

CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
HELD ON TUESDAY, JANUARY 20, 2009 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 7:35 p.m.

Presiding: Mayor Durand

Present: Councilmembers Coffey, Rudicil, Swift, Elmer Trombley, James Trombley

Excused: Councilmember Blanchette

Also Present: City Manager Workman, City Clerk Bratcher, Human Resources Director Hajkus, Police Chief Ginestet, Fire Chief Bosman, Fire Marshal Jensen, Finance Director D. Drysdale, Acting Community Development Director M. Drysdale, Public Works Director Hunter, Director of Solid Waste Bobeck, Assessor/Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Golf Course Director Ford, Charles E. Raines Engineer Sabak, Attorney Pentiuik

The **Pledge of Allegiance** was led by Master Nicolas Golda.

The **Invocation** was given by Councilmember Elmer Trombley.

AWARDS, PROCLAMATIONS AND PRESENTATIONS:

The Mayor recognized Mrs. Delores DeJohn for her dedicated service on the **Board of Canvassers** from December 1, 1997 to December 31, 2008.

The Mayor, Fire Chief Bosman, Police Chief Ginestet acknowledged the valiant efforts of the initial responders whose team work and dedication prevented further loss of life at the Bellaire Senior Apartments fire on November 27, 2008. **Medals of Valor** were presented to Firefighter Lt. **Craig Williamson** and Police Officers **Bob Bemis, Frank Mandernach, Sean O'Neil, Jason Fell, Eric Thome** and **Travis Marsh** (not present) for the rescue of the 85 residents. **Medals of Honor** were presented to Firefighters **Daniel Wood, Damon Sutton** and **Ryan Croft** for continuing to fight the fire while their Lieutenant and the Police Officers rescued residents. Chief Bosman offered heartfelt appreciation to the other agencies that responded to their call: Police and Fire Departments from Trenton, Grosse Ile, Wyandotte, Flat Rock, Gibraltar, Rockwood, Ecorse, Woodhaven, and U. S. Border Patrol.

MINUTES:

Motion by Councilmember Coffey, seconded by Councilmember Rudicil, that the **Minutes** of the regular meeting of **January 5, 2009** along with the condensed version for publication be approved as presented.

Carried unanimously.

PUBLIC HEARINGS:

None.

PUBLIC COMMENTS:

At this time, Mayor Durand asked if anyone wished to address the City Council. No one spoke.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

Motion by Councilmember Swift, seconded by Councilmember James Trombley, that the following items on the **Consent Agenda** be **approved**:

- **Distribution** for **Comments** of **Draft** of the **Riverview Master Plan** to neighboring communities and the county in accordance with requirements of Section 41(2) of the Michigan Planning Enabling Act as presented by the Planning Commission with assistance of Wade Trim.
- **Authorization** for **City Clerk** to enter into an **Agreement** with the **Wayne County** relative to the City's conduct and responsibilities in the **school board elections** in the best interest of the City.

- Ratification of **Emergency Purchase of Road Salt** from **Detroit Salt** in the amount of **\$45.82** per ton.
- Authorization of **Cooperative Purchase** of a **Copier** from **American Imaging** in the amount of **\$3,953.00** for Police Department.
- **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 General Fund -- Community Development:</u>				
Part-time Salaries	101-447-725.100	\$ 0.00	\$ 37,532.00	\$ 37,532.00
Contractual Services	101-447-818.000	38,589.00	1,057.00	(37,532.00)
Net decrease (increase) to Fund Balance				\$ 0.00

JUSTIFICATION: To transfer funds related to the code enforcement officer, whose wages were originally budgeted under contractual services instead of part-time salaries.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 Water / Sewer Fund -- Water Dept:</u>				
Overtime	592-536-725.200	\$ 11,500.00	\$ 26,500.00	\$ 15,000.00
Meal Reimbursement	592-536-745.000	0.00	500.00	500.00
Water Main Materials	592-536-760.200	8,040.00	11,040.00	3,000.00
Water Main Restoration	592-536-760.270	20,000.00	35,000.00	15,000.00
Net decrease (increase) to Fund Balance				\$ 33,500.00

JUSTIFICATION: To appropriate additional funds due to the large number of repairs of water main breaks.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 Major Streets Fund -- Winter:</u>				
Salt	202-478-781.000	\$ 13,401.00	\$ 14,572.00	\$ 1,171.00
<u>2008/09 Local Streets Fund -- Winter:</u>				
Salt	203-478-781.000	\$ 21,500.00	\$ 34,000.00	\$ 12,500.00

JUSTIFICATION: To appropriate additional funds for the emergency purchase of road salt.

