

City of Allen Park Regular Council Meeting Minutes
Tuesday, December 22, 2022

Mayor Gail McLeod called the Meeting to order at 6:00 PM in The City Council Chambers
Roll Call showed present: Councilman Daniel Loyd, Councilman Matthew E. Valerius, Councilman Gary Schlack, and Councilman Dennis Marcos
Excused: Councilman Felice “Tony” Lalli & Councilman Charles Blevins

Motion by Schlack
Supported by Marcos
RESOLVED, to approve the Agenda as Presented
MOTION ADOPTED – 22-1220-0265

Motion by Valerius
Supported by Marcos
RESOLVED, to approve the Minutes for the Regular Meeting of December 13, 2022 as presented
MOTION ADOPTED – 22-1220-266

Motion by Loyd
Supported by Valerius
RESOLVED, to Appoint of Zachary Merritt from APHS as Student Commissioner to the Historical Commission
MOTION ADOPTED – 22-1220-267

Motion by Valerius
Supported by Schlack
RESOLVED, to adopt the 2023 Council Meeting Schedule
MOTION ADOPTED – 22-1220-268

Motion by Marcos
Supported by Valerius
RESOLVED, to Accept and File the City Administrators operational updates/reports/documents and submissions
MOTION ADOPTED – 22-1220-269

Motion by Marcos
Supported by Loyd
RESOLVED, to approve the CONSENT AGENDA as follows:
A. Purchasing Actions
1. Claims & Accounts 2. Payroll Report
MOTION ADOPTED – 22-1220-270

Motion by Schlack
Supported by Loyd

WHEREAS, the City of Allen Park 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;

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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 **DPS Director Tom Murray** is authorized in their official capacity as the Community's authorized representative to sign and so bind the 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 (WC Permit #A-23131)

MOTION ADOPTED – 22-1220-271

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Motion by Loyd
Supported by Marcos

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MOTION ADOPTED – 22-1220-272

Motion by Loyd
Supported by Valerius
RESOLVED, to Award the Bid for the Reeck Road Pavement and Water Main Replacement project to Hard Rock Concrete Inc. the lowest qualified bidder in the amount of \$5,283,117.50
MOTION ADOPTED – 22-1220-273

Motion by Loyd
Supported by Valerius
RESOLVED, to Convene into Closed Session for the purpose of Contract/Labor Negotiations with the Allen Park Firefighters Local #1410 as permitted under MCL 15.268 (c)
Roll Call Vote: Unanimous
MOTION ADOPTED – 22-1220-274

The door was closed at 6:30 PM

The door was opened at 7:17 PM

Motion by Valerius
Supported by Loyd
RESOLVED, to reconvene into the Regular Council Meeting
MOTION ADOPTED – 21-1220-275

Motion by Loyd
Supported by Schlack
RESOLVED, to Approve the Tentative Agreement with the Allen Park Firefighters Local #1410
MOTION ADOPTED – 22-1220-276

Motion by Schlack
Supported by Loyd
RESOLVED, to adjourn the Council Meeting at 7:19 PM
MOTION ADOPTED – 22-1220-277

Gail McLeod – Mayor

Michael I. Mizzi – City Clerk