

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON MONDAY, OCTOBER 7, 2019 A.D.
IN THE COUNCIL CHAMBERS OF
THE PETER ROTTEVEEL MUNICIPAL BUILDING
14100 CIVIC PARK DRIVE, RIVERVIEW, MICHIGAN 48193-7689

The meeting was called to order at 7:33 p.m.

Presiding: Mayor Swift

Present: Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

Also Present: City Manager Drysdale, City Clerk Hutchison, Assistant City Manager Dobek, Police Chief Rosebohm, Fire Chief Lammers, Human Resources Director Mayerich, Information and Technology Director Harper, Recreation Director Dickman, Department of Public Works Director Webb, Interim Golf Course Operations Manager Kettler, Community Development Director Scurto, Charles E. Raines Company City Engineer Sabak, Cornerstone Environmental Project Manager Bowyer, City Attorney Pentiuik

The **Pledge of Allegiance** was led by Councilmember Elmer Trombley.

The **Invocation** was given by Councilmember Towle.

The Mayor announced that Item 11.9, Sale of City Lot at 18117 Riverview Street was removed from the Agenda.

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

None.

MINUTES:

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the **Minutes** of the Regular Meeting of **September 16, 2019**, and the condensed version for publication, be **Approved**. Carried unanimously.

PUBLIC HEARINGS:

None.

PUBLIC COMMENTS:

At this time, the Mayor asked if anyone wished to address the City Council.

ORGANIZATIONAL BUSINESS:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that Ms. **Mary Jarosz** be reappointed to the **Local Officers Compensation Commission** for a five-year term set to expire **October 1, 2024**.

Carried unanimously.

CONSENT AGENDA:

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the Consent Agenda be Approved as follows:

- Approve Execution of the **Municipal Credit and Community Credit Contract** for Fiscal Year 2020 – Suburban Mobility Authority Regional Transportation (SMART) in the **\$12,274.00** Municipal Credit and **\$20,706.00 Community Credit** for a total of **\$32,980.00**.
- Ratify **Emergency Loader Rental** for the total **monthly rental** cost of **\$20,650.00**.
- Authorize the Preparation of Plans and Specifications and the Solicitation of Bids by **Charles E. Raines Company** for the **Pennsylvania Road and Sibley Road Pressure Reducing Valve Replacements**.
- Approve **Sole Source Purchase of Modifications** to the **Fire Truck** from **Sutphen Corporation** in the amount of **\$13,335.17**.
- Approve Budget Amendment as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change	PO Number
Records on ROM	101-215-818.070	0.00	9,000.00	\$ 9,000.00	19-002260
Operating Supplies	101-441-740.000	18,000.00	18,097.98	\$ 97.98	19-002268
Pavement/Joint Crack Sealing-En	202-463-818.043	0.00	5,200.58	\$ 5,200.58	19-002007
Pavement/Joint Crack Sealing-En	203-463-818.043	0.00	12,134.67	\$ 12,134.67	19-002007
Street Sectioning	202-463-974.110	283,400.00	341,187.92	\$ 57,787.92	19-000183, 0561
Street Sectioning	203-463-974.110	994,600.00	1,010,432.50	\$ 15,832.50	19-000561
Patrol Cars w/ Modifications & Eq	265-302-970.000	129,000.00	185,100.00	\$ 56,100.00	19-000558
Boat Ramp Rehabilitation Project	402-901-974.051	0.00	18,178.00	\$ 18,178.00	19-002027
Boat Ramp Rehabilitation-Engine	402-901-974.052	0.00	1,525.00	\$ 1,525.00	19-001450
Consulting	592-536-818.155	8,000.00	10,802.10	\$ 2,802.10	18-002141
GIS Software	592-536-991.057	0.00	1,897.94	\$ 1,897.94	18-002141
Water Main Replacement	592-536-999.057	871,880.00	932,201.83	\$ 60,321.83	18-001037
Dozer-Land Preserve	596-526-974.400	775,000.00	1,761,000.00	\$ 986,000.00	19-001691,2219
Sweeper	596-526-975.410	0.00	241,400.00	\$ 241,400.00	19-001797
Landfill Access Road	596-526-994.091	0.00	608,701.37	\$ 608,701.37	19-000233
Waterless Deoderizer System	596-526-994.207	0.00	47,333.83	\$ 47,333.83	19-000232
Concrete Perimeter Road Repairs	596-526-994.208	225,000.00	254,724.10	\$ 29,724.10	19-000184
Cell 7 Construction	596-526-994-098	2,619,301.00	4,322,757.23	\$ 1,703,456.23	19-000232
Landfill Gas System Expansion	596-526-994.089	624,000.00	634,323.82	\$ 10,323.82	19-000231

