - 2700K<br>30 - 3000K<br>35 - 3500K<br>40 - 4000K<br>50 - 5000K<br>65 - 6500K<br>80 - Red<br>GR - Green<br>BL - Blue<br>AM - Amber | 80+<br>90+<br>X - For RD, GR, BL, AM<br>*90 CRI not available in 3500K, 5000K, and 6500K | 05 - Laser Spot (5°)<br>9 - 90°<br>10 - Very Narrow Spot (10°)<br>15 - Narrow Spot (15°)<br>20 - Spot (20°)<br>40 - Flood (40°)<br>60 - Medium Flood (60°)<br>70 - Wide Flood (70°)<br>90 - Very Wide Flood (90°)<br>E1 - Elliptical 1 (15"x60")<br>E2 - Elliptical 2 (30"x60")<br>E3 - Elliptical 3 (60"x15")<br>E4 - Elliptical 4 (60"x30") | K - Black<br>Z - Bronze<br>S - Silver<br>W - White<br>C - Custom* | X - No Accessory<br>H - Half Snoot<br>F - Full Snoot<br>Will ship as X if not specified | A - 19" Flying Leads - Internal Cable K; Bottom Exit 1/2" NPT; UL/CE Listed<br>B* - 10' External Cable Side Exit; Surface Mount; UL Listed<br>C* - 10' External Cable Bottom Exit; Surface Mount - 1/2" NPT; UL Listed<br>D* - 10' External Cable Side Exit; Surface Mount; CE Listed<br>E* - 10' External Cable Bottom Exit; Surface Mount - 1/2" NPT; CE Listed<br>*Will ship as E if not specified |

EXAMPLE: F080-1S-LO-22-8-05-S-X-A

\*SEE PHOTOMETRIC CHART FOR LUMEN DATA

| PERFORMANCE | WATTS | POWER         | LUMEN OUTPUT | EFFICACY | CBCP |
|-------------|-------|---------------|--------------|----------|------|
|             | 4     | Low Output    | 51           | 40*      | 5*   |
|             | 7.5   | Medium Output | 531          | 761      | 71   |
|             | 11.5  | High Output   | 744          | 1120     | 65   |

ALL LUMEN DATA IS FROM 4000K 80CRI FIXTURES. PLEASE SEE PHOTOMETRY SPEC SHEET FOR ADDITIONAL LUMEN DATA.

COLOR RENDERING INDEX  
COLOR CONSISTENCY  
LUMEN DEPRECIATION

|        | WATTS     | L70 @ 25C    | L70 @ 50C    | L90 @ 25C    | L90 @ 50C    |
|--------|-----------|--------------|--------------|--------------|--------------|
| LOW    | <60,500** | >(109,000)** | >(109,000)** | >(109,000)** | >(109,000)** |
| MEDIUM | <60,500** | >(109,000)** | >(109,000)** | >(109,000)** | >(109,000)** |
| HIGH   | <60,500** | >(109,000)** | >(109,000)** | >(109,000)** | >(109,000)** |

\* ENERGY STAR REPORTED TESTING HOURS TO DATE  
CALCULATIONS FOR LED FIXTURES ARE BASED ON MEASUREMENTS THAT COMPLY WITH IES LM-80 TESTING PROCEDURES AND IES TM-21 CALCULATOR  
\*\* ESTIMATED HOURS

NOTE: Information on this Spec Sheet is subject to change, please visit ecosenselighting.com/downloads/raise for the most updated information.

ECOSENSE LIGHTING INC.  
837 NORTH SPRING STREET  
SUITE 103  
LOS ANGELES, CA 90012

P • 310.496.6255  
F • 310.496.6256  
T • 855.632.6736  
855.6. ECOSSEN

WE STRONGLY DISCOURAGE THE USE OF ANY PRODUCT THAT DOES NOT MEET THE REQUIREMENTS OF THE IES LM-80 AND TM-21 TESTING PROCEDURES. FOR A LIST OF TESTING FIRMS THAT MEET THE REQUIREMENTS OF THE IES LM-80 AND TM-21 TESTING PROCEDURES, PLEASE VISIT [www.iesna.org](http://www.iesna.org). ALL PRODUCTS ARE MANUFACTURED IN THE UNITED STATES OF AMERICA. THE COMPANY MAKES NO WARRANTY, EXPRESS OR IMPLIED, FOR THE USE OF ANY PRODUCT IN ANY APPLICATION OTHER THAN THAT FOR WHICH IT WAS DESIGNED.

ECOSENSELIGHTING.COM

1/4



ANGLED REFLECTOR  
WET LOCATION  
EXTERIOR - SIGN LIGHTS

PROJECT: \_\_\_\_\_  
TYPE: \_\_\_\_\_



AR1214W  
OR - Orange



AR1214W  
TG - Turquoise



AR1214W  
CG - Copper Metallic

| SERIES                        | LUMENS <sup>1</sup>        | CCT                                              | DRIVER / DIMMING <sup>2</sup>                                                                                                                                                                                           | ACCESSORIES <sup>3</sup>                                                                                                                         | MOUNTING <sup>7</sup>                                                                                                                                                                                                                                                                                                                                      | FINISH <sup>14</sup>                                                                                                                                                      |
|-------------------------------|----------------------------|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AR0808W<br>AR1012W<br>AR1214W | 15L 1500 lm<br>27L 2700 lm | 27K 2700K<br>30K 3000K<br>35K 3500K<br>40K 4000K | EX Electronic Driver 120V/277V<br>10K, 0-10V, 120V/277V<br>DO10K 1% 0-10V, 120V/277V<br>DS2W1 ELV/MLV, 120V<br>DLIE1 Lutron® 2-Wire Forward Phase (MLV), 120V<br>DLIEK 1% Lutron® EcoSystem®, Fades to Black, 120V/277V | TF1 3" Frosted Dome<br>TG1 3" Dome Wire Guard<br>MF1 3" Frosted Mini<br>MG1 3" Short Wire Guard<br>FJ1 3" Frosted Tall<br>FG1 3" Tall Wire Guard | WALL MOUNT<br>CP104 3" Small Driver Canopy<br>CP106 3" Large Driver Canopy<br>CPA/RMD Remote Mount Driver<br>PA 3" Mounting Arm Style<br>CEILING MOUNT<br>RDCS Small Driver Canopy<br>CP13 Large Driver Canopy<br>PM 3" Rigid Pendant Mount<br>HM 3" Hang Straight<br>BACR 10W Large Driver Canopy BM<br>BWR 7W Remote BM<br>EMEN 7W Remote with Enclosure | MW <sup>4</sup> Matte White<br>MB <sup>5</sup> Matte Black<br>PT <sup>6</sup> Platinum Silver<br>CC Custom Color<br>See Page 5 for Full Range of Color Options (85-90085) |

EXAMPLE: AR0808W15L30KEXFJ1/CP104PA23MW

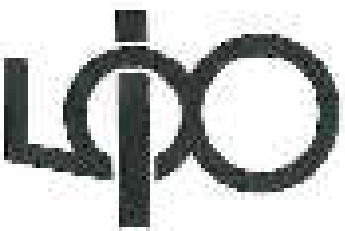
NOTE:  
1 Nominal Source Lumens of 35K 2 Contact Factory for Additional Options 3 Available with CP106/RDCS/CP13 Only 4 Available with CP106/CP13 Only  
5 See Enclosure & Guards Page for Wire Guards and Additional Options 6 80 and 90CRI Enclosure 7 See Mounting Page for Details on Components and Finishes  
8 Contact Factory for Bracket-Off-Relief 9 See Mounting Page for Available Arm Options 10 Specify Length in Inches See Mounting Page for Available Lengths  
11 Intended for Outdoor Covered Ceiling Applications Only 12 Not for Use in Locations with Wind Exposure 13 BACR Replaces RDCS or CP13  
14 See Color Page for More Options/Contact Factory for Specific Finishes 15 Standard Finish

Dimensions and values shown are nominal. Spectrum Lighting continuously works to improve products and reserves the right to make changes which may affect the performance or appearance of products.



