

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL  
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN  
HELD ON MONDAY, FEBRUARY 6, 2017 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 Swift

Present: Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

Also Present: City Manager Drysdale, City Clerk Hutchison, Human Resource Director Mayerich, Police/Fire Chief Rosebohm, Finance/Purchasing Director McMahon, Department of Public Works Director Webb, Information and Technology Director Harper, Parks and Recreation Director Dickman, Director of Solid Waste Bobeck, 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 Boy Scout and Cub Scout Troop 1659.

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

**AWARDS AND PRESENTATIONS AND PROCLAMATIONS:**

None.

**MINUTES:**

Motion by Councilmember Coffey, seconded by Councilmember Workman, that the **Minutes** of the Regular Meeting of **January 17, 2017**, and the condensed version for publication, be **Approved**.

Carried unanimously.

**PUBLIC HEARINGS:**

At the regular City Council meeting of January 3, 2017, a **Public Hearing** was called for January 17, 2017, to conduct a Public Hearing and allow public comment on the Draft Parks and Recreation Master Plan's goals and objectives.

Mayor Swift declared the Public Hearing Open at 7:37 p.m. No one spoke.

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that the Public Hearing be closed.

Carried unanimously.

Public Hearing closed at 7:38 p.m.

**PUBLIC COMMENTS:**

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

**ORGANIZATIONAL BUSINESS:**

None.

**CONSENT AGENDA:**

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

- Authorize Renewal of **Agreement** with **Telnet Worldwide** for the City's Telecommunications Services.
- Authorize the Preparation of **Plans** and **Specifications** and the **Solicitation** of **Bids** by **Charles E. Raines** Company for the **Longsdorf Pump House** and the **DPW Building Roofs Replacement** Projects in the amount of **\$9,800.00**.
- Authorize the Preparation of **Plans** and **Specifications** and the Solicitation of **Bids** by **Charles E. Raines** Company for the **Pennsylvania Road Water Mains Replacement** Projects from **Grange Road** to **Kennebec Street** in the amount of **\$33,990.00**.

- Award **Bid** and Authorize Execution of **Agreement** with **Novotx**, LLC, for GIS-Based Asset & Work Management Software in the amount of **\$40,000.00**.
- Budget Amendments as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2016/17 Finance</u>				
Contractual Services	101-253-818.000	\$ 2,000.00	\$ 25,354.95	\$ 23,354.95
Full-Time Salaries	101-253-725.000	\$ 184,700.00	\$ 161,345.05	\$ (23,354.95)

**JUSTIFICATION:** To transfer funds from full-time salaries to contractual services in the Finance Department. The Finance Department used a contractual service employee during the search period for the Finance Director.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2016/17 Capital Improvement Fund - Revenues</u>				
Donations -- Private Sources	402-000-674.020	\$ 0.00	\$ 75,175.00	\$ 75,175.00
<u>2016/17 Capital Improvement Fund - Projects</u>				
Young Patriots Park - Pavilion	402-901-979.044	\$ 0.00	\$ 75,175.00	\$ 75,175.00
Net increase (decrease) to Fund Balance				\$ -

**JUSTIFICATION:** To appropriate funds for the replacement of the pavilion at Young Patriots Park. Funding has been donated by a local resident.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2016/17 Water &amp; Sewer Fund</u>				
MDEQ SAW Grant Equipment	592-527-972.600	\$ 0.00	\$ 40,000.00	\$ 40,000.00

**JUSTIFICATION:** To appropriate funds for the purchase of work order software for storm and sanitary sewers. This purchase is eligible for reimbursement from the Michigan DEQ SAW grant.

Carried unanimously.

**RESOLUTIONS:**

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that Resolution No. 17-07, Authorize Execution of Administrative Services Agreement with ICMA Retirement Corporation for Retirement Health Savings Plan for DPW Employees, be Adopted.

RESOLUTION NO. 17-07  
AFFIRMATIVE STATEMENT OF ADOPTION  
and  
RESOLUTION FOR ADOPTION OF THE  
VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN

Plan Number: 8 03688

Name of Employer: City of Riverview State: Michigan

Resolution of the above-named Employer (the “Employer”):

WHEREAS, the Employer has employees rendering valuable services;

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees’ health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of the retiree health savings plan (the “Plan”) serves the above objectives.

NOW, THEREFORE, BE IT RESOLVED that the Employer hereby adopts the Plan in the form of the ICMA Retirement Corporations VantageCare Retirement Health Savings program;

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the following

entity or individual serving as trustee (Select one):

- the Employer
- the following position within the Employer: City Manager  
(insert group or committee acting as trustee)
- the following third-party trustee: \_\_\_\_\_  
(insert name of third-party trustee)

for the exclusive benefit of Plan participants and their survivors, and the assets of the Plan shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan. The Employer has executed the Declaration of Trust of the \_\_\_\_\_ Integral Part Trust in the form of (Select one):

- The sample trust made available by the ICMA Retirement Corporation
- The trust provided by the Employer (executed copy attached hereto).

BE IT FURTHER RESOLVED, that the City Manager shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.

I, Cynthia M. Hutchison, Clerk of the of Riverview, do hereby certify that the foregoing resolution, proposed by Councilmember Blanchette, was duly passed and adopted at the regular meeting of the Riverview City Council on the 6<sup>th</sup> day of February, 2017, by the following vote:

Ayes: Mayor Swift, Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

Nays: None

Absent: None

Carried unanimously.

ATTEST:

\_\_\_\_\_  
Andrew M. Swift, Mayor of Riverview

(S E A L)

\_\_\_\_\_  
Cynthia M. Hutchison, CMC  
City Clerk of Riverview

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that Resolution No. 17-08, Authorize Execution of Administrative Services Agreement with ICMA Retirement Corporation for Retirement Health Savings Plan for Clerical Employees, be Adopted.

RESOLUTION NO. 17-08  
AFFIRMATIVE STATEMENT OF ADOPTION  
and  
RESOLUTION FOR ADOPTION OF THE  
VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN

Plan Number: 8 03689

Name of Employer: City of Riverview State: Michigan

Resolution of the above-named Employer (the "Employer"):

WHEREAS, the Employer has employees rendering valuable services;

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees' health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of the retiree health savings plan (the "Plan") serves the above objectives.

NOW, THEREFORE, BE IT RESOLVED that the Employer hereby adopts the Plan in the form of the ICMA Retirement Corporations VantageCare Retirement Health Savings program;

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the following entity or individual serving as trustee (Select one):

- the Employer
- the following position within the Employer: City Manager  
(insert title of individual acting as trustee)
- the following group or committee within the Employer: \_\_\_\_\_  
(insert group or committee acting as trustee)
- the following third-party trustee: \_\_\_\_\_  
(insert name of third-party trustee)

for the exclusive benefit of Plan participants and their survivors, and the assets of the Plan shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan. The Employer has executed the Declaration of Trust of the \_\_\_\_\_ Integral Part Trust in the form of (Select one):

- The sample trust made available by the ICMA Retirement Corporation
- The trust provided by the Employer (executed copy attached hereto).

BE IT FURTHER RESOLVED, that the City Manager shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.

I, Cynthia M. Hutchison, Clerk of the of Riverview, do hereby certify that the foregoing resolution, proposed by Councilmember Blanchette, was duly passed and adopted at the regular meeting of the Riverview City Council on the 6<sup>th</sup> day of February, 2017, by the following vote:

Ayes: Mayor Swift, Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

Nays: None

Absent: None

Carried unanimously.

ATTEST:

\_\_\_\_\_  
Andrew M. Swift, Mayor of Riverview

(S E A L)

\_\_\_\_\_  
Cynthia M. Hutchison, CMC  
City Clerk of Riverview

**ADMINISTRATION:**

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that the **Extension** of the **2016 Street Sectioning Program Contract Agreement** with **Dominic Gaglio Construction, Inc.**, for the **2017 Street Sectioning Program** in the amount of **\$480,000.00** plus ten percent (10%) contingency in the amount of **\$48,000.00** for a total amount of **\$528,000.00**, be Approved; subject to the City Attorney’s Approval. Further, that Engineering Fees to perform Field Evaluation, Marking, Contract Administration, Inspection, Testing and As Built in an amount not to exceed **\$72,000.00**, be **Approved**.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, to **Receive** and **Place on File** the **Recommendation** of the **Local Officers’ Compensation** Commission regarding Salaries for Election Officials.

Ayes: Mayor Swift, Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, Workman

Nays: Councilmember James Trombley

Absent: None.

Motion carried.

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that a **Public Hearing** be Called for **March 6, 2017**, for the Purpose of Discussing the **Brownfield Plan** for **17423 West Jefferson Avenue** for the **W. F. Whelan Company**.

Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, that a **Public Hearing** be called for **March 6, 2017**, for the Purpose of Discussion the Creation of a **Plant Rehabilitation District** at **17423 West Jefferson Avenue** for the **W. F. Whelan Company**.

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, that the **Waiver of Purchasing Manual Section XIII: "Ethics"**, to Allow the members of the **Retirement Board**, Mayor and City Council, City Manager, City Attorney, the Board Secretary and Employees, as designated by the City Manager, to Attend the Annual **Performance Review Meeting** and Dinner with **PNC Bank**, be Approved.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Mayor Swift, that the **Bid Award** and Authorization for Execution of **Agreement** with **Brock & Associates, Inc.**, for the **Replacement of Young Patriots Park Pavilion** in the Amount of **\$68,775.00** and the alternate addition of **metal benches** in the amount of **\$6,400.00**, plus ten percent contingency of **\$7,517.50**, be Approved. (Funds for the replacement construction and engineering fees were generously donated to the city.)

#### **ORDINANCES:**

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that the City Clerk be Authorized, to give the **Second Reading**, by title only, of Proposed **Ordinance No. 689** regarding amending the **Zoning Map** to **Change the Boundary** of a **Planned Development**.

Carried unanimously.

#### PROPOSED ORDINANCE NO. 689

AN ORDINANCE TO AMEND THE CITY OF RIVERVIEW'S ZONING ORDINANCE TO REZONE A SPECIFIC PARCEL OF LAND FROM THE EXISTING PD PLANNED DEVELOPMENT #2 TO A NEW PROPERTY DELINEATION DESCRIBED AS PARCEL "A" BY REVISING THE ZONING DISTRICT MAP

#### THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Adoption: The Official Zoning Map of the City of Riverview is hereby modified and amended so as to hereafter designate by appropriate legend and markings the following described parcel of land which was previously delineated and zoned in 1995 as Planned Development #2 District to a new property delineation described as Parcel A, to wit:

#### PARCEL "A"

A PARCEL OF LAND SITUATED IN A PART OF THE NORTHEAST 1/4 OF SECTION 1, T.04S., R.10E., CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T.04S., R.10E., THENCE N89°39'45"W 371.00 FEET ALONG THE CENTERLINE OF PENNSYLVANIA ROAD (120 FEET WIDE) AND THE NORTH LINE OF SAID SECTION 1; THENCE DUE SOUTH 354.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING DUE SOUTH 471.12 FEET TO THE NORTH LINE OF HUNTINGTON MEADOWS SUBDIVISION, AS RECORDED IN LIBER 81 OF PLATS, PAGES 90 AND 91, WAYNE COUNTY RECORDS; THENCE ALONG SAID NORTH LINE OF HUNTINGTON MEADOWS SUBDIVISION N89°38'00"W 400.00 FEET; THENCE DUE NORTH 765.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PENNSYLVANIA ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S89°39'45"E 305.00 FEET; THENCE DUE SOUTH 200.00 FEET; THENCE S45°00'00"E 134.35 FEET TO THE POINT OF BEGINNING. CONTAINING 6.490 ACRES OF LAND, MORE OR LESS.

Further, the previous designated property boundary of Planned Development #2 District is hereby rescinded.

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 different 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 17, 2017, shall be given a second reading on February 6, 2017, shall be adopted on February 6, 2017, 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 6<sup>th</sup> day of February, 2017.

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 February 6, 2017.

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Cynthia M. Hutchison, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that Proposed **Ordinance No. 689** be **Adopted**.  
Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember James Trombley, that the City Clerk be Authorized, to give the **Second Reading**, by title only, of Proposed **Ordinance No. 690** regarding amending the **Zoning Map** for **17020-17118 Fort Street** to the **FS Street District**.  
Carried unanimously.

#### PROPOSED ORDINANCE NO. 690

AN ORDINANCE TO AMEND THE CITY OF RIVERVIEW'S ZONING ORDINANCE TO REZONE A SPECIFIC PARCEL OF LAND FROM THE EXISTING PD PLANNED DEVELOPMENT #2 TO FS FORT STREET DISTRICT BY REVISING THE ZONING DISTRICT MAP.

#### THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. **Adoption:** The Official Zoning Map of the City of Riverview is hereby modified and amended so as to hereafter designate by appropriate legend and markings the following described parcel of land which was previously zoned PD Planned Development #2 district as being now rezoned to FS Fort Street District, to wit:

#### PARCEL B

A PARCEL OF LAND SITUATED IN A PART OF THE NORTHEAST 1/4 OF SECTION 1, T.04S., R.10E., CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T.04S., R.10E., THENCE N89°39'45"W 371.00 FEET ALONG THE CENTERLINE OF PENNSYLVANIA ROAD (120 FEET WIDE) AND THE NORTH LINE OF SAID SECTION 1; THENCE DUE SOUTH 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING DUE SOUTH 294.44 FEET; THENCE N45°00'00"W 134.35 FEET; THENCE DUE NORTH 200.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PENNSYLVANIA ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S89°39'45"E 95.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.539 ACRES OF LAND, MORE OR LESS.

And the previous designation of PD Planned Development #2 for said parcel is hereby rescinded.

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 different 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 17, 2017, shall be given a second reading on February 6, 2017, shall be adopted on February 6, 2017, 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 6<sup>th</sup> day February 6, 2017.

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 February 6, 2017.

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Cynthia M. Hutchison, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that Proposed **Ordinance No. 690** be **Adopted**.  
Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the City Clerk be Authorized, to give the **First Reading**, by title only, of Proposed **Ordinance No. 691** regarding amending Chapter 14, "Business", Article XIII, regarding "**Medical Marijuana**" requirements.  
Carried unanimously.

#### PROPOSED ORDINANCE NO. 691

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE AMENDMENT OF CHAPTER 14, "BUSINESSES", ARTICLE XIII, "MEDICAL MARIJUANA", SECTION 14-653 "REQUIREMENTS", TO UPDATE THE SECTION.

#### **OTHER BUSINESS:**

None.

#### **CLOSED SESSION:**

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, to **Recess** into Closed Session for the Purpose of Discussion **Pending Litigation** and the **Written Opinion** of the **City Attorney**.  
Carried unanimously.

Meeting recessed at 8:04 p.m.

Meeting reconvened at 8:48 p.m.

Roll Call:

Presiding Mayor Swift

Present: Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman

Absent: None

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, to Concur with the Recommendation of the City Attorney and City Manager in respect to the **Settlement Agreement** and **Release of All Claims** with the **Charter Township of Brownstown** as discussed in the Closed Session this evening.

Carried unanimously.

#### **ADJOURNMENT:**

Motion by Councilmember Coffey, seconded by Councilmember James Trombley, that the Meeting be Adjourned at 8:50 p.m.  
Carried unanimously.

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Andrew M. Swift, Mayor

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Cynthia M. Hutchison, CMC  
City Clerk

I, Cynthia M. Hutchison, duly authorized City Clerk of the City of Riverview, do hereby certify the foregoing to be an approved copy of the minutes of the Riverview City Council at their regular meeting held on February 2, 2017.

( S E A L )

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Cynthia M. Hutchison, City Clerk