JUSTIFICATION: To bring forward Purchase Orders from Fiscal Year 2018-19 into the new fiscal year to finish projects and complete the purchases.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2019/20 Water & Sewer, CDBG				
PRV Replacement	592-536-991.098	\$ 0.00	\$ 498,382.00	\$ 498,382.00
CDBG Park Improvements	275-712-972.010	\$ 9,000.00	\$ 62,665.68	\$ 53,665.68

JUSTIFICATION: To pull forward unencumbered funds from Fiscal Year 2018/19 into the 2019/20 Budget Year.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2019/20 General Fund				
Wayne County Parks Grant	101-000-540.000	\$ 0.00	\$ 50,000.00	\$ 50,000.00
Park Improvements / Equipment	101-751-972.010	\$ 25,000.00	\$ 75,000.00	\$ 50,000.00

JUSTIFICATION: To increase the Wayne County Parks Grant and Park Improvements/Equipment line items by the amount awarded to the City by Wayne County for the basketball court improvements at Young Patriots Park.

D.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2019/20 Major Streets				
Pennsylvania Road Construction	202-451-980.037	\$ 0.00	\$ 51,510.00	\$ 51,510.00

JUSTIFICATION: To increase the Pennsylvania Road Construction line item for the estimated amount of \$46,827.00 per the Wayne County Intergovernmental Agreement, plus 10 percent contingency of \$4,683.00, for a total amount of \$51,510.00.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, that Resolution 19-21, **Establishing the Water, Sewer and Sewer Debt Rates and Meter Charges** for the Period Beginning September 1, 2019, be Adopted.

RESOLUTION NO. 19-21

ESTABLISHING FEES FOR WATER AND SEWER RATES AND METER CHARGES AS FEES TO BE ESTABLISHED BY CITY COUNCIL RESOLUTION

WHEREAS, the City Council desires to establish Water and Sewer Rates and Meter Charges as fees to be established by city council resolution to be implemented for the City of Riverview;

WHEREAS, the respective Department Heads have proposed the fees;

WHEREAS, the City Council determines the proposed Fees to be required to meet the operational and capital needs for the effected Riverview Departments; and

WHEREAS, Section 26-13 of the Riverview City Charter provides for the City Council to establish the listed Fees by City Council Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVERVIEW, MICHIGAN, AS FOLLOWS:

The City Council hereby approves the proposed Fee Schedule as follows:

Water and sewer rates and meter charges.

Prior rates for periods through August 31, 2019 remain in effect.

- a) *Water rates.* The rates and charges to be collected from consumers of water shall be such as specified in the following schedule. Water rate per thousand gallons delivered to the consumer shall be based on 1,000 gallons per each metering period effective September 1, 2019 shall be:

(1) For customers billed monthly:

- a. For the first 4,000,000 gallons per monthly billing cycle, the rate shall be \$8.00 per thousand gallons.
- b. For any amount in excess of the first 4,000,000 gallons per monthly billing cycle, the rate shall be \$3.81 per thousand gallons.

(2) For customers billed quarterly:

- a. For the first 12,000,000 gallons per quarterly billing cycle, the rate shall be \$8.00 per thousand gallons.
- b. For any amount in excess of the first 12,000,000 gallons per quarterly billing cycle, the rate shall be \$3.81 per thousand gallons.

- b) *Water meter service charges. The fees required by section 70-35 shall be as follows:*

- (1) Residential/consumers of water in the city shall pay the following meter service charges for each three-calendar-month period:

Meter Size:	
5/8"	\$2.75
3/4"	\$3.08
1"	\$3.83
1-1/2"	\$5.85
2"	\$10.53

- (2) Industrial and high volume commercial consumers of water in the city shall pay the following meter service charge for each calendar month:

Meter Size:	
5/8"	\$0.92
3/4"	\$1.03
1"	\$1.28
1-1/2"	\$1.95
2"	\$3.51
2" Compound	\$7.39
3"	\$10.72
4"	\$14.61
6"	\$31.20
8"	\$46.00

- c) *Sewer rates.* A sewage disposal charge to be collected at the rate of, per 1,000 gallons of water delivered to the consumer, effective September 1, 2 shall be as follows:

(1) For customers billed monthly:

- a. For the first 6,000,000 gallons per monthly billing cycle, the rate shall be \$6.95 for operations and an additional \$1.05 for federal court mandated remedial costs, per thousand gallons.
- b. For any amount of excess of the first 6,000,000 gallons per monthly billing cycles, the rate shall be \$4.70 per thousand gallons.

(2) For customers billed quarterly:

- a. For the first 18,000,000 gallons per quarterly billing cycle, the rate shall be \$6.95 for operations and an additional \$1.05 for federal court mandated remedial costs, per thousand gallons.
- b. For any amount in excess of eighteen million (18,000,000) gallons per quarterly billing cycle, the rate shall be \$4.70 per thousand gallons.

- d) *Non-residential user fee:* A charge to be collected at the rate of \$0.21 per 1,000 gallons of water delivered. For the purpose of this section, residential units are defined as any structure designed and used for year-round habitation where average occupancy by the same person or persons was longer than two (2) consecutive months during the previous year; non-residential units will include any sewer premises which does not meet this description.
- e) *Capital charges.* The fees as required by section 70-37 shall be as follows:
 Water capital charge, per connection...\$500.00
 Sewer capital charge, per connection...\$500.00
- f) *Tap-in fees.* The fees as required by section 70-38 shall be as follows:
 Water or sewer tap-ins, where provided by the city, shall be 120 percent of the actual cost.
- g) *Restoration of suspended service.* See DPW Service Fees
- h) *Environmental surcharge for roof drainage:* The environmental surcharge for failure to comply with provisions regulating connection of roof drains with sewer system shall be, per quarter, \$50.00.
- i) *Sewer use determination:* In calculating the sewer usage, the customer’s water use shall constitute the minimum quantity of sewer usage for the corresponding billing cycle. Any metered sewer flows that are determined to be in excess of the customer’s water use for the billing cycle shall also be charged the sewer rate set forth above.
- j) *Billing cycle determination.* High volume customers shall be billed on a monthly cycle, and all other shall be billed on a quarterly cycle unless the customer seeks and obtains the approval of the city manager for placement on a monthly cycle with city council notification.
- k) *Exclusive water service.* The water and sewer service provided by the city shall be the exclusive supply for such service. Effective January 1, 2002, it was deemed unlawful for any person within the city to have a water or sewer service connection with any other service provider without the express prior consent of the city council of the city.

AYES: Mayor Swift, Councilmembers Blanchette, Towle, Coffey, Elmer Trombley, Workman
 NAYS: Councilmember James Trombley
 EXCUSED: None.
 ADOPTED this 7th day of October, 2019.

ATTEST:

Andrew M. Swift, Mayor

I, Cynthia M. Hutchison, duly authorized City Clerk of the City of Riverview, do hereby certify the foregoing Resolution is a true copy of a resolution adopted by the Riverview City Council at their regular meeting of October 7, 2019.

(S E A L)

Cynthia M. Hutchison, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that Resolution 19-22, Approve **Police Department Emergency Management** and **Emergency Support Plan** and Authorize **Mayor** and **City Manager** to **Sign** the Emergency Operations Plan, be Adopted.

RESOLUTION NO. 19-22
 EMERGENCY MANAGEMENT RESOLUTION

A resolution to provide for the mitigation, preparedness, response and recovery from natural and human-made disasters within Riverview by being part of the Wayne emergency management program; to appoint the county emergency management coordinator as the Riverview emergency management coordinator; to provide for a means for coordinating the resources of the municipality with those of the county; and to provide a means through which the city council may exercise the authority and discharge the responsibilities vested in them by this resolution and Act No. 390 of the Public Acts of 1976, as amended.

Article 1 - Short Title

Section 101. This resolution shall be known as the “Emergency Management Resolution”.

Article 2 – Definitions

Section 201. For the purpose of this resolution, certain words used herein are defined as follows:

- (a) “Act” means the Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.
- (b) “Disaster” means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from a natural or human-made cause, including but not limited to, fire, flood, snowstorm, ices storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.
- (c) “Disaster relief force” means all agencies of county and municipal government, private and volunteer personnel, public officers and employees, and all other persons or groups of persons identified in the Wayne County Emergency Operations Plan as having duties to perform or those called into duty or working at the direction of a party identified in the plan to perform a specific disaster or emergency related task during a local state of emergency.
- (d) “District Coordinator” means the Michigan Department of State Police District Emergency Management Coordinator. The District Coordinator serves as liaison between local emergency management programs and the Michigan State Police, Emergency Management Division in all matters pertaining to the mitigation, preparedness, response and recovery of emergency and disaster situations.
- (e) “Emergency management coordinator” means the person appointed to coordinate all matters pertaining to emergency management within the municipality. The emergency management coordinator for Riverview is the Wayne emergency management coordinator.
- (f) “Emergency management program” means a program established to coordinate mitigation, preparedness, response and recovery activities for all emergency or disaster situations within a given geographic area made up of one or several political subdivisions. Such a program has an appointed emergency management coordinator and meets the program standards and requirements established by the Department of State Police, Emergency Management Division. The City of Riverview has elected to be part of the Wayne County emergency management program.
- (g) “Emergency operations plan” means the plan developed and maintained by county and political subdivisions included in the emergency management program area for the purpose of responding to all emergency or disaster situations by identifying and organizing the disaster relief force.
- (h) “Governor’s state of disaster” means an executive order or proclamation by the Governor that implements the disaster response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (i) “Governor’s state of emergency” means an executive order or proclamation by the Governor that implements the emergency response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (j) “Local state of emergency” means a declaration by the mayor¹ pursuant to the act and this resolution which implements the response and recovery aspects of the Wayne County Emergency Operations Plan and authorizes certain actions as described in this resolution.
- (k) “Vital records” means those records that contain information needed to continue the effective functioning of a government entity jurisdiction, agency, and department and for the protection of the rights and interests of persons under emergency conditions in the event of an emergency or disaster situation.

¹ Act 390, as amended, sec. 9 (2-3) states that the coordinator shall be appointed by the “chief executive official” (see definitions in the act) in a manner provided in the municipal charter.

Article 3 - Emergency Management Coordinator; Appointment

Section 301. By the authority of this resolution the mayor hereby appoints the Wayne County Emergency Management Coordinator as the emergency management coordinator for Riverview.² In addition to acting for, and at the direction of, the county executive, the Emergency Management Coordinator will also act for, and at the direction of, the mayor.³

Section 302. A line of succession for the Wayne County Emergency Management Coordinator has been established and is listed in the Riverview Emergency Operations Plan.

Article 4 - Emergency Management Coordinator; Duties

Section 401. The Emergency Management Coordinator shall comply with standards and requirements established by the Department of State Police, Emergency Management Division, under the authority of the act, in accomplishing the following⁴:

- (a) Direct and coordinate the development of the Wayne County Emergency Operations Plan, which shall be consistent in content with the Michigan Emergency Management Plan.
- (b) Direct and coordinate the development of Wayne County Emergency Operations Plan, which shall be consistent in content with the Michigan Emergency Management Plan.
- (c) Specify departments or agencies which must provide an annex to the plan or otherwise cooperate in its development.
- (d) Identify departments and agencies to be included in the Emergency Operations Plan as disaster relief force.
- (e) Develop and maintain a county Resource Manual.
- (f) Coordinate the recruitment, appointment, and utilization of volunteer personnel.
- (g) Assure the emergency management program meets eligibility requirements for state and federal aid.
- (h) Coordinate and/or conduct training and exercise programs for the disaster relief force within the county and to test the adequacy of the Emergency Operations Plan.
- (i) Through public information programs, educate the population as to actions necessary for the protection of life and property in an emergency or disaster.
- (j) Assist in the development of mutual aid agreements.
- (k) Assist the Riverview municipal liaison with the development of municipal standard operating procedures which are consistent with the county Emergency Operations Plan.
- (l) Oversee the implementation of all functions necessary during an emergency or disaster in accordance with the Emergency Operations Plan.
- (m) Coordinate county emergency management activities with those municipalities included in the county emergency management program, other municipalities, the state, and adjacent counties.
- (n) Coordinate all preparedness activities, including maintaining primary and alternate Emergency Operations Centers.
- (o) Identify mitigation opportunities within the county and encourage departments/agencies to implement mitigation measures.

