

CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
HELD ON MONDAY, DECEMBER 7, 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 7:30 p.m.

Presiding: Mayor Durand

Present: Councilmembers Blanchette, Coffey, Priskorn, Swift, Elmer Trombley, James Trombley

Also Present: City Manager Workman, City Clerk Bratcher, Human Resources Director Hajkus, Police Chief Ginestet, Fire Chief Bosman, Finance Director Doug Drysdale, Special Projects Coordinator Mark Drysdale, Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Public Works Director Hunter, Director of Solid Waste Bobeck, Golf Course Director Ford, Code Enforcement Officer Lammers, Cornerstone Environmental Group Director Larky, CDBG Consultant Mark Kibby, Charles E. Raines Engineer Sabak, Attorney Pentiuk

The **Pledge of Allegiance** and **Invocation** were led by Councilmember Elmer Trombley.

AWARDS, PROCLAMATIONS AND PRESENTATIONS:

None.

MINUTES:

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, that the **Minutes** of the Regular Meeting of **November 16, 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.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

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

- **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2009/10 Water / Sewer Fund:</u>				
Grange Road Pump Station	592-527-991.011	\$ 127,205.00	\$ 172,321.00	\$ 45,116.00
Net decrease (increase) to Fund Balance				\$ 45,116.00

JUSTIFICATION: To appropriate additional funds for the replacement of the Grange Road Pump Station, based on higher than anticipated construction costs.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2009/10 CDBG Fund:</u>				
Housing Rehab Administration	275-482-981.212	\$ 3,400.00	\$ 8,300.00	\$ 4,900.00
Net decrease (increase) to Fund Balance				\$ 4,900.00

JUSTIFICATION: To appropriate additional funds for the administration of the CDBG Housing Rehab program. The original budget amount represented only the current year grant award; the City is still utilizing grant years from the prior year.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2009/10 Capital Improvement Fund:</u>				
Demolition of Structures	402-901-970.045	\$ 0.00	\$ 4,500.00	\$ 4,500.00
Net decrease (increase) to Fund Balance				\$ 4,500.00

JUSTIFICATION: To appropriate funds for the demolition of property within the City of Riverview.

RESOLUTIONS:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift, that the matter of **resurfacing Dundee Street** through the Special Assessment Procedures of the Riverview Code of Ordinances be **referred** to the **February 8, 2010, Study Session**. Further, Dundee residents are to be informed by written notification.

Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Swift, that the Performance Resolution for Government Bodies for Wayne County **Annual Pavement Restoration Permit** be adopted.

Carried unanimously.

RESOLUTION NO. 09-27
AUTHORIZING EXECUTION OF
ANNUAL PAVEMENT RESTORATION PERMIT

At a Regular Meeting of the Riverview City Council on December 7, 2009, 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 permanent pavement repairs due to emergency repairs 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;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 *et seq*, the County permits and regulates such activities and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such Permit, the Community agrees and resolves that:

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community’s installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney’s fees and related costs arising out of, under, or by reason of the Community’s installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

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 or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

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.

The resolution shall stipulate that the requesting city, incorporated village or township 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.

The resolution shall stipulate that the requesting city, incorporated village or township 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 this date 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.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title
Larry Hunter – Department of Public Works Director		
Roger Phillips – Department of Public Works Supervisor		

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 December 7, 2009.

Judith A. Bratcher, City Clerk

ADMINISTRATION:

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, to **waive Purchasing Manual Section XIII: "Ethics"** to permit Mayor, Council and city personnel to attend a Holiday Open House hosted by Charles E. Raines Company on December 10, 2009.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Swift, that **Authorized Signers** for the City of Riverview **Disbursement Accounts** at **JP Morgan Chase Bank** be approved as follows to reflect the newly elected Mayor Pro-Tem:

Tim Durand, Mayor
James Trombley, Mayor Pro-Tem
Douglas Drysdale, Finance Director
John Hajkus, Human Resources Director
Denise Kuch, Purchasing Director

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, that the **Bid Award** and Execution of **Agreement** with **Lawrence M. Clarke, Inc.**, for the **Grange Road Pump Station Upgrades** be approved as follows:

Bid Award: \$133,582.00
10% Contingency: \$ 13,358.00
Engineering Fees: \$ 25,381.00
Total Project Cost: **\$172,321.00**

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that a **Public Hearing** be called for January 5, 2010 to consider the **Proposed Program Year 2010** Community Development Block Grant (**CDBG**) Program Budget for proposed activities.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Blanchette, that the Proposed Plan to participate in the **Water Rate Study** sponsored by **Bendzinski & Company** to investigate further financing options for the construction of the water treatment plant and impact on future water rates for the debt payment be **approved** in an amount not to exceed **\$8,750.00**, contingent upon Grosse Ile Township and City of Trenton participation.

Carried unanimously.

ORDINANCES:

None.

OTHER BUSINESS:

None.

CLOSED SESSION:

None.

ADJOURNMENT:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the meeting be **adjourned**.

Carried unanimously.

Meeting **adjourned** at 7:59 p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk