

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON MONDAY, DECEMBER 21, 2020 A.D.
IN THE COUNCIL CHAMBERS OF
THE PETER ROTTEVEEL MUNICIPAL BUILDING
14100 CIVIC PARK DRIVE, RIVERVIEW, MICHIGAN 48193-7689

VIA TELECONFERENCE

Notice is hereby given that due to precautions being taken to mitigate the spread of the Coronavirus (COVID-19) and protect the public health, the Regular Meeting of the Riverview City Council will be held electronically on Monday, December 21, 2020, at 7:30 p.m. in accordance with Senate Bill 1108, amending the Open Meetings Act.

Members of the public wishing to participate in the meeting through electronic means will have access to the meeting through the following methods:

Virtual Meeting Option: Access the meeting room via
Join Zoom Meeting

Telephone Option Directions:

1. Dial: 1.312.626.6799
2. Enter meeting code: 85354345271
3. Enter #

Email Option: Send your public comment through email at: clerk@cityofriverview.com and your comment will be read at the meeting.

Rules of Procedure: Any member of the public wishing to comment during the Public Comment on Agenda Items on any agenda item (5 minute time limit) will be allowed to do so remotely by electronic or telephonic means set forth above. In order to maintain decorum, the Mayor and/or designee will determine the order of speakers and the appropriate time frame for which comments are allowed.

The meeting was called to order at 7:30 p.m.

PRESIDING: Mayor Swift

PRESENT: Councilmembers Blanchette, Norton, O'Neil, Towle, Trombley, Workman

ALSO PRESENT: City Manager Drysdale, City Clerk Hutchison, Assistant City Manager/Landfill Director Dobek, Administrative Lt. (Acting Police Chief Troup), Fire Chief Lammers, Human Resource Director Mayerich, Finance/Purchasing Director McMahon, Information and Technology Director Harper, Parks and Recreation Director Dickman, Library Director Frattarelli, Golf Course Director Kettler, Carlisle Wortman Community Development Director Scurto, Cornerstone Environmental Group Project Manager Bowyer, Charles E. Raines City Engineer Sabak, Attorney Pentiuk

The **Pledge of Allegiance** was led by Councilmember O'Neil.

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

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

The Beautification Commission and Mayor selected the following residents to be recognized as the 2020 Holiday Home Decorating Winners.

Robert Blassie - 14811 Stoneham
Thomas & Betty Curtis - 17150 Matthews
Shawn and Shannon Filkins - 17556 Matthews
Carol Akers - 17714 Valade
Clark and Lorraine Dubois - 17706 Valade
Brian and Danielle Webb - 20271 Maplewood
Mayor's Choice Award: Deanna Boone State Farm Agency

MINUTES:

Motion by Councilmember Workman, seconded by Councilmember Norton that the **Minutes** of the **Regular Meeting of December 7, 2020, and December 14, 2020 Special Meeting**, and the condensed versions for publication, be **Approved**.

Carried unanimously.

PUBLIC HEARINGS:

None.

PUBLIC COMMENTS:

The Mayor offered public comments. No one spoke.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

Motion by Councilmember Towle, seconded by Councilmember Workman, that the **Consent Agenda** be Approved as follows:

- Award Cooperative Bid Purchase for One (1) **2021 Ford Interceptor** from Gorno Ford for a total cost of **\$32,995.00** for the Police Department.
- Accept **RAP/CAP Grant Award** in the amount of **\$7,000.00** from **Michigan Municipal Risk Management Authority** for the Purchase and Replacement of **In-Car Dash Cameras** for the Riverview Police Department in Service Patrol Vehicles.
- Accept **RAP/CAP Grant Award** in the amount of **\$500.00** per Taser funding up to a maximum of **\$5,000.00** from **Michigan Municipal Risk Management Authority** for the Purchase and Replacement of **Ten (10) New Tasers** for the Riverview Police Department..
- Accept the **Annual Financial Audit Report** for the City of Riverview for Fiscal Year ending June 30, 2020.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Workman, seconded by Councilmember O'Neil that Resolution 20-28, Authorizing **Wayne County Permit for Annual Restoration, Maintenance and Special Events**, be Adopted.