² Act 390, as amended, sec. 9 (2-3) states that the coordinator shall be appointed by the “chief executive official” (see definitions in the act) in a manner provided in the municipal charter.

³ Act 390, as amended, sec. 9 (1-3) states that the appointed county coordinator shall act for and at the direction of the chairperson or county executive. It also says that a coordinator appointed by a municipality shall act for and at the direction of the “chief elected official” (see definitions in the act) or the official designated by the municipal charter.

⁴ Act 390, as amended, sec. 7a (4) gives the Emergency Management Division the authority to promulgate several standards and requirements.

Article 5 - Emergency Management Liaison; Duties

Section 501. By the authority of this resolution the mayor has appointed a liaison for the purpose of assisting the county Emergency Management Coordinator in coordinating the emergency management activities within the municipality. The duties of the liaison are as follows:

- (a) Coordinate municipal emergency management activities with those of the county jurisdictions.
- (b) Assist the county Emergency Management Coordinator with the development of the county Emergency Operations Plan and the incorporation of municipal resources into the plan.
- (c) Identify municipal departments and agencies to be included in the Emergency Operations Plan as part of the disaster relief force.
- (d) Identify municipal resources and forward information to the county Emergency Management Coordinator for inclusion in the county Resource Manual.
- (e) Coordinate the recruitment, appointment, and utilization of volunteer resources.
- (f) Assist the county Emergency Management Coordinator with administering training programs.
- (g) Coordinate municipal participation in exercises conducted by the county.
- (h) Assist in the development of mutual aid agreements.
- (i) Assist in educating the population as to actions necessary for the protection of life and property in an emergency or disaster.
- (j) Encourage departments/agencies within the municipality to identify and implement procedures to mitigate the effects of potential disasters.
- (k) Assist in the assessment of the nature and scope of the emergency or disaster and collect damage assessment information and forward to the county.
- (l) Coordinate the vital records protection program.
- (m) Develop municipal standard operating procedures for disaster response which are consistent with the county Emergency Operations Plan.

Section 502. The mayor shall appoint a minimum of two persons as successors to the position of the municipal liaison. The line of succession shall be supplied to the county Emergency Management Coordinator.

Article 6 - Mayor; Powers; Duties

Section 601. On an annual basis, the mayor shall review the eligibility and performance of the Emergency Management Coordinator and make recommendations to the city council.

Section 602. The mayor shall, review the effectiveness of the Wayne County Emergency Operations Plan as the plan relates to the municipality once every two years. With the assistance of the municipal liaison, he/she shall make recommendations to the county Emergency Management Coordinator of any changes which may be needed. After this review and incorporation of necessary changes, the mayor shall certify the plan to be current and adequate for Riverview the ensuing two years.⁵

Section 603. When circumstances within the Riverview indicate that the occurrence or threat of occurrence of widespread or severe damage, injury or loss of life or property from natural or human-made cause exists the mayor may declare a local state of emergency.¹ Such a declaration shall be promptly filed with the Wayne County Emergency Management Office, who shall forward it to the Department of State Police, Emergency Management Division. This declaration shall not be continued or renewed for a period in excess of 7 days except with the consent of the city council.⁶

⁵ Rule 4 (c) (d-q) of the administrative rules promulgated for Act 390, sec. 19 states that the plan shall be considered official upon bearing the signature of the chief executive official of the municipality. The plan must be current and adequate (see rule) within two years.

⁶ Act 390, as amended, sec. 10 (1) (b) provides for the 7 day limit and disposition of the declaration.

Section 604. If the mayor invokes such power and authority, he/she shall, as soon as reasonably expedient, convene the city council for one or more emergency meetings in accordance with the Open Meetings Act to perform its normal legislative and administrative duties as the situation demands, and will report to that body relative to emergency activities. Nothing in this resolution shall be construed as abridging or curtailing the powers of the city council unless specifically provided herein.

Section 605. The mayor may do one or more of the following under a local state of emergency:

- (a) Direct the Emergency Management Coordinator to implement the Emergency Operations Plan.
- (b) Issue directives as to travel restrictions on local roads within the municipality.
- (c) Relieve Riverview city employees of normal duties and temporarily reassign them to other duties.
- (d) Activate mutual aid agreements.
- (e) Direct the municipal disaster relief effort in accordance with the county Emergency Operations Plan and municipal standard operating procedures.
- (f) Notify the public and recommend in-place or evacuation or other protective measures.
- (g) Request a state of disaster or emergency declaration from the Governor as described in Article 7.
- (h) When obtaining normal approvals would result in further injury or damage, mayor may, until city council convenes, waive procedures and formalities otherwise required pertaining to the following:
 - (1) For a period of up to 7 days, send the disaster relief force and resources to the aid of other communities as provided by mutual aid agreements.
 - (2) For a period of up to 7 days, appropriate and expend funds from the disaster contingency fund created in Article 9 up to \$(insert dollar amount).
 - (3) For a period of up to 7 days, make contracts, obtain and distribute equipment, materials, and supplies for disaster purposed.
 - (4) Employ temporary workers.
 - (5) Purchase and distribute supplies, materials, and equipment.
 - (6) Make, amend, or rescind ordinances or rules necessary for emergency management purposes which supplement a rule, order, or directive issued by the Governor or a state agency. Such an ordinance or rule shall be temporary and, upon the Governor's declaration that a state of disaster or state of emergency is terminated, shall no long be in effect⁷

Section 606. If a state of disaster or emergency is declared by the Governor, assign and make available for duty the employees, property, or equipment of the (city) within or without the physical limits of the city as ordered by the Governor or the Director of the Department of State Police in accordance with the act⁸

Article 7 - Governor Declaration Request

Section 701. If a disaster or emergency occurs that has not yet been declared to be a state of disaster or a state of emergency by the Governor, and the (mayor) determines that the situation is beyond control of the municipality, he/she may request the Governor to declare that a state of disaster or state of emergency exists in the municipality in accordance with the act. This shall be done by immediately contacting the (Wayne County) Emergency Management Coordinator. The Emergency Management Coordinator shall immediately contact the District Coordinator. The District Coordinator, in conjunction with the Emergency Management Coordinator, shall assess the nature and scope of the

⁷ Act 390, as amended, sec.12 (2) provides this authority.

⁸ Act 390, as amended, sec. 10 (1) (h) provides this authority.

disaster or emergency, and they shall recommend the state personnel, services, and equipment that will be required for its prevention, mitigation, or relief⁹

Article 8- Volunteers; Appointment; Reimbursement

Section 801. Each municipal department, commission, board, or other agency of municipal government is authorized to appoint volunteers to augment its personnel in time of emergency to implement emergency functions assigned in the county Emergency Operations Plan. Such individuals are part of the disaster relief force and shall be subject to the rules and operational control set forth by the respective department, commission, board, or agency through which the appointment was made, and shall be reimbursed for all actual and necessary travel and subsistence expenses.¹⁰

Article 9 - Disaster Contingency Fund

Section 901. A disaster contingency fund is hereby created in the budget of not less than (enter percent of the total operating budget or an amount). Money may be expended from the fund when a local state of emergency has been declared for the purpose of paying the disaster relief force, purchase of supplies and services, repair costs, or other needs required specifically for the mitigation of the effects of, or in response to, the emergency or disaster.

Article 10 - Rights of Disaster Relief Force

Section 1001. In accordance with the act, personnel of the disaster relief force while on duty shall have the following rights:

- (a) If they are employees of the municipality, or other governmental agency regardless of where serving, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment.
- (b) If they are not employees of the municipality, or other governmental agency be entitled to the same rights and immunities as are provided for by law.¹⁰

Article 12 - Temporary Seat of Government

Section 1201. The city council shall provide for the temporary movement and reestablishment of essential government offices in the event that existing facilities cannot be use.

Article 13 - Liability

Section 1301. As provided for in the act and this resolution, the municipality, or the agents or representatives of the municipality, shall not be liable for personal injury or property damage sustained by the disaster relief force. In addition, any member of the disaster relief force engaged in disaster relief activity shall not be liable in a civil action for damages resulting from an act of omission arising out of and in the course of the person's good faith rendering of that activity, unless the person's act or omission was the result of that person's gross negligence or willful misconduct. The right of a person to receive benefits or compensation to which he or she may otherwise be entitled to under the worker's compensation law, any pension law, or act of congress will not be effected as a result of said activity.¹¹

Section 1302. As provided for in the act, any person owning or controlling real estate or other premises who voluntarily and without compensation grants the municipality the right to inspect, designate and use the whole or any part of such real estate or premises for the purpose of sheltering persons or for any other disaster related function during a declared local state of emergency or during an authorized practice disaster exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for loss of, or damage to, the property of such person¹¹

Article 14 - Sovereignty

⁹ Act 390, as amended, sec.12 states that the "chief executive official" (see definitions in act) of a county or any municipality may make this request. However, he/she must do this utilizing the procedures set forth in sec. 14 of the act which states that the appointed emergency management coordinator and the district coordinator must jointly assess the situation and make recommendations.

