

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON MONDAY, DECEMBER 16, 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 7:30 p.m.

Presiding: Mayor Swift

Present: Councilmembers Blanchette, Norton, O'Neil, Trombley

Excused: Councilmembers Towle (Personal Business) Workman (Vacation)

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

The **Pledge of Allegiance** was led by Councilmember Norton.

The **Invocation** was given by Councilmember O'Neil.

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

Mayor Swift and Recreation Director Dickman presented Certificates of Recognition to the **2019 Home Decorating Contest Winners** as follows:

14047 Greentrees	Robert and Belinda Cole
19716 Coachwood	William McGovern
19331 Brandywine	Ismael Devilla and Isabelita Espiritu
13429 Longsdorf	Michael Fulner
14191 Cranbrook	Vincent and Pamela Cusumano
18469 Valleyview	Matthew Dominski

Mayor's Choice Awards

15831 Cumberland	Frank and Jonneal Petraviccius
15630 Cumberland	Scott and Deborah Williams

Riverview Department of Public Works

Mayor Swift recognized the following recipients for their years of service with the gratitude of the residents for their dedication and contributions to the community:

Mr. **David Astalos** was recognized for his **25 Years** of Service on the City Planning Commission.

Mr. **Michael Paschke** was recognized for his **5 Years** of Service on the City Planning Commission.

Mr. **Thomas Coffey** was recognized for this **20 Years** of Service on the City Council.

The Mayor presented Mr. **Gerald Todd** with a Certificate of Recognition for his **25 Years** of Service on the **Brownfield Redevelopment Authority** and the **Economic Development Corporation**. He was appointed on November 7, 1994. The Authority encourages economic development and revitalization of our community and he is to be commended for his service to our community in promoting civic pride.

Mayor Swift honored Mr. **Elmer Trombley** for his **38 Years** of **Exemplary Service** on the City Council. Elmer was first elected to city council on **November 9, 1981**, and served until **November 18, 2019**. Elmer holds the **record** of **38 years** as the longest seated Councilmember in Riverview's history.

MINUTES:

Motion by Councilmember Norton, seconded by Councilmember Blanchette, that the **Minutes** of the Regular of **December 2, 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 Blanchette, seconded by Councilmember O'Neil, that the City Council **Representatives to Committees and Organizations** be Approved as follows:

<i>MAYOR/COUNCIL MEETINGS</i>	<i>MAYOR/COUNCIL</i>	<i>MEETINGS</i>
Pre-study/Council Meeting	All	24 per year
Study Session	All	12 per year
Special Meeting	All	As Required
Budget Study Sessions	All	2 to 3
<i>Commission/Committee</i>	<i>Current Representative</i>	<i>Meeting Requirements</i>
AD HOC Audit Committee	Councilmember Workman Councilmember Trombley	Call of Committee (once per year)
AD HOC Civil Engineering Committee	Mayor Swift Councilmember Blanchette Councilmember Trombley	Call of Committee (6 months prior to expiration of engineering contract)
AD HOC Environmental Engineering Committee	Mayor Swift Councilmember Blanchette Councilmember Workman	Call of Committee (6 months prior to expiration of engineering contract)
AD HOC Land Preserve Committee	Mayor Swift Councilmember Workman Councilmember Trombley Councilmember Blanchette - Alternate	2 nd Monday of each month @ 5:30 p.m.
AD HOC Public Safety Committee	Councilmember O'Neil Councilmember Blanchette Councilmember Towle Councilmember Norton - Alternate	As Needed
AD HOC Riverview Highlands Facilities Committee	Mayor Swift Councilmember Blanchette Councilmember Trombley	2 nd Wednesday of each month
Ad Hoc Vision Committee	Councilmember Workman– Delegate Mayor Swift - Alternate	TBD
Beautification Commission	Councilmember O'Neil	2 nd Tuesday of each month
Citizens Community Development Block Grant Advisory Committee	Councilmember Norton – Delegate Councilmember O'Neil – Alternate	Bi-monthly
Downriver Community Conference	Mayor Swift - Delegate Councilmember Norton—Alternate	1 st Thursday of each month
Downriver Mutual Aid	Mayor Swift – Delegate Councilmember Norton - Alternate	1 st Thursday of each month
Economic Development Corporation/ Brownfield Redevelopment Authority	Mayor Swift Councilmember Norton City Manager Drysdale	4th Mon: Feb, April, Jun, Annual: Oct, Dec @ 6:00 PM
Election Commission	Councilmember Blanchette Councilmember Norton Councilmember O'Neil	Per Election
Joint Recreational Use Committee	Councilmember O'Neil Councilmember Trombley	As needed (2 – 4 x annually)
Michigan Municipal League	Councilmember Norton – Delegate Mayor Swift - Alternate	
Michigan Municipal League Legislative Coordinators	Councilmember Norton - Delegate Mayor Swift—Alternate	Annually in Lansing
School Liaison	Councilmember Trombley Councilmember Towle - Alternate	Call of Committee
SEMCOG - South East Michigan Council of Government	Mayor Swift – Delegate Councilmember Norton – Alternate	As needed
Southern Wayne County Chamber of Commerce	Mayor Swift - Delegate Councilmember Norton – Alternate	4 th Thursday of the month at 4:30 p.m.
The Taylor Act 179 Authority	Mayor Swift - Delegate Councilmember Workman – Alternate	1 st Wednesday in March
Twenty Seventh District Court Joint Management	Councilmember Towle —Delegate Councilmember Trombley- Alternate	2 -4 x annually
Wyandotte/Riverview Reciprocal Agreement Committee	Mayor Swift Councilmember Norton Councilmember Trombley	Call of Committee (or annually)

Carried unanimously.