D.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 General Fund -- Public Works:</u>				
Meal Reimbursement	101-441-861.000	\$ 1,050.00	\$ 2,050.00	\$ 1,000.00
Operating Supplies	101-441-740.000	13,719.00	12,719.00	(1,000.00)
Net decrease (increase) to Fund Balance				\$ 0.00
<u>2008/09 Major Streets Fund:</u>				
Salaries -- Winter	202-478-725.000	\$ 7,042.00	\$ 11,842.00	\$ 4,800.00
Salaries -- Maintenance	202-463-725.000	34,952.00	30,152.00	(4,800.00)
Equipment Rental -- Winter	202-478-945.000	6,096.00	11,196.00	5,100.00
Equipment Rental -- Maintenance	202-463-945.000	44,805.00	39,705.00	(5,100.00)
Net decrease (increase) to Fund Balance				\$ 0.00
<u>2008/09 Local Streets Fund:</u>				
Salaries -- Winter	203-478-725.000	\$ 16,428.00	\$ 27,628.00	\$ 11,200.00
Salaries -- Maintenance	203-463-725.000	80,938.00	69,738.00	(11,200.00)
Equipment Rental -- Winter	203-478-945.000	14,223.00	26,123.00	11,900.00
Equipment Rental -- Maintenance	203-463-945.000	91,670.00	79,770.00	(11,900.00)
Net decrease (increase) to Fund Balance				\$ 0.00

JUSTIFICATION: To appropriate additional funds for snow plowing and salting.

E.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2008/09 Drug Forfeiture Fund:				
Copy Machine	265-302-972.400	\$0.00	\$1,977.00	\$1,977.00
Operating Supplies	265-302-740.000	24,545.00	22,568.00	(1,977.00)
Copy Machine	265-303-972.400	\$0.00	\$1,976.00	1,976.00
Operating Supplies	265-303-740.000	132,967.00	130,991.00	(1,976.00)
Net decrease (increase) to Fund Balance				\$0.00

JUSTIFICATION: To transfer funds for the purchase of a copier for the police department. Drug forfeiture funds are being used in lieu of General Fund revenues for this purchase.

F.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2008/09 Major Streets Fund – Construction:				
Quarry Rd Reconstruction	202-451-980.045	\$0.00	\$287,878.00	\$287,878.00
Net decrease (increase) to Fund Balance				\$287,878.00

JUSTIFICATION: To appropriate funds for the engineering fees associated with the Quarry Road reconstruction. Funds have been accumulated in the Major Streets fund balance account for this project.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember James Trombley, seconded by Councilmember Elmer Trombley, to approve **Resolution No. 09-01** in support of the **Riverview Hall of Fame** Twentieth Annual Awards Ceremony as sponsored by the Riverview Hall of Fame and Scholarship Foundation.

RESOLUTION NO. 09-01

CITY OF RIVERVIEW RESOLUTION IN SUPPORT OF THE TWENTIETH ANNUAL HALL OF FAME AWARDS CEREMONY AS SPONSORED BY THE RIVERVIEW HALL OF FAME AND SCHOLARSHIP FOUNDATION.

WHEREAS, the Riverview Hall of Fame and Scholarship Foundation has distinguished itself in past years through the promotion of community pride and recognition by honoring deserving individuals who have made a lasting contribution to the Riverview community; and

WHEREAS, the Riverview Hall of Fame and Scholarship Foundation has announced plans for the twentieth annual “HALL OF FAME” awards ceremony and banquet to be held at Arnaldo’s on Friday, March 27, 2009; and

WHEREAS, the Riverview City Council desires to expressly support the mission, purposes, and goals of the Riverview Hall of Fame and Scholarship Foundation on the occasion of this event.