¹⁰ Act 390, as amended, sec. 11 (1) (a-c) discusses disaster relief force rights and duties.

¹¹ Act 390, as amended, sec. 11 (2-8) discusses liability.

Section 1401. Should any section, clause, or provision of this resolution be declared by the courts invalid for any reason, such declaration shall not affect the validity of this resolution as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid.

Article 15 - Repeals

Section 1501. All resolutions or parts of resolutions inconsistent herewith are hereby repealed.

Article 16 - Annual Review

Section 1601. This resolution shall be reviewed annually by the city council and changes shall be made if necessary.

Article 17 - Effective Date

Section 1701. This resolution shall have immediate effect.

AYES: Mayor Swift, Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

NAYS: None.

EXCUSED: None.

ABSTAINED: None.

ADOPTED this 7th day of October, 2019.

ATTEST:

Andrew M. Swift, Mayor

I, Cynthia M. Hutchison, duly authorized City Clerk of the City of Riverview, do hereby certify the foregoing Resolution is a true copy of a resolution adopted by the Riverview City Council at their regular meeting of October 7, 2019.

(S E A L)

Cynthia M. Hutchison, City Clerk

ADMINISTRATION:

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for the Addition of **Refuse Compactor Financing** to Awarded **Bid No. 2424**, Heavy Equipment and Fire Truck Financing, with **JP Morgan Chase** for an additional **\$917,000.00** of **Financing**, be Approved.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Coffey, that **Change Order No. 1** with **Dominic Gaglio Construction, Inc.**, for **Street Sectioning** at the **Riverview Land Preserve** in the amount of **\$51,875.20**, plus 10 percent (10%) contingency, in the amount of **\$5,187.52** for a total of **\$57,062.72**; and with **Charles E. Raines Company** for **Project Inspection** and **Contract Management**, in the amount of **\$5,187.52**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that Ratification of the **Emergency Golf Practice Gas Pipeline to Flare Project** to **Landfill Drilling and Piping, Inc.**, for a total amount of **\$106,425.00**, be Approved; in concurrence with the Land Preserve Committee at their meeting of September 24, 2019.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Coffey, that the **Bid Award** and Authorization for Execution of **Agreement** for the **2019 Pavement Improvements** with **Gibraltar Construction Company** in the amount of **\$667,992.40**, plus ten percent (10%) contingency in the amount of **\$66,799.24**, for a total amount of **\$734,791.64**, be Approved.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Blanchette, that the **Bid Award** and Authorization for Execution of **Agreement** for the **2019 Pavement Improvements Sections VI and VII** with **Best Asphalt, Inc.**, in the amount of **\$79,936.25**, plus ten percent (10%) contingency of **\$7,993.63** for a total amount of **\$87,929.88**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that the **Bid Award and Authorization for Execution of Agreement for the Vreeland Park Improvements with Best Asphalt, Inc.**, contingent upon approval by the Wayne County Community Development Block Grant, in the amount of **\$97,120.00**, be Approved.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember James Trombley, that the Interlocal Governmental Agreement for Shared Information Network Consortium (**SINC**) and Authorization for **Mayor and Clerk to Sign Agreement**, be Approved.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Workman, that the **Sale of City Parcel 51-012-01-0058-006** (commonly known as **Vacant Parcel Matthews Street**) in the amount of **\$1,235.51**, be Approved.

Carried unanimously.

ORDINANCES:

None.

OTHER BUSINESS:

None.

CLOSED SESSION:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Blanchette, to **Adjourn** into **Closed Session** for the Purpose of Discussion the **City Attorney's Written Opinion** regarding the **Fire Department**.

Carried unanimously

ADJOURNMENT:

The meeting adjourned at 7:52 p.m.

Andrew M. Swift, Mayor

Cynthia M. Hutchison, CMC, City Clerk