Motion by Councilmember Trombley, seconded by Councilmember Blanchette, that the **Reappointment** of Mr. **Brian Webb** to the **Board of Review** for a three-year term set to expire **January 1, 2023**, be Approved.

Carried unanimously.

CONSENT AGENDA:

Motion by Councilmember Blanchette, seconded by Councilmember O'Neil, that the Consent Agenda be Approved as follows:

- Accept the Annual **Financial Audit Report** for the City of Riverview for Fiscal Year Ending **June 30, 2019**.
- Authorize Execution of **Addendum** Extending Agreement for **Towing Services** with **Riverview Towing, Inc.**, for a **three-year period** ending **December 16, 2022**.
- Authorize Execution of **Addendum** extending Agreement for **City-Wide Advertising** with **Go Big Multi-Media, LLC**, for three (3) additional years through **February 5, 2023**.
- Authorize Execution of **Addendum** extending Agreement for **Tire Services** and Repairs with **Pomp's Tire Service, Inc.**, (previously known as Waddle's Tire Service) through **January 1, 2021**.
- Authorize Execution of **Addendum** extending Agreement for **Leachate Transportation and Removal** with **Usher Oil Company** through **December 16, 2020**, in concurrence with the Ad Hoc Land Preserve Committee at their December 9, 2019 meeting.
- Award **Cooperative Bid** Services of **Sanitary Sewer Lining** to **Liquiforce** in the amount of **\$28,029.50** and ten percent (10%) contingency of **\$2,802.95** for a total cost of **\$30,832.45**; and further, Authorize **Field Engineering** and Contract Maintenance Fees to **C. E. Raines Company** for a cost not to exceed **\$5,325.61**.
- Authorize **Engineering Fees** for the Second Phase of **Water Asset Management Plan (AMP)** to **C. E. Raines Company** for a cost not to exceed **\$25,000.00**.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Norton, seconded by Councilmember Blanchette, that Resolution No. 19-23, **Approving Performance Resolution** and Performance and Indemnification Commitment for Government Bodies for State of Michigan (MDOT) **Annual Permit** for Work on State Highways, be Adopted.

**RESOLUTION NO. 19-23
PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".

RESOLVED WHEREAS, the City of Riverview hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW, THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the

DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.

4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name:

Department of Public Works Director: Jeff Webb

Department of Public Works Supervisor: Ron Tabor

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the City Council of the City of Riverview of the County of Wayne at a Regular City Council meeting held on the 16th of December, 2019.

Signed: _____ Title: City Clerk

ADMINISTRATION:

Motion by Councilmember Trombley, seconded by Councilmember Blanchette, that Authorization for Execution of **Addendum Extending Agreement** for Watermain Replacement to **Bidigare Contractors** for **Country Club Drive Watermain Replacement** for **\$591,155.00**; and ten percent (10%) contingency of **\$59,115.50** for a total cost of **\$650,310.50**; and further, Authorization for Engineering and Contract Management Fees to **C. E. Raines Company** in the amount not to exceed **\$106,407.90**.

Carried unanimously.

Motion by Councilmember Trombley, seconded by Councilmember O'Neil, that the **Revised 27th District Court Joint Management Agreement**, be Approved.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Blanchette, seconded by Councilmember O'Neil, that Authorization for the City Clerk to give the **First Reading**, by title only, of **Proposed Ordinance No. 711** – regarding Amending Chapter 70 **Prohibiting Illicit Discharge and Connection to Sewers**, be Approved. Carried unanimously.

PROPOSED ORDINANCE NO. 711

AN ORDINANCE TO AMEND CHAPTER 70 "UTILITIES" OF THE RIVERVIEW CODE, BY THE ADDITION OF ARTICLE VI, "ILLICIT DISCHARGE AND CONNECTION TO SEWERS", TO PROHIBIT ILLICIT DISCHARGE AND CONNECTION TO SEWERS IN THE CITY OF RIVERVIEW.

OTHER BUSINESS:

None.

CLOSED SESSION:

At the request of the Mayor, the Closed Session to discuss the **City Manager's Performance Evaluation** was removed from the Agenda.

ADJOURNMENT:

Motion by Councilmember Blanchette, seconded by Councilmember Trombley, that the Meeting be Adjourned.

Carried unanimously.

The meeting Adjourned at 8:27 p.m.

Andrew M. Swift, Mayor

Cynthia M. Hutchison, City Clerk