WWW.SPECULIGHT.COM • 994 JEFFERSON STREET, FALL RIVER, MA 02721 • 508.678.2303 FAX 508.678.2260

85-60029\_08



FIVE - EIGHTHS

1344 WOODSTOCK ST. ELLY  
FERRISDAI - MI 48230  
310 - 410 - 05-05  
NINOWAY - VS EIGHT 15 COM

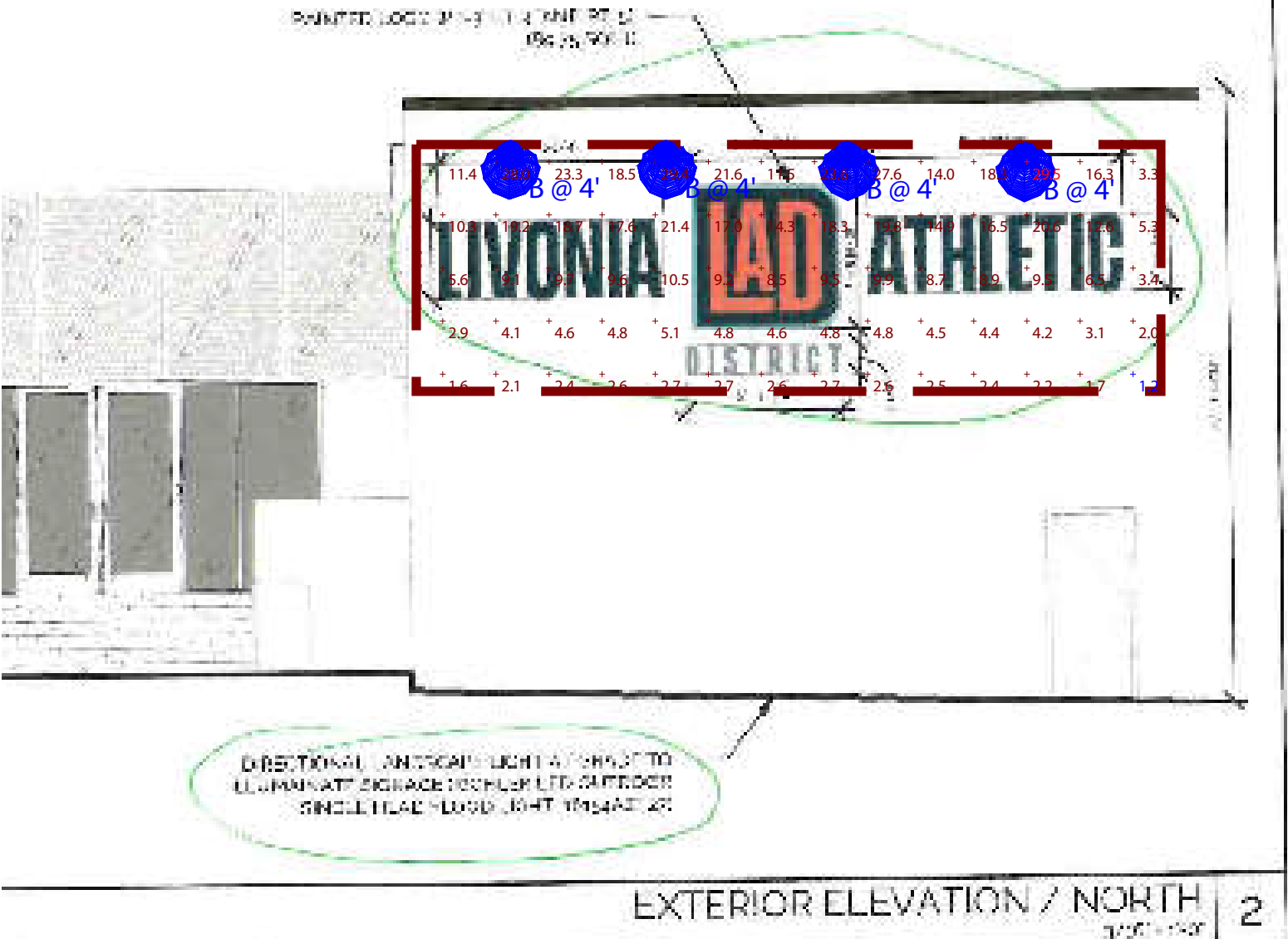
LIVONIA ATHLETIC DISTRICT

34455 STARK RD. LIVONIA - MI 48150

ATIONS / EXTERIOR

NOS. 11-4561

SHEET 11 OF 15



Statistics

| Description  | Symbol | Avg     | Max     | Min    | Max/Min | Avg/Min |
|--------------|--------|---------|---------|--------|---------|---------|
| Calc Zone #2 | +      | 10.2 fc | 29.5 fc | 1.2 fc | 24.6:1  | 8.5:1   |
| Calc Zone #3 | +      | 3.9 fc  | 10.5 fc | 0.7 fc | 15.0:1  | 5.6:1   |
| Calc Zone #4 | +      | 3.4 fc  | 7.1 fc  | 1.4 fc | 5.1:1   | 2.4:1   |

Schedule

| Symbol | Label | Quantity | Manufacturer      | Catalog Number              | Description                                          | Wattage |
|--------|-------|----------|-------------------|-----------------------------|------------------------------------------------------|---------|
|        | A     | 3        | Ecosense Lighting |                             | RISE F80 Flood light                                 | 11.5    |
|        | B     | 4        | Spectrum Lighting | AR1214GV-15L-35K-EX-TF1-MWI | Angled Reflector 12" Nom. Diam Open Aperture x 14" H | 10      |



YMCA SIGNAGE  
NOT FOR CD  
JDICKERSON@GASSERBUSH.COM

Designer  
Date  
8/18/2021  
Scale  
Not to Scale  
Drawing No.  
Summary



**From:** [Jonathan Hartzell](#)  
**To:** [Kasprowicz, Sara](#)  
**Cc:** [Taormina, Mark](#)  
**Subject:** Re: City Council Study Meeting of 11/08/2021, Item 12, must attend  
**Date:** Wednesday, November 3, 2021 12:19:38 PM  
**Attachments:** [CitySeal100x100\\_8f7d9122-2022-4a3b-86d9-f05a096c6a3c.png](#)  
[Livonia-Logo-250\\_2521acb0-d42c-429b-900f-b59ac98c1049.png](#)  
[SocialLink\\_Facebook\\_32x32\\_15fe2196-de42-486f-ac8c-bd89c9da8fd7.png](#)  
[SocialLink\\_Twitter\\_32x32\\_a844deab-cb87-48f2-9175-647012b70cfe.png](#)  
[SocialLink\\_Youtube\\_32x32\\_9b8afb50-3b86-4678-b53d-7e423a9d8771.png](#)  
[New Awning with Metal Mesh cover and lights.PNG](#)  
[awning cover main entry.PNG](#)

---

Sara,

Speaking with Scott from Planning today, he had concerns that our entry awnings may be purview to City council review. They are in the prints, but he said I should reach out to you or Maralyn. Can we get on a call today?

Attached are screen shots of the locations he had concern with. The awnings will be illuminated with backlit metal mesh.

On Wed, Nov 3, 2021 at 10:09 AM Kasprowicz, Sara <[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)> wrote:

The agenda for the City Council Study Meeting of 11/08/2021 is attached, your item is #12.

The Study meeting will be held in the City Hall Auditorium, beginning at approximately 8pm, or shortly after the 7pm Regular meeting, if it goes beyond 8pm.

It is highly recommended that you or a representative attend this meeting to speak on your item regarding Petition 2021-08-SN-02, when it is discussed by Council.

Thank you,

Sara



**Sara Kasprowicz**  
Program Supervisor  
City of Livonia | City Council Office  
(734) 466-2250  
[skasprowicz@livonia.gov](mailto:skasprowicz@livonia.gov)  
[www.livonia.gov](http://www.livonia.gov)



This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message.  
Thank you.

--

Jonathan Hartzell  
Detroit Rising Development  
Director of Development  
248-854-8005





10' - 10 3/4"

4' - 4 1/4"

PAINTED IPT-21 PERFORATED  
METAL PANELS (MT-D) W/  
LIGHTING BEHIND (SPI  
LIGHTING - LYON EXTERIOR -  
SEW12114)

3' - 8"  
(TYP. OF 6)

2" GAP

3' - 3"  
2' - 2"



2' - 11"

TRANSPARENT & RETRACTABLE  
 SCREENS ALLOW LIGHT TO  
 LIGHTEN WITH ADJUSTABLE  
 LIGHTING - 1/2" FOR EXTERIOR -  
 INTERIOR



**Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD),** requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast  $\frac{1}{4}$  of Section 21.

**CITY OF LIVONIA, MICHIGAN  
APPLICATION FOR SIGNAGE APPROVAL**

All applications for Signage Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee of \$50.00.**

Date Filed: 8/19/2021 Petition \_\_\_\_\_

Site Address: 14255 Stark Road Sidwell \_\_\_\_\_

Applicant: Stark Road Holdings LLC Business/Company: same as applicant

Applicant's Address: 14255 Stark Road City: Livonia State: MI Zip Code: 48154

Applicant's Phone # (267) 640-2352 Applicant's Email kirstie@detroitrisingdevelopment.com

Contact Person: Kirstie Ducourouble Business/Company: Detroit Rising Development

Contact's Address: 14255 Stark Road City: Livonia State: MI Zip Code: 48154

Contact's Phone # (267) 640-2352 Contact's Email kirstie@detroitrisingdevelopment.com

**Please provide the following information:**

- 1) Proposal for **Wall Sign(s)** must show the following:
  - shape and dimensions of sign(s)
  - total square footage of sign area
  - method of illumination
  - elevation plan showing location of sign(s) on building
- 2) Proposal for **Awning Sign(s)** must show the following:
  - shape and dimensions of sign(s)
  - total square footage of sign area
  - method of illumination (only sign area is permitted to be back-lit)
  - elevation plan showing location of sign(s) and awning(s) on building
- 3) Proposal to erect a **Ground Sign** must show the following:
  - shape and dimensions of sign
  - total square footage of sign area
  - height of sign (measured from the surface grade of the land)
  - method of illumination
  - site plan depicting sign's location and setback from any right-of-way line
- 4) **One (1) set of reduced plans, a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to [smiller@ci.livonia.mi.us](mailto:smiller@ci.livonia.mi.us)**
- 5) One (1) completed application form & **three (3)** sets of full-size drawings

**You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.**

Owner of Property: Stark Road Holdings, LLC

Owner's Address: 14255 Stark Road City: Livonia State: MI Zip Code: 48154

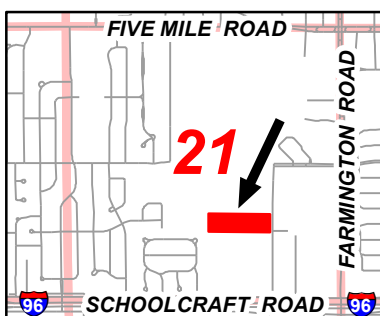
Owner's Phone # (267) 640-2352 Owner's Email kirstie@detroitrisingdevelopment.com

Signature of Owner:  Print Name: Kirstie Ducourouble









## **Aerial Map**

Petition 2021-08-SN-02  
Liviona Athletic District  
14255 Stark Road  
Wall Signage



Not to Scale



City of Livonia  
Planning Department



## PLANNING COMMISSION STAFF NOTES

### MISCELLANEOUS

#### ITEM 5

**Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD)**, requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast  $\frac{1}{4}$  of Section 21.