RESOLUTION NO. 20-28
RESOLUTION AUTHORIZING EXECUTION OF WAYNE COUNTY PERMIT
FOR ANNUAL PAVEMENT RESTORATION, ANNUAL MAINTENANCE
WORK IN RIGHT-OF-WAYS AND SPECIAL EVENTS

At the Regular Meeting of the Riverview City Council on 21st day of December, 2020, the following resolution was offered:

WHEREAS, the City of Riverview, (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel; and

WHEREAS, pursuant to Act 51 of 1951, being MCL 247,651 et seq.} the County permits and regulates such activities noted above and related temporary road closures.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community 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 County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED that the following individuals are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

Jeff Webb – Director of the Department of Public Works
Ron Tabor – Supervisor of the Department of Public Works

AYES: Mayor Swift, Councilmembers Blanchette, Norton, O'Neil, Towle, Trombley, Workman

NAYS: None.

EXCUSED: None.

ADOPTED this 21st day of December, 2020.

ATTEST:

Andrew M. Swift, Mayor

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Riverview, County of Wayne, Michigan, on the 21st day of December, 2020.

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Trombley, seconded by Councilmember O'Neil that Resolution No. 20-28, Performance Resolution for Government Bodies for the State of Michigan (**MDOT**) **Annual Permit for Work on State Highways**, be Adopted.

RESOLUTION NO. 20-29
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

AYES: Mayor Swift, Councilmembers Blanchette, Norton, O'Neil, Towle, Trombley, Workman
 NAYS: None.
 EXCUSED: None.
 ADOPTED this 21st day of December, 2020.

ATTEST:

 Andrew M. Swift, Mayor

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the City Council of the City of Riverview of Wayne County at a Regular City Council meeting held on the 21st day of December, A.D. 2020.

 Cynthia M. Hutchison, City Clerk

Motion by Councilmember Norton, seconded by Councilmember Towle, that Resolution No. 20-30, regarding the **Wayne County Hazard Mitigation Plan** dated September 14, 2020, be Adopted.

RESOLUTION NO. 20-30
 ADOPTION OF THE WAYNE COUNTY HAZARD MITIGATION PLAN

WHEREAS, the mission of the City of Riverview includes the charge to protect the health, safety, and general welfare of the people of City of Riverview; and

WHEREAS, the City of Riverview, Michigan is subject to flooding, tornadoes, winter storms, and other natural, technological, and human hazards; and

WHEREAS, and the Wayne County Department of Homeland Security and Emergency Management and the Wayne County Local Emergency Planning Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Hazard Mitigation Plan that reviews the options to protect people and reduce damage from these hazards; and

WHEREAS, City of Riverview has participated in the planning process for development of this Plan, providing information specific to local hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing the draft Plan; and

WHEREAS, the Wayne County Department of Homeland Security and Emergency Management, with the Wayne County Local Emergency Planning Committee (LEPC), has developed the WAYNE County Hazard Mitigation Plan (the "Plan") as an official document of the County and establishing a County Hazard Mitigation Coordinating Committee, pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44 CFR 210.6); and

WHEREAS, the Plan has been widely circulated for review by the County's residents, municipal officials, and state, federal, and local review agencies and has been revised to reflect their concerns.

NOW, THEREFORE, BE IT RESOLVED by the City of Riverview and Riverview Police Department that:

1. The Wayne County Hazard Mitigation Plan (or section(s) of the Plan specific to the affected community) is/are hereby adopted as an official plan of City of Riverview.
2. The Interim Chief Richard Troup is charged with supervising the implementation of the Plan's recommendations, as they pertain to Interim Chief Richard Troup and within the funding limitations as provided by the City of Riverview and Riverview Police Department or other sources.
3. The Interim Chief of Police Richard Troup shall give priority attention to the following action items recommended in portions of the Plan specific to City of Riverview:
 - a. Section 6.3.1.31, page 212
 - b. Section 5, page 228

AYES: Mayor Swift, Councilmembers Blanchette, Norton, O'Neil, Towle, Trombley, Workman

NAYS: None.

EXCUSED: None.

ADOPTED this 21st day of December, 2020.

ATTEST:

Richard Troup, Interim Police Chief

Andrew M. Swift, Mayor

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the City Council of the City of Riverview of Wayne County at a Regular City Council meeting held on the 21st day of December, A.D. 2020.

Cynthia M. Hutchison, City Clerk

ADMINISTRATION:

Motion by Councilmember Trombley, seconded by Councilmember Blanchette that the Bid Award and Authorization for Execution of Agreements for Purchase of One (1) 2017 **Kenworth Cummins T880 Roll Off Truck** in the Amount of **\$146,000.00** to **Bell Equipment** Company of Lake Orion, Michigan, be Approved.

Carried unanimously.

Motion by Councilmember Trombley, seconded by Councilmember Workman that the Bid Award and Authorization for Execution of **Agreements** and Authorization for **Solicitation of Finance Options** for Purchase of Bid #2480 for a **Skid Steer Loader** in the amount of **\$79,006.63**; and Accept Trade-in of one (1) 1999 CAT IT38G with Bucket, Forks, and Tink Clamp Bucket in the Amount of **\$28,000.00** for the Net Price of **\$51,006.63** to the **Carleton Equipment Company** of Livonia, Michigan, be Approved.

Carried unanimously.

Motion by Councilmember Towle, seconded by Councilmember Workman that the Cooperative Bid Purchase for One (1) 2021 **Utilimaster Water Truck** from **Versalift Midwest Time Manufacturing**

Company (formerly Cannon Truck Equipment) for a total cost of **\$190,099.00**, be Approved.
Carried unanimously.

Motion by Councilmember Trombley, seconded by Councilmember Blanchette that the Bid Award and Authorization for Execution of Agreement with **Midwest Golf and Turf** for a **Five (5) Year Lease** with \$1.00 purchase option of 110 - 2021 Club Car Gas Golf Carts in the amount of **\$547,932.00** and Two (2) - 2021 Beverage Carts in the Amount of **\$23,111.60**; and further, Accept Trade-in of 100 2014 Yamaha Gas Golf Carts in the amount of **\$277,500.00**, for a Net Price of **\$293,543.60**, be Approved.

AYES: Mayor Swift, Councilmembers Blanchette, Towle, Trombley, Workman

NAYS: Councilmembers Norton, ONeil

Motion carried.

Motion by Councilmember Towle, seconded by Councilmember ONeil that a **Public Hearing** be Called for **January 4, 2021**, for the Purpose of Receiving Comments on the Proposed **Host Community Agreement** between the **City of Riverview** and the **Riverview Land Preserve**.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Trombley, seconded by Councilmember Towle that Authorization for the Clerk to give the First Reading, by title only, of Proposed Ordinance No. 719, regarding the **Downriver Central Animal Control Agency’s Standard Provisions**, be Approved.

Carried unanimously.

PROPOSED ORDINANCE NO. 719

AN ORDINANCE TO AMEND CHAPTER 10, “ANIMALS,” OF THE RIVERVIEW CODE OF ORDINANCES, BY THE ADDITION OF ARTICLE V, “DOWNRIVER CENTRAL ANIMAL CONTROL AGENCY,” TO ADOPT THE DOWNRIVER CENTRAL ANIMAL CONTROLS AGENCY’S STANDARD PROVISIONS TO PROVIDE UNIFORM ENFORCEMENT

CLOSED SESSION:

None.

ADJOURNMENT:

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

Carried unanimously.

The meeting adjourned at 8:00 p.m.

Andrew M. Swift

Cynthia M. Hutchison, City Clerk