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

1. The City of Riverview formally acknowledges and commends the Riverview Hall of Fame and Scholarship Foundation in the promotion of the nineteenth annual “Hall of Fame” awards ceremony and banquet to be held on March 27, 2009.
2. The Riverview City Council hereby appropriates the sum of \$500.00 to the Riverview Hall of Fame and Scholarship Foundation in support of scholarship grants to local students.

BE IT FURTHER RESOLVED, that the Riverview City Council extends its admiration and gratitude to the award recipients for this occasion in honor and recognition for the accomplishments and contributions these individuals bring to the Riverview community.

Adopted this 20th day of January, 2009.

Attest:

Tim Durand, Mayor
Carried unanimously.

Judith A. Bratcher, City Clerk

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, that the State of Michigan, Michigan Department of Transportation (MDOT) **Resolution No. 09-02** authorizing the Annual **Permit** for work on **state highways (M-85/Fort Street)** be **adopted**. Further, the Department of Public Works **Director** and **Supervisor** be **authorized** to apply for the necessary **permit work**.
Carried unanimously

ADMINISTRATION:

Motion by Councilmember Rudicil, seconded by Councilmember Elmer Trombley, that authorization for the Preparation of **Plans and Specifications**, the **Solicitation of Bids**, and the **Contract Administration** by **Charles E. Raines** Company in the amount of **\$287,878.00** for **Quarry Road Pavement Reconstruction and Water Main Replacement** from Pennsylvania Road to Longsdorf Avenue be approved.

Ayes: Mayor Durand, Councilmembers Coffey, Rudicil, Swift, James Trombley

Nays: Councilmember Elmer Trombley

Motion carried.

Motion by Councilmember James Trombley, seconded by Councilmember Swift, that the competitive bid selection be waived; approve contract award, and **authorize** Execution of **Agreement**, subject to review by City Attorney, for Building/Community Development **Professional Services** with **Carlisle/Wortman Associates, Inc.**, in the amount of **\$131,860.00** to oversee **Taminco's** removal of buildings and equipment and prepare for Brownfield Redevelopment. Further, the staff be directed to bid said project after one year.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Swift, seconded by Councilmember James Trombley, that the City Clerk be authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 620 – "Contractors"** to require a Certificate of **Liability Insurance** as a condition of obtaining a **license**.
Carried unanimously.

The City Clerk gave the Second Reading, by title only:

ORDINANCE NO. 620

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 86-245 OF ARTICLE VII "CONTRACTORS" IN CHAPTER 86 "BUILDINGS AND BUILDING REGULATIONS" TO REQUIRE A CERTIFICATE OF LIABILITY INSURANCE AS A CONDITION OF OBTAINING A LICENSE UNDER THIS ARTICLE

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment: That Section 86-245, Liability insurance required, of Article VII, Contractors, under Chapter 86, Buildings and Building Regulations, is hereby repealed and re-adopted to hereafter read as follows:

Chapter 86 Buildings and Building Regulations
Article VII Contractors

Section 86-245. Liability insurance required.

Before a license is issued under this division, the applicant shall file with the director of the department having jurisdiction a certificate of insurance issued by an insurance company authorized to do business in the state against claims for personal injury and property damage by the city and members of the public resulting from the negligent acts or omissions by the applicant or his agents or employees, all of which insurance shall cover public liability damage in an amount as provided by the director of the department having jurisdiction. No permit shall be issued for the construction, alteration or repair of buildings or equipment unless or until the necessary evidence of proper insurance has been filed. Every such certificate of insurance shall contain a provision that before such insurance is canceled, a notice shall be given by the insurer to the city manager, or his designee, of the insurer's intention to cancel such policy not less than ten days after receipt of such notice. Failure of applicant to comply with this section will be considered sufficient reason to deny the license.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a difference penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on January 5, 2009, shall be given a second reading on January 20, 2009, shall be adopted on January 20, 2009 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 20th day of January, 2009.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on January, 2009.

Judith A. Bratcher, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Rudicil, that Proposed **Ordinance No. 620** be **adopted**.

Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Rudicil, that the City Clerk be authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 621** – "**Sewer System**" to require a **Bond** and a Certificate of **Liability Insurance** as a condition of obtaining a **permit**.

Carried unanimously.