#### September 14, 2021: Study Meeting:

This sign petition involves the former Livonia YMCA property, now owned by a private development group called Detroit Rising Development. The new name is ***Livonia Athletic District*** (LAD). The request is to install multiple wall signs to both identify and advertise the new use of the property. The YMCA facility was built in the 1960's and closed in March 2020. In May of this year, Detroit Rising Development acquired the property with plans to transform the building into a multi-tenant sports facility that will include, among other things, indoor turf fields, a pool, boxing gym, volleyball courts, as well as private office space for physical therapy and sports medicine practices. Unlike the YMCA, the LAD will not be based on facility-wide memberships. The various spaces within the building will be leased or rented to various groups, teams and other entities that will contract with LAD to use its space for training and other activities.

The subject site is zoned N1, Neighborhood District. Signage for this type of use is regulated under Section 11.08 of the LV21 Zoning Ordinance. Non-residential uses in a N1 zoning district are allowed only one (1) twenty (20) square foot wall sign.

As previously mentioned, the petitioner is requesting multiple wall-type signs. On the east elevation, facing Stark Road, the plans show two (2) primary identification signs. The smaller of the two would measure 15' x 3'-11" for a total area of **59 square feet** and read "***Livonia Athletic District***". The other would measure 11'-4" x 10'-8" for **121 square feet** in area and have the graphics "***LAD***". Both signs would be painted on the exterior brick of the building and illuminated by ground mounted flood lights. Signs painted permanently and directly on the exterior surface of any building is prohibited under Section 11.05 of the Zoning Ordinance and thus subject to final approval by the Zoning Board of Appeals (ZBA). Also proposed for this side of the building are a number of vinyl graphics affixed to the existing windows advertising the building's various athletic activities. The plans show a total of ten (10) graphics, each measuring approximately 2'-6" x 2'-6" or seven (7) square feet, resulting in a total combined sign area of **seventy (70) square feet**. Although the graphics are without words, they would be visible from Stark Road and convey messages directly associated with the use of the property. These graphics would therefore constitute as signs and factor into the calculations.

On the north side of the building, facing the facility's parking lot, the petitioner is proposing a painted wall sign that reads "***Livonia LAD Athletic District***" and measures 27' x 7' for a total area of **189 square feet**. This sign would be illuminated by lights mounted on the wall above the sign. Additionally, adjacent to the main entrance, the plans show a wall sign

## MISCELLANEOUS

measuring 6' x 12' (**72 square feet**) that would contain interchangeable panels to identify the building's various tenants and uses. This sign would be internally illuminated.

Altogether, proposed are **four (4) wall signs** and **ten (10) vinyl window signs** measuring a combine **511 square feet** in sign area.

Because the proposed signage is in excess of what the ordinance allows in terms of number and area, final approval will require that variances be granted from the ZBA.

### September 21, 2021: Regular Meeting:

At the Study Meeting, Commissioners expressed reservation over the proposal to paint the signs on the building's exterior brick finish. Another concern was the size of the LAD logo sign near the center of the building's east elevation facing Stark Road. It was suggested that the Petitioner consider other options that would either reduce or eliminate the number and size of the painted signs.

### October 12, 2021: Study Meeting:

At the request of the Petitioner, this item was tabled at the September 21<sup>st</sup> Regular Meeting. Petitioner would like time to consider the Planning Commission's suggestions and come back with a revised sign package.

On October 5, 2021, the Petitioner submitted a revised sign package and requested to be put back on a Planning Commission agenda. The number of wall signs remain the same, but the sign area of the signs has been reduced. Also, instead of the wall signs being painted on the building, the proposed signs would be of aluminum construction and mounted to the exterior walls.

On the east elevation, facing Stark Road, the revised plans show the same two (2) primary identification signs. The "**Livonia Athletic District**" wall sign at the southern corner of the building would remain the same size, measuring **59 square feet** (15' x 3'-11") in sign area. The "**LAD**" wall sign, located between the existing windows, has been reduced in size and would now measure **68 square feet** (8'-3" x 8'-3") for in area. As before, these signs would be illuminated by ground mounted flood lights. The number of vinyl graphics affixed to the existing windows advertising the building's various athletic activities has been reduced in half. The revised plans show a total of five (5) graphics, each at seven (7) square feet or **thirty-five (35) square feet** in combined sign area. The "**Livonia LAD Athletic District**" on the north side of the building, has been reduced to **146 square feet** (22'-6" x 6'-6"). As before, this sign would be illuminated by lights mounted on the wall above the sign. The wall sign adjacent to the main entrance containing interchangeable tenant panels, has been reduced to **50 square feet** (5' x 10'). This sign would be internally illuminated.



As revised, the proposed **four (4) wall signs** and **five (5) vinyl window signs** would have a combine sign area of **358 square feet**. This is a reduction of 153 square feet in sign area from what was originally proposed.

**October 19, 2021: Regular Meeting:**

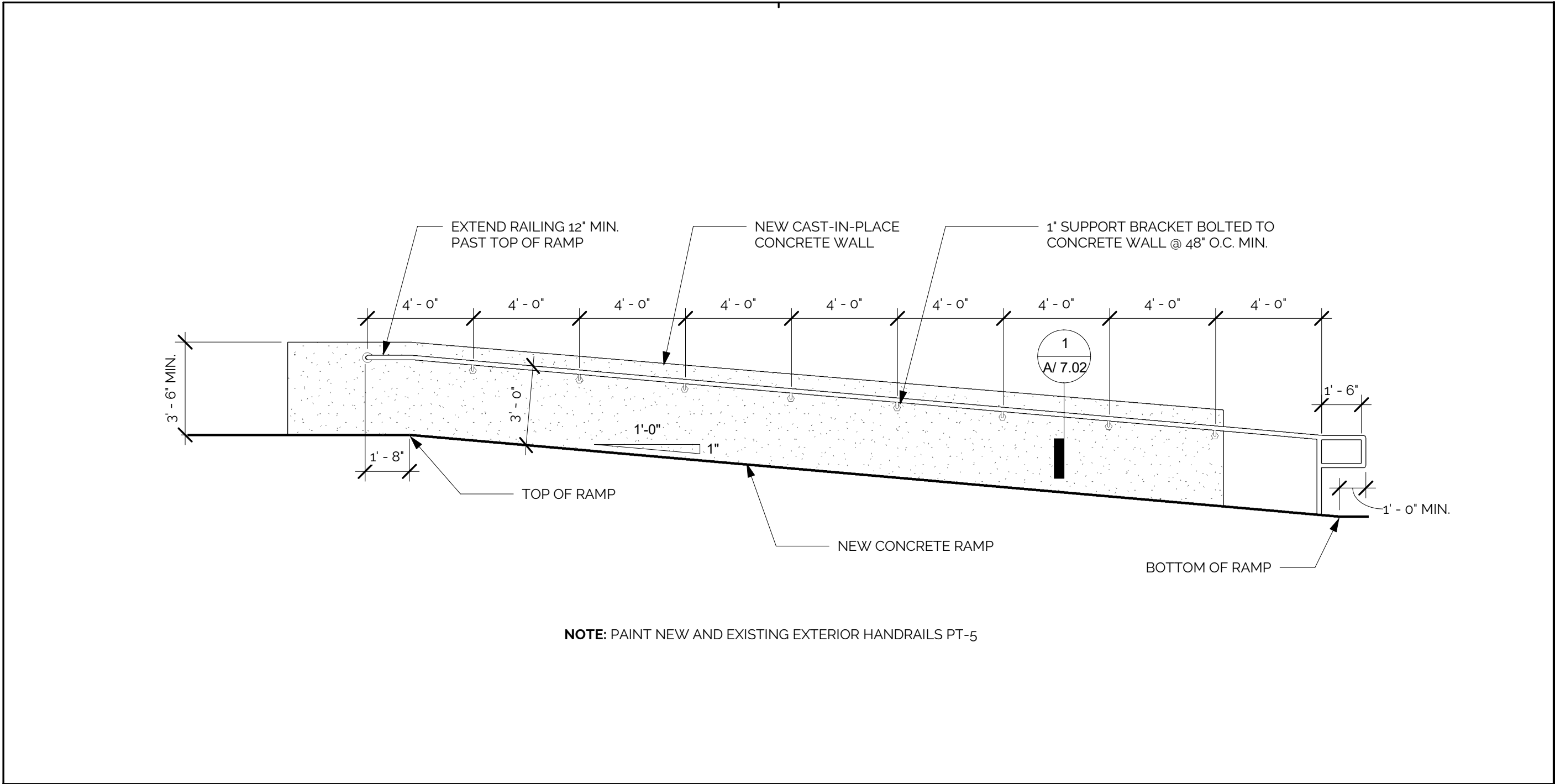
The consensus of the Planning Commission is that the revised sign plan is a significant improvement, with the possible exception of the size of the “LAD” sign on the east side of the building. For this reason, the prepared approving resolution reduces the size of this sign from 68 sq.ft. (8'-3" x 8'-3") to 36 sq.ft. (6'-0" x 6'-0"). Additionally, the Commission asked the Petitioner to provide an example of the material that will be used in the construction of the main identification signs.

**Approving Resolution:** That this request to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road is hereby approved, subject to City Council approval and the following conditions:

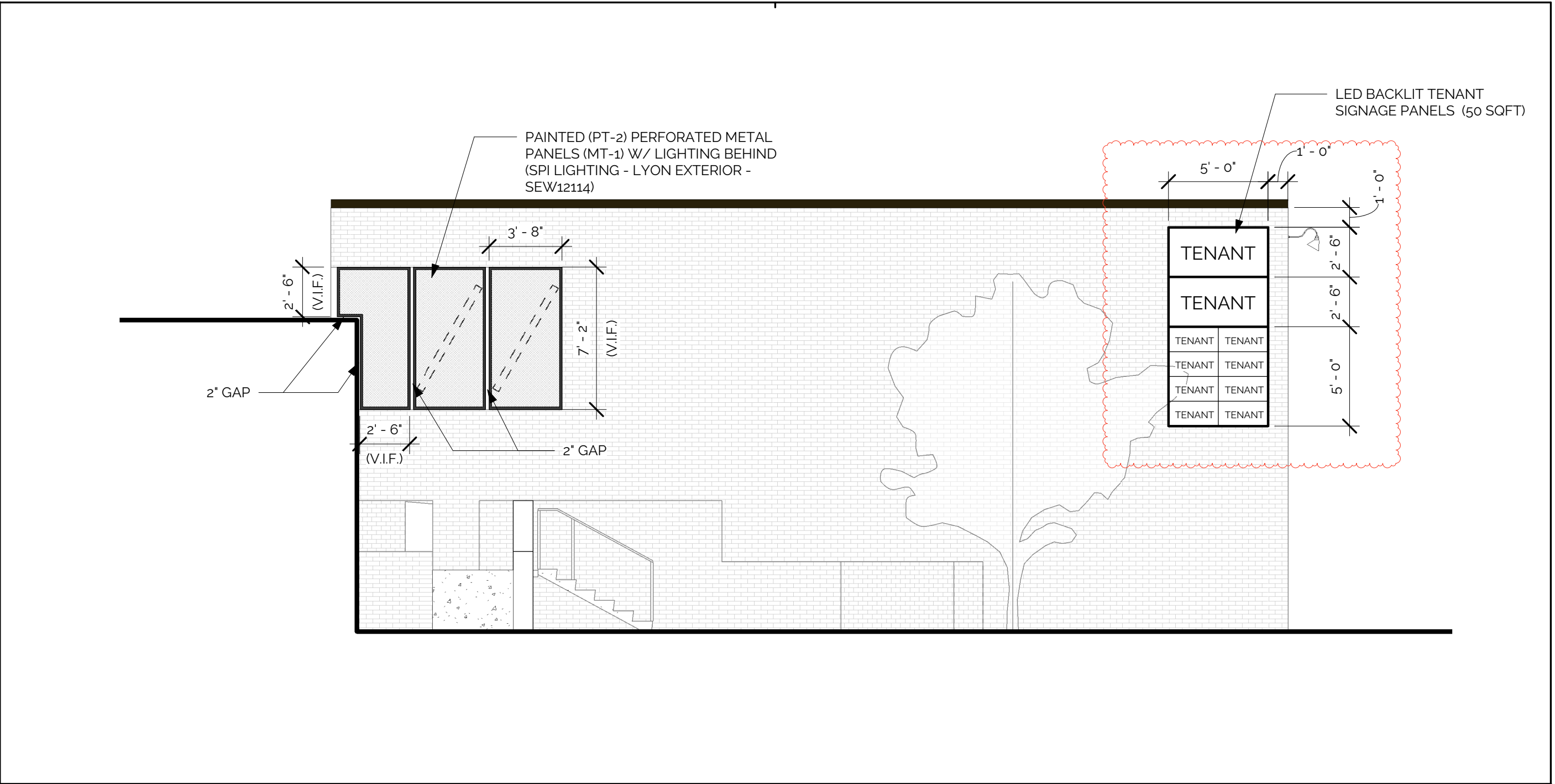
1. That the Sign Plan identified as A/2.01, dated September 10, 2021, prepared by submitted by Five-Eights, is hereby approved and shall be adhered to, except that the “LAD” sign on the east elevation of the building shall not exceed 36 square feet in area.
2. That the Lighting Plan identified as 1 of 1, dated August 18, 2021, prepared by Visual, is hereby approved and shall be adhered to.
3. That this approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess number and area of signs and any conditions related thereto; and
4. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

**Denying Resolution:** That this request to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road is denied for the following reasons:

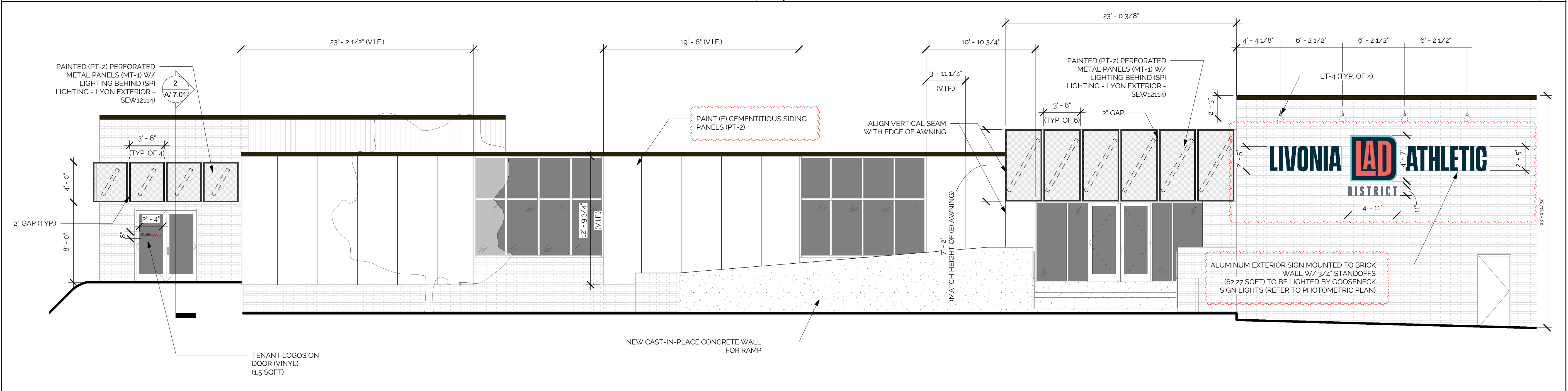
1. That the applicant has failed to comply with all the requirements outlined in Section 11.08 of the Livonia Vision 21 Zoning Ordinance.
2. That the signage is in excess of what the ordinance allows.
3. That the applicant has not justified the need for any additional signage for this location over what is permitted by the sign ordinance; and
4. That approving this signage request would set an undesirable precedent for the area and would not be aesthetically in the City's best interest.



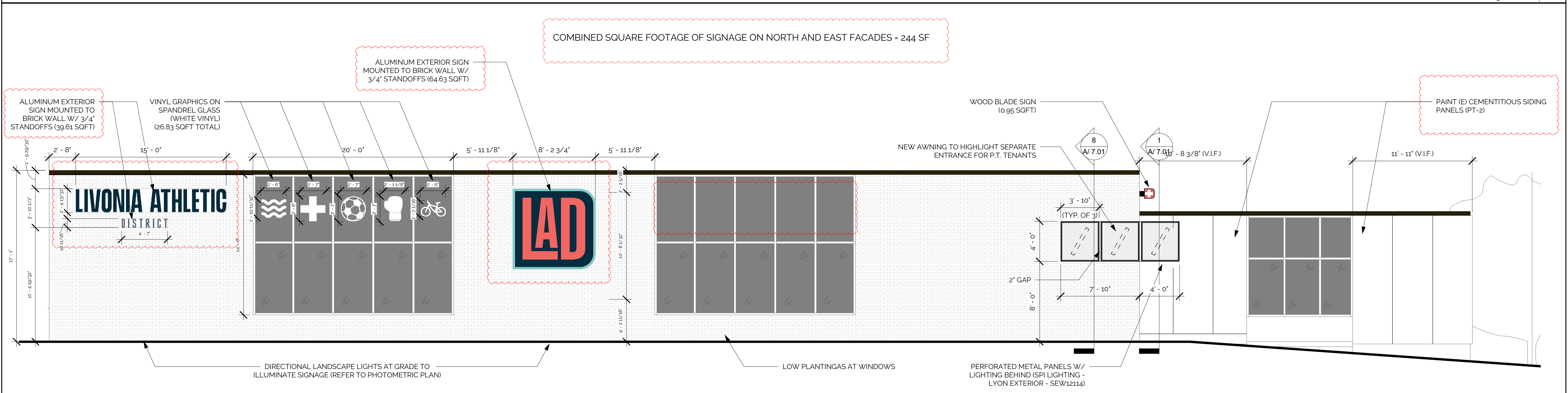
ELEVATION / RAMP RAILING  
1/4" = 1'-0" 9



EXTERIOR ELEVATION / EAST (ENTRY)  
3/16" = 1'-0" 3



EXTERIOR ELEVATION / NORTH  
3/16" = 1'-0" 2



EXTERIOR ELEVATION / EAST (STARK RD)  
3/16" = 1'-0" 1

















Google



Google



**INSPECTION DEPARTMENT**

BUILDING  
HEATING  
PLUMBING  
ELECTRICAL  
ZONING  
SANITATION  
ENVIRONMENTAL PROTECTION  
ORDINANCE ENFORCEMENT



**MAUREEN MILLER BROSNAN**  
MAYOR

**JEROME A. HANNA**  
DIRECTOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2580  
FAX: (734) 466-2095

Date: September 13, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-08-SN-02 – 14255 Stark Road

Pursuant to your request, the above referenced Petition has been reviewed.

1. A variance from the Zoning Board of Appeals would be required for the excess size and number of signs proposed.

This Department has no further objections to this Petition.

I trust this provides the requested information.

*Jerome Hanna*

Jerome Hanna  
Director of Inspection

**INSPECTION DEPARTMENT**

BUILDING  
HEATING  
PLUMBING  
ELECTRICAL  
ZONING  
SANITATION  
ENVIRONMENTAL PROTECTION  
ORDINANCE ENFORCEMENT



**MAUREEN MILLER BROSNAN**  
MAYOR

**JEROME A. HANNA**  
DIRECTOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2580  
FAX: (734) 466-2095

Date: October 12, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-08-SN-02 – 14255 Stark Road

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I trust this provides the requested information.

*Jerome Hanna*

Jerome Hanna  
Director of Inspection

DEPARTMENT OF FINANCE

Michael T. Slater  
DIRECTOR OF FINANCE

Connie Kumpula  
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807

September 13, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2021-08-SN-02 - 14255 Stark Road - Livonia Athletic District (LAD)

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

|                                 |           |
|---------------------------------|-----------|
| Unpaid water and sewer charges: | \$ 778.78 |
| Total Due City of Livonia       | \$ 778.78 |

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula  
Chief Accountant

CK: jw



# Transaction Statement

**Service Address**

14255 STARK  
LIVONIA, MI 48154

**Mailing Address**

STARK ROAD HOLDINGS LLC  
14255 STARK  
LIVONIA, MI 48154

**Account Number**

000304100-001

**Amount Due**

\$778.78

**Account Number**

000304100-001

**From - Through**

02/25/2021 - 08/25/2021

**Services**

Water & Sewer - Metered

**Service Address**

14255 STARK  
LIVONIA, MI 48154

**Beginning Balance**

\$360.44

| Date       | Type              | Amount     | Description                                 |
|------------|-------------------|------------|---------------------------------------------|
| 03/09/2021 | Payment           | (\$360.44) | Check                                       |
| 03/16/2021 | Bill              | \$400.49   | Due Date 04/09/2021                         |
| 04/06/2021 | Payment           | (\$400.49) | Check                                       |
| 04/14/2021 | Bill              | \$360.44   | Due Date 05/10/2021                         |
| 05/04/2021 | Payment           | (\$360.44) | Check                                       |
| 05/14/2021 | Bill              | \$360.44   | Due Date 06/10/2021                         |
| 06/08/2021 | Payment           | (\$360.44) | Check                                       |
| 06/11/2021 | Adjustment        | (\$360.44) | Adjustment Reason: Miscellaneous Adjustment |
| 06/14/2021 | Out of Cycle Bill | \$360.44   | Due Date 07/14/2021                         |
| 07/15/2021 | Bill              | \$403.71   | Due Date 08/10/2021                         |
| 08/13/2021 | Penalty           | \$12.11    |                                             |
| 08/16/2021 | Bill              | \$362.96   | Due Date 09/10/2021                         |

**Total Due**

\$778.78

# Transaction Statement

**Account Number**

000304100-001

DEPARTMENT OF FINANCE

Michael T. Slater  
DIRECTOR OF FINANCE

Connie Kumpula  
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN  
MAYOR

33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2260  
FAX: (734) 421-1807

October 12, 2021

Mr. Scott O. Miller  
Planning Commission  
33000 Civic Center Drive  
Livonia, MI 48154

Petition 2021-08-SN-02 - 14255 Stark Road - Livonia Athletic District (LAD)

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

|                                 |           |
|---------------------------------|-----------|
| Unpaid water and sewer charges: | \$ 435.22 |
|---------------------------------|-----------|

|                           |           |
|---------------------------|-----------|
| Total Due City of Livonia | \$ 435.22 |
|---------------------------|-----------|

Please contact me if you have any further questions.

Very truly yours,

  
Connie Kumpula  
Chief Accountant

CK: jw

# Transaction Statement

**Service Address**

14255 STARK  
LIVONIA, MI 48154

**Mailing Address**

STARK ROAD HOLDINGS LLC  
14255 STARK  
LIVONIA, MI 48154

**Account Number**

000304100-001

**Amount Due**

\$435.22

**Account Number**

000304100-001

**From - Through**

04/08/2021 - 10/08/2021

**Services**

Water & Sewer - Metered

**Service Address**

14255 STARK  
LIVONIA, MI 48154

**Beginning Balance**

\$0.00

| Date       | Type              | Amount     | Description                                 |
|------------|-------------------|------------|---------------------------------------------|
| 04/14/2021 | Bill              | \$360.44   | Due Date 05/10/2021                         |
| 05/04/2021 | Payment           | (\$360.44) | Check                                       |
| 05/14/2021 | Bill              | \$360.44   | Due Date 06/10/2021                         |
| 06/08/2021 | Payment           | (\$360.44) | Check                                       |
| 06/11/2021 | Adjustment        | (\$360.44) | Adjustment Reason: Miscellaneous Adjustment |
| 06/14/2021 | Out of Cycle Bill | \$360.44   | Due Date 07/14/2021                         |
| 07/15/2021 | Bill              | \$403.71   | Due Date 08/10/2021                         |
| 08/13/2021 | Penalty           | \$12.11    |                                             |
| 08/16/2021 | Bill              | \$362.96   | Due Date 09/10/2021                         |
| 09/14/2021 | Penalty           | \$23.36    |                                             |
| 09/15/2021 | Bill              | \$411.86   | Due Date 10/11/2021                         |
| 09/24/2021 | Payment           | (\$778.78) | Check                                       |

**Total Due**

\$435.22

# Transaction Statement

**Account Number**

000304100-001





Thursday, October 14, 2021

## NOTE TO PAYEE

STARK ROAD HOLDINGS, LLC  
sent you a payment using the Chase.com online service.  
Please review these details:

**Payment amount:** \$435.22  
**Check number:** 735386785  
**Payment sent by Chase on:** 10/08/2021  
**Expected arrival date:** 10/18/2021

As a courtesy to this customer, please note the date the payment was sent and the expected arrival date. If you received the payment after the expected arrival date, the delay may be due to factors beyond our customer's control (e.g., mail processing if the payment was sent by U.S. Mail).

## PROOF OF PAYMENT

### Customer Information

**Customer name** STARK ROAD HOLDINGS, LLC  
**Address (line 1)** 1515 W LAFAYETTE BLVD STE 201  
**Address (line 2)**  
**City** DETROIT  
**State** MI  
**ZIP code** 48216

### Transaction Information

**Payee name** CITY OF LIVONIA  
**Payee account number** Petition 2021-08-SN-02  
**Payment amount** \$435.22  
**Send On date** 10/08/2021  
**Expected arrival date** 10/18/2021  
**Check number** 735386785

### Originator Information

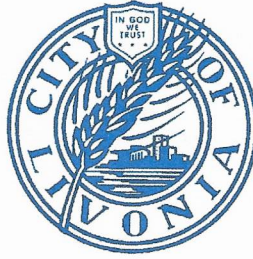
**Originator name** MMS  
**Transaction ID** 12760355693

This proof of payment is evidence that the customer has initiated the payment described above

© 2009 JPMorgan Chase & Co.

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

September 17, 2021

~~August 25, 2021~~

Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2021-08-SN-02  
Regular Meeting of September 21, 2021

14255 Stark Road

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, and they are now delinquent.

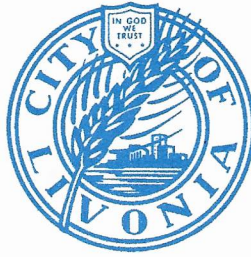
Due September 14, 2021- \$55,145.46 – good through 9-30-2021

Sincerely,

  
Lynda L. Scheel  
Treasurer, City of Livonia

OFFICE OF THE TREASURER

LYNDA L. SCHEEL  
CITY TREASURER



33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3060  
(734) 466-2245  
FAX: (734) 421-7230

October 8, 2021  
~~September 17, 2021~~  
~~August 25, 2021~~

Mr. Scott Miller – Planner IV  
Planning Commission  
City of Livonia

Re: Petition 2021-08-SN-02

14255 Stark Road

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time the past due taxes have been paid and there are no further taxes due, therefore I have no objection.

~~Due September 14, 2021 — \$55,145.46 — good through 9-30-2021~~

This amount due was paid through e-check dated 10-4-2021, received by the City of Livonia Treasurer's Office on 10-5-2021.

Sincerely,

Lynda L. Scheel  
Treasurer, City of Livonia



| <p align="center"><b>MESSAGE TO TAXPAYER</b></p> <p>VISIT <a href="http://WWW.LIVONIATAX.ORG">WWW.LIVONIATAX.ORG</a> FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, PLEASE PUT YOUR PROPERTY NUMBER ON THE MEMO LINE OF YOUR CHECK. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.</p>                                                                                                                                                                                                                                         | <p align="center"><b>PAYMENT INFORMATION</b></p> <p align="center">This tax is due by: <b>09/14/2021</b></p> <p>Pay by mail to: CITY OF LIVONIA<br/>TREASURER'S OFFICE<br/>33000 CIVIC CENTER DRIVE<br/>LIVONIA, MI 48154-3060</p> <p><b>Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.</b><br/>**Important information on reverse side**</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------|--------------|------------------------|-----------|------------|------------|--------|--|-------------|---------|--------|----------------|---------|----------|-----------------|---------|----------|-------------|---------|----------|------------------|---------|----------|-----------------|---------|-----------|------------------|---------|----------|------------------|---------|-----------|---------------|---------|--------|----------------|---------|----------|--|--|--|-----------|----------|-----------|--------------------|--|------|-----------|--|--------|-------------------------|--|------------------|
| <p align="center"><b>PROPERTY INFORMATION</b></p> <p>Property Assessed To:<br/>STARK ROAD HOLDINGS LLC<br/>14255 STARK<br/>LIVONIA, MI 48154</p> <p>Prop #: 084 99 0003 000      School: LIVONIA PUBLIC<br/>Prop Addr: 14255 STARK</p> <p>Legal Description:<br/>21U2B1 V2A THAT PART OF THE SE 1/4 OF SEC 21 T1S R9E DES AS BEG AT A POINT DISTANT N 0D 49M 15SEC W ALONG THE N AND S 1/4 LINE 1308.82 FT AND S 89D 04M 15SEC E 86 FT FROM THE S 1/4 COR OF SEC 21 AND PROCEEDING TH N 0D 08M 54SEC W 350 FT. TH S 89D 04M 15SEC E 1233.02 FT. TH S 0D 08M 54SEC E 350 FT. TH N 89D 04M 15SEC W 1233.02 FT TO THE POB EXC THE E 43 FT THEREOF 9.56 ACRES</p> <p align="center">*BALANCE OF DESCRIPTION ON FILE*</p> | <p align="center"><b>TAX DETAIL</b></p> <table style="width: 100%;"> <tr> <td>Taxable Value:</td> <td>1,750,000</td> <td>COMMERCIAL-I</td> </tr> <tr> <td>State Equalized Value:</td> <td>1,750,000</td> <td>Class: 201</td> </tr> <tr> <td>PRE/MBT %:</td> <td>0.0000</td> <td></td> </tr> </table> <p>Sent to: PROPERTY OWNER</p> <table style="width: 100%; border-top: 1px solid black;"> <thead> <tr> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: left;">MILLAGE</th> <th style="text-align: left;">AMOUNT</th> </tr> </thead> <tbody> <tr><td>SCHOOLCRAFT CC</td><td>2.27000</td><td>3,972.50</td></tr> <tr><td>WAYNE CNTY OPER</td><td>5.63470</td><td>9,860.72</td></tr> <tr><td>SCHOOL DEBT</td><td>2.05000</td><td>3,587.50</td></tr> <tr><td>CNTY ISD SPEC ED</td><td>3.35960</td><td>5,879.30</td></tr> <tr><td>STATE EDUCATION</td><td>6.00000</td><td>10,500.00</td></tr> <tr><td>SCH SINKING FUND</td><td>0.79300</td><td>1,387.75</td></tr> <tr><td>SCHOOL OPERATING</td><td>9.00000</td><td>15,750.00</td></tr> <tr><td>CNTY ISD OPER</td><td>0.09620</td><td>168.35</td></tr> <tr><td>WCRESA ENHANCE</td><td>1.99620</td><td>3,493.35</td></tr> <tr><td colspan="3"> </td></tr> <tr> <td>Total Tax</td> <td>31.19970</td> <td>54,599.47</td> </tr> <tr> <td>Administration Fee</td> <td></td> <td>0.00</td> </tr> <tr> <td>Interest:</td> <td></td> <td>545.99</td> </tr> <tr> <td><b>TOTAL AMOUNT DUE</b></td> <td></td> <td><b>55,145.46</b></td> </tr> </tbody> </table> | Taxable Value:   | 1,750,000 | COMMERCIAL-I | State Equalized Value: | 1,750,000 | Class: 201 | PRE/MBT %: | 0.0000 |  | DESCRIPTION | MILLAGE | AMOUNT | SCHOOLCRAFT CC | 2.27000 | 3,972.50 | WAYNE CNTY OPER | 5.63470 | 9,860.72 | SCHOOL DEBT | 2.05000 | 3,587.50 | CNTY ISD SPEC ED | 3.35960 | 5,879.30 | STATE EDUCATION | 6.00000 | 10,500.00 | SCH SINKING FUND | 0.79300 | 1,387.75 | SCHOOL OPERATING | 9.00000 | 15,750.00 | CNTY ISD OPER | 0.09620 | 168.35 | WCRESA ENHANCE | 1.99620 | 3,493.35 |  |  |  | Total Tax | 31.19970 | 54,599.47 | Administration Fee |  | 0.00 | Interest: |  | 545.99 | <b>TOTAL AMOUNT DUE</b> |  | <b>55,145.46</b> |
| Taxable Value:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1,750,000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | COMMERCIAL-I     |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| State Equalized Value:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1,750,000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Class: 201       |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| PRE/MBT %:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 0.0000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | MILLAGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | AMOUNT           |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| SCHOOLCRAFT CC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2.27000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3,972.50         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| WAYNE CNTY OPER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 5.63470                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 9,860.72         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| SCHOOL DEBT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2.05000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3,587.50         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| CNTY ISD SPEC ED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3.35960                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5,879.30         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| STATE EDUCATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 6.00000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 10,500.00        |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| SCH SINKING FUND                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 0.79300                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1,387.75         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| SCHOOL OPERATING                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 9.00000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 15,750.00        |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| CNTY ISD OPER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 0.09620                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 168.35           |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| WCRESA ENHANCE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1.99620                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3,493.35         |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| Total Tax                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 31.19970                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 54,599.47        |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| Administration Fee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 0.00             |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| Interest:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 545.99           |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| <b>TOTAL AMOUNT DUE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>55,145.46</b> |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |
| <p align="center"><b>OPERATING FISCAL YEARS</b></p> <p>The taxes on bill will be used for governmental operations for the following fiscal year(s):</p> <p>County: OCTOBER 01 - SEPTEMBER 30<br/>Twn/Cty: DECEMBER 01 - NOVEMBER 30<br/>School: JULY 01 - JUNE 30<br/>State: OCTOBER 01 - SEPTEMBER 30</p> <p>Does NOT affect when the tax is due or its amount</p>                                                                                                                                                                                                                                                                                                                                                  | <p align="center"><b>RETAIN THIS PORTION FOR YOUR RECORDS.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |           |              |                        |           |            |            |        |  |             |         |        |                |         |          |                 |         |          |             |         |          |                  |         |          |                 |         |           |                  |         |          |                  |         |           |               |         |        |                |         |          |  |  |  |           |          |           |                    |  |      |           |  |        |                         |  |                  |

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

Pay this tax to:

CITY OF LIVONIA  
TREASURER'S OFFICE  
33000 CIVIC CENTER DRIVE  
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR ENTIRE BILL WITH SASE FOR A "STAMPED PAID" RECEIPT

This tax is due by: **09/14/2021**

After 09/14/2021 additional interest and fees apply

2021 Summer Tax for Prop #: **084 99 0003 000**

**TAXPAYER NOTE:** Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.

Property Addr: 14255 STARK

*(Partial payments are accepted)*

Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: **55,145.46**

To: STARK ROAD HOLDINGS LLC  
1515 W LAFAYETTE BLVD STE 201  
DETROIT MI 48216

Amount Remitted: \_\_\_\_\_

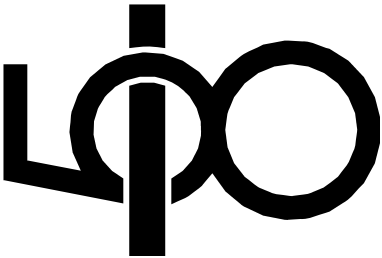
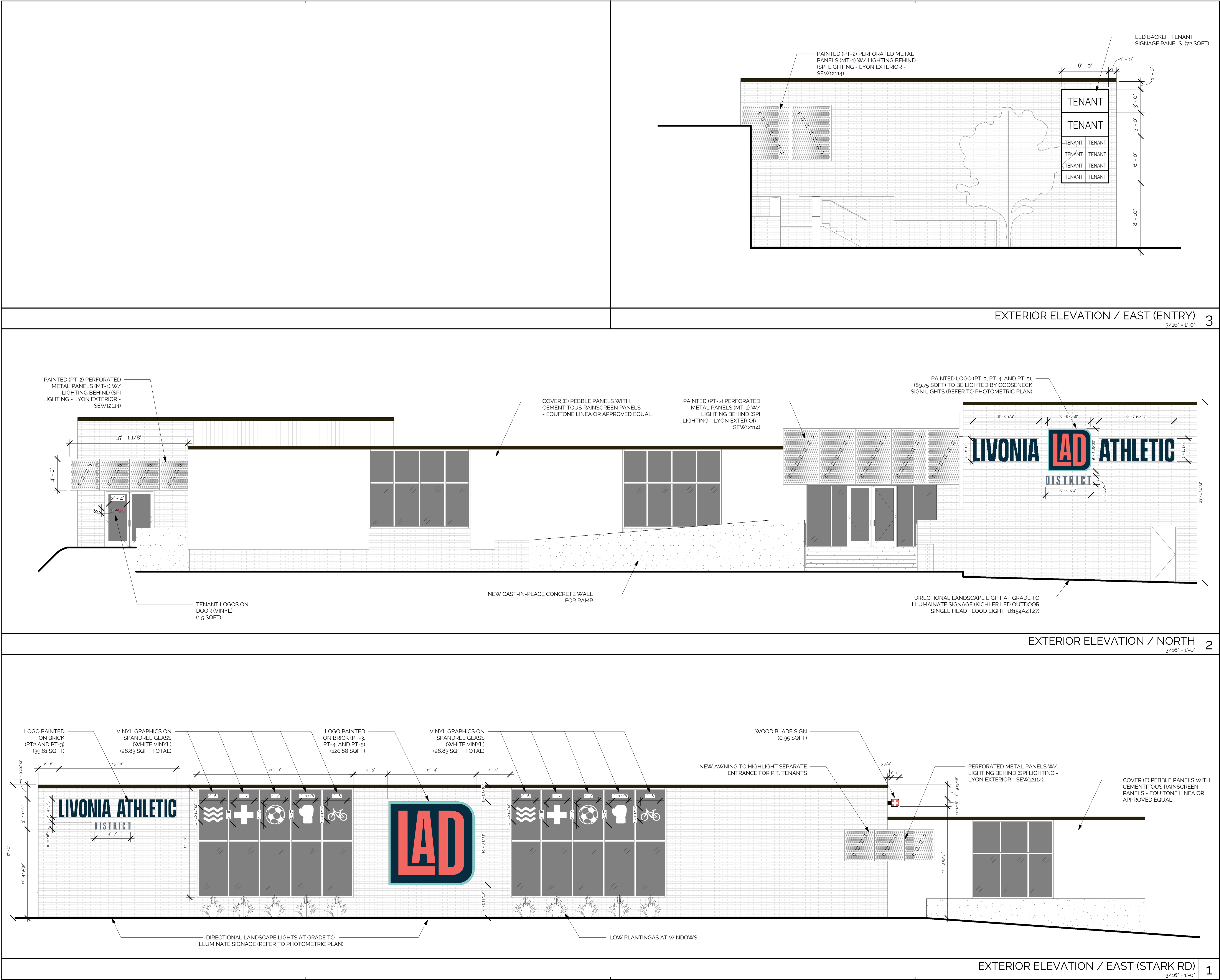
Check# \_\_\_\_\_

Cash \_\_\_\_\_



# OTHER ITEMS RELATED TO THE PETITION





FIVE - EIGHTHS

2321 WOLCOTT STREET  
FERNDALE - MI - 48220

313 - 936 - 0895  
INFO@FIVEEIGHTHS.COM

LIVONIA ATHLETIC DISTRICT

14255 STARK RD - LIVONIA - MICHIGAN - 48154

ELEVATIONS / EXTERIOR

PERMIT DRAWINGS - PHASE 1

SHEET 11 OF 15



PROJECT ISSUE DATE:  
08 / 02 / 2021

A/

2.01







# **UNAPPROVED MINUTES**

1

## **MINUTES OF THE 1,177<sup>th</sup> PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, October 19, 2021, the City Planning Commission of the City of Livonia held its 1,177<sup>th</sup> Public Hearings and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:   David Bongero           Sam Caramagno           Glen Long  
                          Betsy McCue           Carol Smiley           Peter Ventura  
                          Ian Wilshaw

Members absent:   None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

### **ITEM #5   PETITION 2021-08-SN-02   Stark Road Holdings (LAD)**

Ms. Smiley, Secretary, announced the next item on the agenda, Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

On a motion by Ventura, seconded by Bongero, and unanimously adopted, it was

**#10-57-2021**     **RESOLVED**, That the City Planning Commission on October 19, 2021, on Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21, does hereby remove the item from the table.

Mr. Wilshaw:     Mr. Taormina, are there any updates that you wanted to provide?

Mr. Taormina:     Only what we discussed at the study meeting. The changes that the petitioner made both to the type of signs that are being installed on the building, from painted signs on the brick to aluminum signs mounted to the brick, as well as the reduction in the sizes of the several signs. I won't go over all of the details, but overall, the result is a net reduction of about 153 square feet in sign area. The one issue that I did hear at the study meeting and is reflected in the prepared resolution is related to the LAD sign located near the center of the east elevation and the desire is to have that downsized slightly. The current plans, as revised, show this sign being 8'3" x 8'3". We are suggesting that this be changed to 6' x 6' in order to address the concern of the Planning Commission.

Mr. Wilshaw:     Fair enough. Thank you, Mr. Taormina. Our petitioner is hiding behind the podium. Good evening. I thought he ran off on us. He heard all of those other denials and said I am out of here. Good evening, sir. Is there anything else you would like to add to what we have already discussed?

Joseph Deverteuil, 14255 Stark Road, Livonia, MI 48154. Yeah, I would like to reiterate our goal and our hopes for our project. Our goal is to bring vibrant programming back to the community to fulfill what the Y was doing years ago but maintain the peaceful family center that was there. If you go there at 6 p.m. at night you see tons of families in that area on Ford Field and Eddie Edgar and we would like to maintain that and bring some life back to the building. The building has been neglected and we will reverse that by creating a welcoming environment for those families and



## **UNAPPROVED MINUTES**

3

so forth. It is our hope with this signage being passed that we can show that the former YMCA is not alive with the LAD.

- Mr. Wilshaw: Excellent. Thank you. Thanks for working with us on these changes so far to your sign package. I think we are getting closer to something that is a good fit for this property. It is a difficult one because our current zoning only allows for what 20 square feet of signage. It is a very small amount, so realizing that we need to have something more than that on that large of a building, but getting the right mix is always a challenge. If there is any questions or comments from any of our commissioners...
- Ms. Smiley: Were you going to bring us a sample or some pictures or something of the sign?
- Mr. Deverteuil: I do owe you a sample of the sign. I have yet to get that from the architect, so I will have that sent to you by tomorrow.
- Mr. Wilshaw: We don't have for now.
- Ms. Smiley: Okay.
- Mr. Wilshaw: That is always something that can go on to City Council too for them to see.
- Ms. Smiley: Okay.
- Mr. Wilshaw: Any other questions or comments?
- Mr. Ventura: I have to be honest with you and tell you that I don't support this. I am really mystified by the need for the amount of signage that you are showing. This is a residential and there are homes here and there is a school there and there are city parks there. It is not a commercial area, so the amount of traffic up and down the street are really people that are going to the parks and people going to their homes and people going to the schools. It is not a commercial area and if I felt that you had a lot of traffic up there, high traffic road like a main thoroughfare where signage could help the public find you and become aware of you and your operation, then I might be able to justify that, but where you are doesn't make any sense to me and compounding that is your...so as I understand your operation, you are sub-leasing portions of the building to people that will operate businesses there...separate businesses within the total building, is that correct?

Mr. Deverteuil: Correct.

Mr. Ventura: So, identifying the people that are in the building, if I am going there when I want to go play soccer or go there and want to see a physical therapist, I want to be sure that I am in the right place, so you have a directory sign there that is going to list all of the uses in the building, am I correct?

Mr. Deverteuil: Correct.

Mr. Ventura: You have made that smaller, which I would think would be the more important part of your signage. So, I don't see how the signage is functioning for you. I really don't. I am thrilled that you are going to repurpose this building and I think you have a good concept from what I saw there, but I don't understand signage at all. I am not a supporter. I would like to see your tenants...the guys that are going to pay you rent to be there be more prominent. Nobody is going to go to LAD to do anything, they are going to go to the tenants in the building to do whatever they are going to do when they go there. Unless I am missing something, which I could very well be, but I am just being very honest with you and telling you that I don't get it.

Mr. Deverteuil: If I may respond?

Mr. Wilshaw: Please, go ahead.

Mr. Deverteuil: We are tucked away, and we are in residential, yes. To attract potential clientele to go to the LAD, they are going for the athletic aspect, whether it is sport performance and rehabilitation, we are competing with the likes of St. Joe's Sports Dome for instance, who has a humungous sign on the side of I-275. For anyone to drive by and we are getting questions daily, what is this place going to be, where is the Y...if I am not mistaken, the Y did have two signs, and everyone is familiar with the Y nationwide. It has a brand that has been around for ages, and we are competing with that. We don't want to tarnish the Y, but we do want to make our footprint in the city as the LAD, and I think these changes we have proposed will definitely help.

Mr. Ventura: Thank you for your response. Thank you, Mr. Chairman.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions or comments?

Ms. Smiley: My question is to Mark. What is this signage compared to the YMCA? It's just the Y. They cut it down to just the Y.

Mr. Taormina: I don't have the information on what the Y had previously. It was less than this, for sure, but they did have the monument sign I do recall. I do believe the monument sign in this case is being removed. Is that correct?

Mr. Deverteuil: That is correct.

Mr. Taormina: Then maybe one on the other side of the building, the east side as I recall. It was limited, but they did have the monument sign.

Ms. Smiley: Did you think about the monument sign at all?

Mr. Deverteuil: Yes, so we are leveraging that in the future. Right now, we have a fabric sign there. Just with our rendering and so forth and that has sparked some interest, but again, we don't have a real brand that we are able to share with folks with just the monument sign.

Ms. Smiley: I would think that a monument sign would serve you better. I think you are more likely to read a monument sign that you drive down that road than you are to try to read the building.

Mr. Deverteuil: I understand. We have...we just installed new windows and so forth, and our hope with the new installation is to have people, instead of looking at the sign, look inside the building and see activity.

Ms. Smiley: Okay. Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other questions or comments? I would ask if there is anyone in the audience wishing to speak, but there is no one in the audience, so we will skip that. If there are no further questions or comments from the commissioners, I will ask for a motion.

On a motion by Long, seconded by Bongero, and adopted, it was

**#10-58-2021** **RESOLVED**, That the City Planning Commission does hereby recommend City Council that Petition 2021-08-SN-02 submitted by Stark Road Holdings L.L.C., on behalf of the Livonia Athletic District (LAD), requesting approval pursuant to Section 11.08 of the Livonia Vision 21 Zoning Ordinance to install multiple wall signs to the multi-purpose recreational facility at 14255 Stark



Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21, be approved subject to the following conditions:

1. That the Sign Plan identified as A/2.01, dated September 10, 2021, prepared by submitted by Five-Eights, is hereby approved and shall be adhered to, except that the “LAD” sign on the east elevation of the building shall not exceed 36 square feet in area.
2. That the Lighting Plan identified as 1 of 1, dated August 18, 2021, prepared by Visual, is hereby approved and shall be adhered to.
3. That this approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess number and area of signs and any conditions related thereto; and
4. That any additional signage shall come back before the Planning Commission and City Council for their review and approval.

Mr. Wilshaw: Is there any discussion?

A roll call vote on the foregoing resolution resulted in the following:

|          |                                |
|----------|--------------------------------|
| AYES:    | Long, Smiley, Bongero, Wilshaw |
| NAYS:    | Ventura                        |
| ABSENT:  | McCue, Caramagno               |
| ABSTAIN: | None                           |

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution

**From:** [Joseph de Verteuil](#)  
**To:** [Kasprowicz, Sara](#)  
**Cc:** [Reece, Stephanie](#); [Taormina, Mark](#)  
**Subject:** Livonia Athletic Club Metal Signage Examples  
**Date:** Wednesday, October 27, 2021 8:41:42 AM

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Good Morning Sara, Mark & Stephanie,

The planning commission requested sample photos of the Livonia Athletic District metal signage style. Please see attached.

Please contact me with any additional questions.

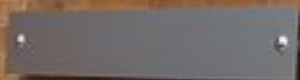


# TEXAS VASCULAR & VEIN CENTER

Ramesh Paladugu, MD

Mythili Paladugu, MD

Marta Lindahl, FNP-C







CREATIVE FILM STUDIOS







*Joe's*

**GARAGE**

*Teen Center*



## LETTER TO THE LIVONIA CITY COUNCIL

14.

**Engineering**  
**November 8, 2021**

### MEETING DATE

November 22, 2021

### PREPARED BY

Karen Worley, Secretary IV,

### AGENDA ITEM

REQUEST FOR AN ADDITIONAL APPROPRIATION AND EXPENDITURE: Engineering Division, re: 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J to close out the contract with Great Lakes Contracting Solutions, LLC in an additional amount not-to-exceed \$130,895.02 and the new total not-to-exceed amount of \$844,815.77. (CR 105-21)

### BACKGROUND

Pursuant to Council Resolution No. 105-21, adopted April 12, 2021 funding for the 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J was approved in the amount of \$844,815.77 with Great Lakes Contracting Solutions, LLC.

### RECOMMENDATION

Please see the Fiscal Consideration Section below for additional information.

### FISCAL CONSIDERATION

In order to complete this project, we respectfully request that an additional appropriation and expenditure in an not-to-exceed amount of \$130,895.02 be approved from the Unexpended Fund Balance from Road, Sidewalk & Tree Fund, (204). This will bring the final total contract amount to the not-to-exceed amount of \$975,710.79. Please note that the second low bid for this project was \$926,709 and the third low bid was \$1,041,863.52

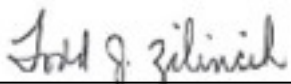
The additional funding is for Marie (Summers to Mason) along with Blue Skies (Jamison to Lyndon) to replace additional pavement to allow for positive drainage on several of the miscellaneous locations.

### ATTACHMENTS

1. CR #105-21 Award of 21-J to Great Lakes

### APPROVED BY





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Todd Zilincik, P.E., City Engineer

Date: November 03, 2021



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Don Rohraff, Director of Public Works

Date: November 03, 2021



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Michael Slater, Finance Director

Date: November 03, 2021



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Maureen Miller Brosnan, Mayor

Date: November 04, 2021

pursuant to Council Resolution 365-16, which bears the signatures of the Director of Finance and the Director of Public Works, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for the 2021 Concrete Road Program (Contract 21-C), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315, to provide construction engineering services for the 2021 Concrete Road Repair Program (Contract 21-C) in an amount not to exceed \$588,000.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.D.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$588,000.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

**#105-21** RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 5, 2021, which bears the signatures of the Director of Finance and the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of Great Lakes Contracting Solutions, LLC, 2300 Edinburgh, Waterford, MI 48328 for performing all work required in connection with the 2021 Concrete Road Maintenance/Selective Slab Replacement Program – Contract 21-J on various concrete streets throughout the City of Livonia, at the unit prices bid for the estimated total cost of \$844,815.77, based upon the Engineering Division's estimate of units involved, and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, said estimated cost and unit prices having been in fact the lowest bid received for this item and meets all specifications; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$844,815.77 for the 2021 Concrete Road Maintenance/Selective Slab Program (Contract 21-J) from funds budgeted in Account No. 204-463-818-114 (Road, Sidewalk and Tree Fund – Maintenance) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and 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, approved as to form and substance by the



## LETTER TO THE LIVONIA CITY COUNCIL

15.

Engineering  
November 8, 2021

### MEETING DATE

November 22, 2021

### PREPARED BY

Karen Worley, Secretary IV,

### AGENDA ITEM

REQUEST FOR AN ADDITIONAL APPROPRIATION AND EXPENDITURE: Engineering Division, re: Construction Engineering Services for the 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J to close out the contract with Anderson, Eckstein and Westrick, Inc. (AEW) in an additional amount not-to-exceed \$16,362 and the new total not-to-exceed amount of \$121,964. (CR 106-21)

### BACKGROUND

Pursuant to Council Resolution No. 106-21, adopted April 12, 2021 funding for the Construction Engineering for the 2021 Concrete Road Maintenance/Selective Slab Program, Contract 21-J was approved in the amount of \$105,602 with Anderson, Eckstein and Westrick, Inc. (AEW).

### RECOMMENDATION

Please see the Fiscal Considerations Section and the attachments for additional information.

### FISCAL CONSIDERATION

In order to complete this project, we respectfully request that an additional appropriation and expenditure in a not-to-exceed amount of \$16,362 be approved from Account Number 204-447-818-102. This will bring the final not-to-exceed total contract amount to \$121,964.00.

### ATTACHMENTS

1. AEW Additional CE for Contract 21-J
2. CR #106-21 Award of CE to AEW

### APPROVED BY

Date: November 03, 2021

Todd Zilincik, P.E., City Engineer

Date: November 03, 2021

Don Rohraff, Director of Public Works





Date: November 03,  
2021

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Michael Slater, Finance Director



Date: November 04,  
2021

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Maureen Miller Brosnan, Mayor



**ANDERSON, ECKSTEIN & WESTRICK, INC.**  
**CIVIL ENGINEERS - SURVEYORS - ARCHITECTS**

51301 Schoenherr Road, Shelby Township, MI 48315  
586.726.1234 | [www.aewinc.com](http://www.aewinc.com)

November 2, 2021

Todd Zilincik, P.E.  
City Engineer  
City of Livonia  
33000 Civic Center Drive  
Livonia, Michigan 48154

**RECEIVED**  
**NOV 02 2021**  
**CITY OF LIVONIA**  
**ENGINEERING DEPARTMENT**

**Reference: Professional Services- Additional Construction Engineering**

2021 Concrete Road Program: 21-J Maintenance  
City of Livonia

Dear Mr. Zilincik:

The 21-J Concrete Maintenance road project is nearly complete. The estimated final cost for the construction of the project is \$975,710.79. The original construction contract was \$844,815.77.

Per our contract with the City of Livonia, construction engineering fees are based on 12.5% of the construction cost. Due to the increase in construction cost, we are requesting the construction engineering fees increase by \$16,362. The previously approved fee for construction engineering was \$105,602. Therefore, the requested revised construction engineering fee is \$121,964.

We greatly appreciate your consideration of this request. Please contact me with any questions or comments.

Sincerely,

Anderson, Eckstein and Westrick, Inc.

Scott Lockwood, Exec. Vice President

Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

**#106-21** RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 8, 2021, submitted pursuant to Council Resolution 365-16, adopted on September 19, 2016, which bears the signatures of the Director of Finance, the Director of Public Works and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for construction engineering services for the 2021 Concrete Road Maintenance/ Selective Slab Program (Contract 21-J), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 to provide construction engineering services for the 2021 Concrete Road Maintenance/Selective Slab Program (Contract 21-J), in an amount not to exceed \$105,602.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.D.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$105,602.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

**#107-21** RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 10, 2021, which bears the signatures of the Director of Finance and the Director of Public Works, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of Michigan Joint Sealing, Inc., 28830 W. Eight Mile Road, Suite 103, Farmington Hills, MI 48336, for performing all work required in connection with the 2021 Pavement Crack and Joint Sealing Program (Contract 21-D) for the estimated total cost of \$165,230.50; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$105,230.50 from funds budgeted in Account No. 203-463-818-117 (Local Roads) and \$60,000.00 from funds budgeted in Account No. 202-463-818-117 (Major Roads) for this purpose; FURTHER, the Council does hereby authorize a transfer of budgeted funds in an amount not to exceed \$10,000.00 from Account No. 202-463-818-118 (Lane Line Marking) to Account No. 203-463-181-117 (Joint and Crack Sealing) for this purpose; FURTHER, the foregoing amounts are based upon the Engineering Division's estimate of units involved, and are subject