The City Clerk gave the Second Reading, by title only:

ORDINANCE NO. 621

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 70-96 OF ARTICLE III "WATER SYSTEM" IN CHAPTER 70 "UTILITIES" TO REQUIRE A BOND AND CERTIFICATE OF LIABILITY INSURANCE AS A CONDITION OF OBTAINING A PERMIT UNDER THIS ARTICLE

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment: That Section 70-96, Permit required for connections, disconnections, alterations to service pipes, of Article III, Water System, under Chapter 70, Utilities, is hereby repealed and re-adopted to hereafter read as follows:

Chapter 70 Utilities Article III Water System

Section 70-96. Permit required for connections, disconnections, alterations to service pipes, and bond and insurance prerequisite to issuance.

- (a) No person shall excavate for, install any water service pipe or connect or disconnect any such service pipe with or from the mains or distribution pipes of the waterworks system, nor with or from any other service pipe now or hereafter connected with such system, nor make any repairs, additions to, or alterations of any such service pipe, tap, stopcock or any other fixture or attachment connected with any such service pipe, without first procuring a permit from the city department having jurisdiction.
- (b) No permit shall be granted for the doing of any work under this section until a bond and policy of insurance have been filed with the director of

the department having jurisdiction. The bond and policy of insurance shall be in such amount as set by the director, or his designee, so as to repair to original condition. All bonds and policies of insurance shall be conditioned to pay for all damages to the waterworks system of the city and to hold the city and its agents harmless from every other damage of every other nature, whether to persons or property for which such city may be held liable by reason of, or which is occasioned by, the doing of a thing or the exercise of the privilege for which the permit upon which the bond and policy of insurance were based, was granted.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a difference penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on January 5, 2009, shall be given a second reading on January 20, 2009, shall be adopted on January 20, 2009 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 20th day of January, 2009.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on January 20, 2009.

Judith A. Bratcher, City Clerk

Motion by Councilmember Coffey, seconded by Councilmember Rudicil, that Proposed **Ordinance No. 621** be **adopted**.

Carried unanimously.

Motion by Councilmember Rudicil, seconded by Councilmember James Trombley, that the City Clerk be authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 622** – "**Water System**" to require a **Bond** and a Certificate of **Liability Insurance** as a condition of obtaining a **permit**.

Carried unanimously.

The City Clerk gave the Second Reading, by title only:

ORDINANCE NO. 622

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 70-173 OF ARTICLE IV "SEWER SYSTEM" IN CHAPTER 70 "UTILITIES" TO REQUIRE A BOND AND CERTIFICATE OF LIABILITY INSURANCE AS A CONDITION OF OBTAINING A PERMIT UNDER THIS ARTICLE

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment: That Section 70-173, Permit-Required, of Article IV, Sewer System, under Chapter 70, Utilities, is hereby repealed and re-adopted to hereafter read as follows:

Chapter 70 Utilities
Article IV Sewer System

Section 70-173. Permit-Required, Bond and Insurance Prerequisite to Issuance.

- (a) No person shall excavate for, establish or make any connection with any city sewer or sewer pipe, or cause the connection to be done, unless he complies with the provisions of this Code, the state laws and all lawful regulations, and unless he first procures a permit from the city department having jurisdiction.
- (b) No permit shall be granted for the doing of any work under this section until a bond and policy of insurance have been filed with the director of the department having jurisdiction. The bond and policy of insurance shall be in such amount as set by the director, or his designee, so as to repair to original condition. All bonds and policies of insurance shall be conditioned to pay for all damages to the sewer system of the city and to hold the city and its agents harmless from every other damage of every other nature, whether to persons or property for which such city may be held liable by reason of, or which is occasioned by, the doing of a thing or the exercise of the privilege for which the permit upon which the bond and policy of insurance were based, was granted.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a difference penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on January 5, 2009, shall be given a second reading on January 20, 2009, shall be adopted on January 20, 2009 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

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Judith A. Bratcher, City Clerk

Motion by Councilmember Swift, seconded by Councilmember Elmer Trombley, that Proposed **Ordinance No. 622** be **adopted**.
Carried unanimously.

OTHER BUSINESS:
None.

ADJOURNMENT:
Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift, that the meeting be **adjourned**.
Carried unanimously.

Meeting **adjourned** at 8:05 p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk